

**PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 03082

A. P. # 419-361-016-000

**FINDINGS AND DECISION**

In the matter of the application of  
**Joann Wence Tr (PLN030168)**

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, located at 45450 Carmel Valley Road, Greenfield, northwest of the Arroyo Seco Road intersection, Central Salinas Valley area, came on regularly for hearing before the Planning Commission on December 10, 2003.

WHEREAS: Said proposal includes:

- 1) Use Permit to allow for the third single family residence by the installation of a 1,711 sq. ft. manufactured dwelling on a permanent foundation, detached carport, 600 sq. ft. utility barn; and
- 2) An Administrative Permit to allow for the sixth connection to a mutual water system

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

**FINDINGS OF FACT**

1. **FINDING: CONSISTENCY** - The Combined Development Permit (PLN030168), as described in condition #1, is consistent with the plans, policies of the Monterey County General Plan, the Central Salinas Valley Area Plan, and the requirements and standards of the Monterey County Zoning Ordinance (Title 21). The property is located at 45450 Carmel Valley Road, Greenfield. The parcel is zoned "LDR/1" Low Density Residential. The site is physically suitable for the use proposed. Specifically, the proposed third residential unit and the connection to the mutual water system comply with all applicable requirements of Section 21.14.050 (a).

- EVIDENCE:**
- (a) The Planning and Building Inspection staff reviewed the project for consistency with:
    - Monterey County General Plan
    - Central Salinas Valley Area Plan
    - Regulations for the Low Density Residential Zoning District of the Monterey County Zoning Ordinance (Title 21).
  - (b) The project planner conducted an on-site inspection on August 5, 2003, to verify that the project on the subject parcel conforms to the plans listed above.
  - (c) The project to allow for a third residential unit, accessory structure and mutual water system is an allowed use under the Low Density Residential Designation, Section 21.14.050 (a).
  - (d) The parcel is zoned Low Density Residential, 1 unit/acre, (LDR/1). The project is in compliance with Site Development Standards for a Low Density Residential District Section 21.14.060 of Title 21 (Zoning Ordinance) and Policy 26.1.6.1 of the Central Salinas Valley area plan.
  - (e) An archaeological reconnaissance addendum was prepared for the parcel by Mary Doane and Trudy Haversat of Archaeological Consulting, dated May 13, 2003. The

addendum (LIB030164) concludes that there is no indication of cultural resources within the area currently proposed for development.

- (f) The proposed development area is not located within 100-year Floodplain of Piney Creek.
- (g) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN030168.

2. **FINDING: WATER MUTUAL SYSTEM** - The proposal includes two additional water connections to an existing mutual water system (Piney Creek). The proposed development meets both water quality and quantity of standards as required in Title 15 of the Monterey County Code, and as approved by the Environmental Health Department.

**EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN030168.

3. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision and any other applicable provisions of the County's zoning ordinance. No violations exist on the property, and all zoning violation abatement cost, if any, have been paid.

**EVIDENCE:** (a) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations that exist on subject property.  
(b) Sections 21.14 of the Monterey County Code (Zoning)

4. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance or operation of the project applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

**EVIDENCE:** (a) The project was reviewed by Planning and Building Inspection, Public Works Department, Water Resources Agency, Environmental Health Division, Parks Department and the California Department of Forestry (CDF). The respective departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions.

5. **FINDING: SITE SUITABILITY** - The site is suitable for the use proposed.

**EVIDENCE:** (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works Department, Water Resources Agency, Environmental Health Division, Parks Department and California Department of Forestry (CDF). Conditions recommended have been incorporated.  
(b) Staff conducted an on-site visit on August 5, 2003 to verify that the site is suitable for this use.

6. **FINDING: CEQA (Exempt)** – This project is exempt from environmental review.

**EVIDENCE:** (a) The State CEQA Guidelines categorically exempts this project from environmental review pursuant to CEQA Guideline Section 15303 (a), Class 3 (exemption for single

- family residence), 15061 (b)(2) and (3).
- (b) No adverse environmental effects were identified during staff review of the development application during on-site visit

7. **FINDING: APPEALABILITY** - The project is appealable to the Board of Supervisors.  
**EVIDENCE:** (a) Sections 21.80 of the Monterey County Zoning Ordinance (Title 21).

### **DECISION**

THEREFORE, it is the decision of the Planning Commission that said application be granted subject to the attached conditions:

**PASSED AND ADOPTED** this 10th day of December, 2003 by the following vote:

AYES: Errea, Hawkins, Padilla, Brennan, Sanchez, Diehl, Salazar, Rochester, Wilmot  
NOES: None  
ABSENT: Parsons

Original Signed By:

JEFF MAIN, SECRETARY

Copy of this decision mailed to applicant on

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90<sup>th</sup> day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Marina.

2. The construction or use authorized by this permit must start within two years of the date of approval of this permit unless extended by the Director of Planning and Building Inspection pursuant to Section 20.140.100 of the Coastal Implementation Plan.