

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

RESOLUTION # 04003

A.P. # 008-031-016-000

In the matter of the application of  
**Poppy Holding Inc. (PLN030525)**

**FINDINGS & DECISION**

for a Combined Development Permit in accordance with Title 20 (Zoning) Chapter 20.82 of the Monterey County Code, consisting of a Coastal Administrative Permit, Design Approval, and General Development Plan for a 6,132 sq. ft. two-story infill addition for the Northern California Golf Association offices at the Poppy Hills Golf Course; and a Coastal Development Permit for development on slopes of 30% or greater including grading (844 cu. yds. of cut and 40 cu. yds. of fill) and retaining walls. The property is located at 3200 López Road, Pebble Beach, Del Monte Forest area, Coastal Zone, came on regularly for meeting before the Planning Commission on January 28, 2004.

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

- 1. FINDING: CONSISTENCY** – The subject Coastal Administrative Permit, Design Approval, and General Development Plan (PLN030525), as described in Condition 1 of the attached Exhibit “D,” and as conditioned, conforms to the plans, policies, requirements, and standards of the Local Coastal Program (LCP). The LCP for this site consists of the *Del Monte Forest Land Use Plan*, the *Regulations for Development in the Del Monte Forest Land Use Plan Area* (Part 5), Part 6 of the Coastal Implementation Plan (Appendices), and the Monterey County Zoning Ordinance (Title 20). The property is located at 3200 López Road, (Assessor's Parcel Number 008-031-016-000), Pebble Beach, in the Del Monte Forest area of the Coastal Zone. The parcel is zoned “OR/B-8-D (CZ)” [Open Space Recreation]; “RC-D (CZ)” [Resource Conservation]; and “VSC/B-8-D (CZ)” [Visitor Serving Commercial]; in a Design Control District and a Building Site 8 District, in the Coastal Zone. The site is physically suitable for the use proposed. The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see Section 20.70.050.B.4 of Title 20). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

**EVIDENCE:** The application and plans submitted for the Combined Development Permit in the project file at the Monterey County Planning and Building Inspection Department.

**EVIDENCE:** The Del Monte Forest Land Use Advisory Committee voted 6 to 0 to recommend approval of the project without comment or conditions; Design Approval application found in File No. PLN030525.

**EVIDENCE:** The on-site inspection of the parcel by the project planner, January 27, 2004.

**EVIDENCE:** There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities

are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the applicable Fire Department, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

**EVIDENCE:** The subject property is not adjacent to the sea shore and is not described as an area where the Local Coastal Program requires access, according to Sections 20.70.050.B.4.c.i and ii of the Zoning Ordinance (Title 20).

2. **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 the Pebble Beach Community Services District. Conditions recommended have been incorporated.

(b) The project is in seismic hazard zones “II” & “III” (low to moderate) as found on the resource maps of the Del Monte Forest Land Use Plan.

(c) The project as proposed is consistent with policies of the *Del Monte Forest Land Use Plan* dealing with development in archaeologically sensitive areas, evidenced by a negative archaeological report dated February 10, 1982, prepared by Archaeological Consulting for the original golf course project; contained in the project file PLN030525. No known positive archaeological sites are located within 750 feet of the project site. Condition 10 has been added to require that work be stopped in the event that any archaeological resources are found on site.

(d) Staff conducted a site visit on January 27, 2004 to verify that the site is suitable for this use.

(e) Necessary public facilities are available and will be provided.

3. **FINDING: SLOPE WAIVER** – The request for the proposed development to be located on slopes of 30% or greater is consistent with Section 20.147.060.G.1.a of the *Regulations for Development in the Del Monte Land Use Plan Area*, which prohibits development on slope of 30% or greater where alternatives exist that would allow the development to occur on slopes of less than 30% except where the proposed development better achieves the resource protection objectives and policies of the *Del Monte Forest Land Use Plan* and development standards of the *Regulations for Development in the Del Monte Land Use Plan Area*.

**EVIDENCE:** Twenty-eight of the additional 41 parking spaces required for the proposed project would require development on slopes of 30% or greater. Allowing this development to occur on slopes of 30% or greater would allow the parking area to be confined to one compact area and would avoid the need to expand parking facilities into fairway or forested areas. Also, maintaining the parking area in one location would allow the new development to take advantage of existing drainage systems, which would minimize the need for additional infrastructure.

4. **FINDING: WATER PRORATIONING** – Development of properties located in the Monterey Peninsula Water Management District (“District”) depends in large part, on the availability of water pursuant to an allotment system established by the District based on a prorationing of the known water supply for each of the jurisdictions served by the California-American Water Service Company.
- EVIDENCE:** Staff report, oral testimony at the hearing; administrative record.
5. **FINDING: WATER ALLOTMENT** – Based upon the District's water allotment system, the County of Monterey (“County”) has established a system of priority distribution of water allocation for properties within its own jurisdiction. Current information available to the County indicates that the County's share of water under the District's allotment system, over which the County has no control, has been exhausted to the point that the County is unable to assure that property owners who do or have obtained development permits for their properties will be able to proceed with their development projects.
- EVIDENCE:** Staff report, oral testimony at the hearing; administrative record.
6. **FINDING: WATER AVAILABILITY** – In view of the preceding finding, and the fact that the present application for a use permit otherwise meets all County requirements, the County approves the application subject to determination by the Monterey County Water Resources Agency, in the form of a water availability certification, that water is available for the project and the applicant's being able to obtain a water use permit from the District.
- EVIDENCE:** Staff report, oral testimony at the hearing; administrative record.
7. **FINDING: HEALTH AND WELFARE** – The establishment, maintenance, and operation of the proposed development applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
- EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, applicable Fire Department, Public Works and Parks Departments, Environmental Health Division, and Water Resources Agency. The respective departments and Agency 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 or the County in general.
8. **FINDING: NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to the use of the property, that no violations exist and the property and that all zoning abatement costs, if any have been paid.
- EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.
9. **FINDING: CEQA** – The proposed project will not have a significant environmental impact.
- EVIDENCE:** Criteria contained in Article 19, Sections 15300.2 (Exceptions), 15301 (Existing Facilities), and 15304 (Minor Alterations to Land) of the California Environmental Quality Act Guidelines allow this project to be categorically exempted from environmental review. Due to the project’s limited scale and because land disturbance will be minimal and entirely

within an already disturbed area, no significantly adverse environmental impacts were identified during review of the proposed project.

**10. FINDING: APPEALABILITY** – The project is appealable to the Board of Supervisors and the California Coastal Commission.

**EVIDENCE:** Sections 20.86.070 and 20.86.080 of the Monterey County Coastal Implementation Plan.

### **DECISION**

THEREFORE, it is the decision of the Planning Commission that said application for a Combined Development Permit be granted as shown on the attached sketch, subject to the attached conditions:

**PASSED AND ADOPTED** this 28th day of January, 2004 by the following vote:

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

**Original Signed By:**

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JEFF MAIN, SECRETARY

**COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON**

**THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE**

**THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA**

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 Salinas.

2. This permit expires two years after the above date of granting thereof unless construction or use is started within this period.