

**MIKE NOVO
ZONING ADMINISTRATOR**

RESOLUTION NO. 020112

A.P. # 419-311-034-000

FINDINGS AND DECISION

In the matter of the application of
Big Sur Volunteer Fire Brigade (PLN020112)

for a Coastal Development Permit in accordance with Title 20 (Monterey County Coastal Implementation Plan Ordinances) Chapter 20.140 (Coastal Development Permits) of the Monterey County Code, to allow for a 720 sq. ft. Housing unit for emergency services personnel located within the Big Sur Volunteer Fire Brigade building; no exterior changes are proposed, located on Post Ranch at the fire house on Highway 1, Big Sur, Coastal Zone, came on regularly for hearing before the Zoning Administrator on June 12, 2003.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING:** The project, as conditioned, is consistent with the applicable plans and policies of the Big Sur Land Use Plan and Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20) which designates this area as appropriate for residential development for emergency services personnel.
EVIDENCE: Planning and Building Inspection staff has reviewed the project as contained in the application and accompanying materials for consistency with the Monterey County Zoning Ordinance (Title 20). Staff notes are provided in project file PLN020112.
EVIDENCE: Project planner conducted an on-site inspection on April 4, 2003 to determine visibility from Highway 1 and to verify that the project conforms to policies and regulations in the plans listed above.
EVIDENCE: This use is allowed in accordance with Sections 20.17 and 20.22 of the Monterey County Zoning Ordinance.
EVIDENCE: The parcel is zoned Visitor Serving Commercial and Watershed Conservation, Coastal Zone "VSC (CZ) & WSC/40 (CZ)." The project is in compliance with Site Development Standards for a Visitor Serving Commercial and Watershed Conservation District pursuant to Sections 20.17 and 20.22 of the Monterey County Zoning Ordinance.
EVIDENCE: The Big Sur Land Use Advisory Committee recommended unanimous approval of the project on April 22, 2003.
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 in project file PLN020112.

2. **FINDING:** 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. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County Planning and Building Inspection Department records and has determined that no violations exist on subject property.

3. **FINDING:** The project is exempt from environmental review.
EVIDENCE: CEQA Guidelines Section 15301(A) categorically exempts the internal partition of an existing structure.
EVIDENCE: No potential adverse environmental effects were identified during staff review of the development application or during the site visit on April 4, 2003.
4. **FINDING:** 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 20.70.050.B.4). 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 subject property is not described as an area where the Local Coastal Program requires access.
EVIDENCE: No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
EVIDENCE: Staff site visit on April 4, 2003.
5. **FINDING:** 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: The project was reviewed by the Planning and Building Inspection, Public Works Department, Water Resources Agency, Environmental Health Division, and CDF Fire Division. 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 testimony during the public hearing on June 12, 2003.
EVIDENCE: Preceding Findings and Evidence.
6. **FINDING:** The decision on this project is appealable to the Board of Supervisors and California Coastal Commission.
EVIDENCE: Sections 20.86.080.A.1 and 20.86.070 of the Monterey County Coastal Implementation Plan (Part 1).

DECISION

THEREFORE, it is the decision of said Zoning Administrator that said application be granted as shown on the attached sketch, subject to the following conditions:

1. The Big Sur Fire Brigade Coastal Development Permit (PLN020112) allows for a 720 sq. ft. housing unit for emergency services personnel located within the Big Sur Volunteer Fire Brigade building. No exterior changes are proposed. The property is located on Post Ranch at the fire house on Highway 1 (Assessor's Parcel Number 419-311-034-000), Big Sur, Coastal Zone. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. **(Planning and Building Inspection)**

Prior to the Issuance of Grading and Building Permits:

2. The applicant shall record a notice which states: "A permit (Resolution #020112) was approved by the Zoning Administrator for Assessor's Parcel Number 419-311-034-000 on June 12, 2003. The permit was granted subject to 5 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection)**
3. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 2 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection)**
4. Fire sprinkler plans and supporting documentation for fire house shall be submitted directly to Carmel Fire Protection Associates, Box 7168, Carmel, CA 93921 by a California licensed C-16 sprinkler contractor for review and approval prior to any work being done. **(CDF Fire)**

Prior to Final Building Inspection/Occupancy:

5. The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
 - a) All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow

capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.

- b) Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**

PASSED AND ADOPTED this 12th day of June, 2003.

Original Signed By:

MIKE NOVO
ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO 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 CLERK 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 90th 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 Monterey.

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