

LYNNE MOUNDAY
ZONING ADMINISTRATOR

STATE OF CALIFORNIA
COUNTY OF MONTEREY

RESOLUTION NO. 020514

A.P. # 197-081-022-000

In the matter of the application of
Joan Pitnick (PLN020514)

FINDINGS & DECISION

for a Combined Development Permit (PLN020514) consists of an 1) Administrative Permit to allow conversion of an existing 1,000 square foot garage to be converted into a caretaker's unit; a 684 square foot deck addition; and a 320 square foot carport; septic system; 2) Use Permit to allow the proposed caretaker unit to exceed the 15 foot height limit by 8 feet for a maximum of 23 feet; grading of less than 100 cubic yards; and Design Approval, located on 32901 East Carmel Valley Road (Assessor's Parcel Number 197-081-022-000 south east of the intersection of San Clemente and Carmel Valley Road, Carmel Valley area, came on regularly for meeting before the Zoning Administrator on May 29, 2003.

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

- 1. FINDING:** The Pitnick Combined Development Permit consist of an Administrative Permit, Use Permit and Design Approval (PLN020514), as described in Condition #1 and as conditioned is consistent with the plans, policies, requirements and standards of the Carmel Valley Master Plan and Monterey County Zoning Ordinance (Title 21). The property is located at 32901 East Carmel Valley Road, Carmel Valley Area. The parcel is zoned "LDR/10-D-S" Low Density Residential 10 acres/unit, Design District and site plan review. The site is physically suitable for the use proposed.

EVIDENCE: The application and plans submitted for the Combined Development Permit and Design Approval, including the Justification Letter, in project file, PLN020514 in the Monterey County Planning and Building Inspection Department.

EVIDENCE: The project planner conducted a site visit on December 13, 2002, to verify that the proposed project complies with Carmel Valley Master Plan Policies. The property is not visible from Carmel Valley Road.

EVIDENCE: The Carmel valley Land Use Advisory Committee (LUAC) reviewed the project proposal on March 17, 2003, and voted 4 to 0 to recommend approval.

EVIDENCE: Grading activities are less 100 cubic yards and the project does not propose any development on areas not previously disturbed, therefore the county's staff archaeologist approved an archeological waiver for the current development.

EVIDENCE: The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the Carmel Valley Fire Protection District, Public Works Department, and Environmental Health Division have reviewed the project. 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 parcel is located in Seismic Hazard Zone VI (high seismic zone). However a report was not required the Zoning Ordinance under Section 21.66.040.d. Staff determined based on county

resource maps that no documented hazards were identified on the project site.

2. **FINDING:** The parcel is located in an area designated as Low Density Residential. Title 21 (Section 21.14.040) allows a caretaker unit with an administrative permit in this zoning district. The proposed Caretakers unit meets the requirements set forth in Title 21 Section 21.64.030.C. and will be served by adequate sewage disposal and water supply facilities.
EVIDENCE: Materials in the project file PLN020514
3. **FINDING:** Approval of the Combined Development Permit and Design Approval Use Permit described in Condition # 1 does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and identical zoning classifications in which such property is situated
EVIDENCE: The applicant proposes to convert an existing non-habitable garage, which is 23 feet in height into a caretaker unit. The following projects were approved with an increase in height and are located in the immediate vicinity. These projects are (ZA02830) and (ZA04152) and are on file with the Monterey County Planning & Building Inspection Department.
4. **FINDING:** Existing circumstances on this parcel warrant approval of the Use Permit.
EVIDENCE: The structure currently maintains a height of 23 feet. The applicant proposes to convert the existing structure into a habitable caretaker unit. No new development is proposed; only a change in use therefore staff supports the conversion of the existing garage into a caretakers unit in order to minimize impacts to the surrounding area and to the property from new construction on an undeveloped site.
5. **FINDING:** The proposed project will not have a significant environmental impact.
EVIDENCE: The California Environmental Quality Act (CEQA) categorically exempts this project from environmental review pursuant to Guideline Section 15303 (a), Class 3 (*exemption of one single family residence*) and 15061 (b)(2) and (3). No potentially adverse environmental impacts were identified during staff review of the proposed project.
6. **FINDING:** Public notice of the pending Combined Development Permit was provided pursuant to Section 21.70.040, Title 21, Monterey County Code (Zoning).
EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning & Building Inspection Department for the proposed development, found in the project file.
7. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions, and other applicable provisions of Title 21. Zoning violation abatement costs, if any, have been paid.
EVIDENCE: Sections 21.136.020, 21.44.020, 21.64.030 of the Monterey County Code (Zoning). Staff verification of the Monterey County Planning and Building Inspection Department records indicates that no violations exist on subject property.
8. **FINDING:** The establishment, maintenance, or operation of the use or building 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: Preceding findings and supporting evidence.

9. **FINDING:** The decision on this project is appealable to the Planning Commission.
EVIDENCE: Section 21.80.080. of Title 21 (Zoning Ordinance).

DECISION

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

1. The Pitnick Combined Development Permit (PLN020514) consists of an 1) Administrative Permit to allow conversion of an existing 1,000 square foot garage to be converted into a caretaker's unit; a 684 square foot deck addition; and a 320 square foot carport; septic system; 2) Use Permit to allow the proposed caretaker unit to exceed the 15 foot height limit by 8 feet for a maximum of 23 feet; grading of less than 100 cubic yards; and Design Approval. The property is located on 32901 East Carmel Valley Road (Assessor's Parcel Number 197-081-022-000 south east of the intersection of San Clemente and Carmel Valley Road, Carmel Valley Area. Neither the uses 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 the appropriate authorities approve additional permits. **(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 020514) was approved by the Zoning Administrator for Assessor's Parcel Number 197-081-022-000 on May 29, 2003. The permit was granted subject to 31 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 down-lite 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 three 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. Prior to issuance of building permits the applicant shall record a deed restriction stating that the caretaker unit shall not be rented to any person other than the caretaker. **(Planning and Building Inspection Department)**
5. Native trees, which are located close to the construction site, shall be protected from inadvertent damage from construction equipment by wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. **(Planning and Building Inspection)**
6. This project is subject to the Carmel Valley Traffic Mitigation fees. **(Public Works Department)**

7. Prior to the issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property in the form of an approved Water Release Form. **(Water Resources Agency)**
8. The applicant shall provide to the Water Resources Agency information on the water system to serve the project, including the location of all water wells on the property, any well logs available, and the number of current hookups. **(Water Resources Agency)**
9. Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. **(Carmel Valley Fire Protection District)**
10. The grade for all roads, streets, private lanes and driveways shall not exceed 15 percent. **(Carmel Valley Fire Protection District)**
11. For residential driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius of curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. **(Carmel Valley Fire Protection District)**
12. Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be minimum of 60 feet in length. **(Carmel Valley Fire Protection District)**
13. Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper on each end. **(Carmel Valley Fire Protection District)**
14. Driveways shall not be less than 12 feet wide unobstructed. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400 foot intervals. **(Carmel Valley Fire Protection District)**
15. Where gates are to be locked, the Reviewing Authority having jurisdiction may require installation of a key box or other acceptable means to immediate access for emergency equipment. **(Carmel Valley Fire Protection District)**
16. Unobstructed vertical clearance shall not be less than 15 feet for all access roads. **(Carmel Valley Fire Protection District)**
17. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. **(Carmel Valley Fire Protection District)**
18. Size of letters, numbers and symbols for addresses shall be a minimum of 3-inch letter height, 3/8-inch stroke,

contrasting with the background color of the sign. **(Carmel Valley Fire Protection District)**

19. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located. **(Carmel Valley Fire Protection District)**
20. Where multiple address are required at a single driveway, they shall be mounted on a single post, or in any fashion approved by the Reviewing Authority that provides for the same practical effect. **(Carmel Valley Fire Protection District)**
21. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. **(Carmel Valley Fire Protection District)**
22. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2-inch National Hose outlet supplied by a minimum 4 inch main and riser. The Reviewing Authority may apply more restrictive hydrant requirements. **(Carmel Valley Fire Protection District)**
23. Each hydrant/fire valve or access to water shall be identified as follows:
 - a. If located along a driveway, a reflectorized blue marker, with a minimum dimension of 3 inches, shall be located on the driveway address sign and mounted on a fire retardant post, or:
 - b. If located along a street or road, a reflectorized blue marker, with a minimum dimension of 3 inches, shall be mounted on a fire retardant post. The sign post shall be within 3 feet of said hydrant/fire valve, with a sign no less than 3 feet nor greater than 5 feet above ground, in a horizontal position and visible from the driveway. **(Carmel Valley Fire Protection District)**
24. Remove flammable vegetation from within 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. **(Carmel Valley Fire Protection District)**
25. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. **(Carmel Valley Fire Protection District)**
26. The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

"The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection." **(Carmel Valley Fire Protection District)**
27. Before construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a

post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8-inch stroke, and contrasting with the background colors of the sign. **(Carmel Valley Fire Protection District)**

Prior to Final Building Inspection/Occupancy:

28. If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. **(Planning and Building Inspection)**
29. The applicant shall comply with Ordinance No. 3932 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 re-circulating 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)**
30. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping shall include the placement of two new oak trees and shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, either landscaping shall be installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. **(Planning and Building Inspection)**

Continuous Permit Conditions:

31. All landscaped areas and tree replacements and fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. **(Planning and Building Inspection)**

PASSED AND ADOPTED this 29th day of May, 2003.

Original Signed By: _____
LYNNE MOUNDAY
ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY TO THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

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.