

MIKE NOVO  
ZONING ADMINISTRATOR

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

RESOLUTION NO. 030243

A.P.# 187-421-030-000

In the matter of the application of  
**Carmel Valley Recreation and Parks (PLN030243)**

**FINDINGS & DECISION**

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, for construction of 2,400 square foot museum (with first floor of 2,400 square feet exhibit space, storage/work/research area, and a 400 square foot storage room on second floor) and a Design Approval. The property is located at 77 W. Carmel Valley Road, Carmel Valley, Carmel Valley Community Park, between the intersections of Pilot and Ford Roads, Carmel Valley Village area, came on regularly for hearing before the Zoning Administrator on May 13, 2004.

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

**FINDINGS OF FACT**

**1. FINDING: CONSISTENCY & SITE SUITABILITY** - The CV Recreation- CV Historical Society Museum Use Permit (PLN030243) as described in Condition #1, and as conditioned, is consistent with the plans, policies, requirements and standards of the Monterey County General Plan, the Greater Monterey Peninsula Area Plan, the Carmel Valley Master Plan, and the Monterey County Zoning Ordinance (Title 21). The property is located west of the intersection of Pilot and Carmel Valley Roads in the unincorporated Monterey area. The parcel is zoned "HC/D-S" (Heavy Commercial, with Design and Site Review requirements). The site is physically suitable for the use proposed.

**EVIDENCE:** (a) The application and plans submitted for the Use Permit in project file PLN030243 at the Monterey County Planning and Building Inspection Department show that there is currently bathrooms owned and operated by CV Recreation District on a 1.44 acre parcel located in the next to a commercial park, the CV Community Park (on two sides) and the Tularcitos School, in the CV Village area. The proposed museum is sited on a lot owned by the recreation district. The applicant proposes to build this museum to safeguard the historical elements of the valley and provide facilities for teaching and research.

(b) The applicant provided the Monterey County Planning and Building Inspection Department with a Design Approval Request, drawings, and a statement of materials and colors to be used.

(c) The project planner conducted a site visit to verify that the proposed project complies with policies in the Carmel Valley Master Plan and the Greater Monterey Peninsula Area Plan in terms of visual impacts. The project will not have a significant adverse visual impact when viewed from a public viewshed, including Carmel Valley Road. Ample trees on the park grounds fronting on Carmel Valley Rd will screen the proposed structure.

(d) An Archaeological Waiver of compliance was signed by staff archaeologist

Lynne Mounday, on January 28, 2004.

(e) The Carmel Valley Land Use Advisory Committee reviewed and recommended approval (4 - 0 vote with 1 member absent) of the Use Permit and Design Application on March 15, 2004, with no recommended changes or conditions.

(f) A Geotechnical Investigation was prepared by Haro, Kasunich & Associates, Inc for the site on April 25, 2002. The report is on file at the Monterey County Planning and Building Inspection Department. D&M Consulting Engineers, Inc., concludes, "the proposed development is feasible from a geologic and soil engineering standpoint provided the recommendations in the report are incorporated into the project plans."

(g) The project and the site have been reviewed by the Monterey County Planning and Building Inspection Department, Carmel Valley Fire District, Monterey County Water Resources Agency, Monterey County Public Works Department, Monterey County Parks Department, and the Monterey County Health Department. There has been no indication from these 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.

(h) Following Findings and supporting Evidence.

2. **FINDING: CEQA (Exempt)** - The project is exempt from environmental review.  
**EVIDENCE:** (a) CEQA Guidelines §15303(c) categorically exempt construction of a new museum from environmental review.  
 (b) No adverse environmental effects were identified during staff review of the development application and during the site visit.  
 (c) Development is largely contained in an already disturbed area. There are no unusual circumstances related to the project or property.
  
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. Zoning violation abatement cost, if any, have been paid.  
**EVIDENCE:** Staff reviewed the Monterey County Planning and Building Inspection Department records, conducted a site visit, and are not aware of any violations on subject property.
  
4. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance or operation of the use or structure applied for, will not, under the circumstances of the particular case, be detrimental to 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:** Preceding findings and supporting evidence.
  
5. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission.  
**EVIDENCE:** Section 21.80.040.B of the Monterey County Zoning Ordinance (Title 21).

**DECISION**

THEREFORE, it is the decision of said Zoning Administrator that said application for a Use Permit be granted as shown on the attached sketch, and subject to the attached conditions.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of May 2004.

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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

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.