

MIKE NOVO  
ZONING ADMINISTRATOR

COUNTY OF MONTEREY  
STATE OF CALIFORNIA

RESOLUTION NO. 040233

A. P. # 161-201-005-000

In the matter of the application of  
**Corral de Tierra County Club (PLN040233)**

**FINDINGS & DECISION**

to allow a Combined Development Permit in accordance with Title 21 (Zoning) Chapter 21.76 (Combined Development Permits) of the Monterey County Code, consisting of (1) a Use Permit for the demolition of a legal non-conforming clubhouse, pro shop and golf cart storage facility to be replaced with a 24,161 square foot clubhouse and 7,044 square foot pro-shop and cart storage facility, modification of parking standards to allow approval of the project with 150 parking spaces, and associated grading (9,025 cubic yards cut/9,025 fill); (2) a Use Permit for development on slopes in excess of 30%; and (3) Design Approval. The project is located at 81 Corral de Tierra Road, Salinas, Corral de Tierra Country Club, Toro area, came on regularly for meeting before the Zoning Administrator on September 9, 2004.

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

**1. FINDING: CONSISTENCY & SITE SUITABILITY** – The Corral de Tierra Country Club Combined Development Permit (PLN040233), as described in Condition No. 1 and as conditioned, is consistent with the Toro Area Plan and the Monterey County Zoning Ordinance (Title 21). The parcel is zoned “O/B-8-D,” (‘Open Space,’ Building Site Eight and Design Review Overlays). The site of the proposed construction is located at 81 Corral de Tierra Road (Assessor’s Parcel Number 161-201-005), in the Toro planning area. The site is physically suitable for the use proposed. This permit makes the proposed structures conforming.

**EVIDENCE:** (a) Application, plans and supporting materials submitted for the Combined Development Permit in project file PLN040233 at the Monterey County Planning and Building Inspection Department.

(b) The Corral de Tierra Country Club (CDTCC) has been in continuous operation since 1959. At the time of establishment, Monterey County Code did not require a Use Permit for the operation of a golf course and accessory structures thereto. Under the present Open Space Zoning District, Golf Courses are an allowed use subject to the issuance of a Use Permit 21.38.050.B). Similarly, other nonprofit recreational uses such as the tennis courts and swimming pool are allowed subject to the issuance of an Administrative Permit (21.38.040.A). The facility has yet to obtain such permits, as such, the entire club remains legally established but non-conforming to existing zoning. The proposed project is limited to the replacement of structures accessory to the golf course and other recreational facilities on site, and does not include a proposal to bring the entire property into conformance. Sections 21.68.030 and 21.38.050.G of the Monterey County Zoning Ordinance allow the change of a legal non-conforming use to a use of a similar or more restricted nature, subject to the issuance of a Use Permit. As

proposed and conditioned, this use permit will authorize new structures possessing essentially the same uses and capacity as those presently in operation, thus satisfying the above restriction.

(c) Chapter 21.58 (Parking) of the Monterey County Zoning Ordinance does not clearly specify the number of required parking spaces for Country Clubs. Additionally, the ordinance allows modification of parking standards where, due to the unusual characteristics of a use or its immediate vicinity, the number of parking spaces are not necessitated (Section 21.58.050.C). The existing parking facility includes 159 parking spaces. The project, as proposed and conditioned, includes 150 spaces in addition to a designated on-site overflow/valet lot able to accommodate (at a minimum) the 9 lost spaces. Expansion of the primary parking facility would require substantially more grading and the possible removal and/or reconfiguration of recreational facilities not affected by this project. Given the less than significant increase in capacity, a lack of definitive parking standards for this use, the presence of an overflow lot, and potential impacts resulting from the expansion of the primary parking lot the proposed 150-space configuration appears adequate.

(d) Site visits conducted by staff to verify that the proposed project complies with regulations in Title 21.

(e) The Toro Area Land Use Advisory Committee (LUAC) reviewed the project on July 12, 2004, and recommended approval (vote 6 to 0; 2 Absent and 1 Abstention) without comment or recommended conditions.

(f) The "Geotechnical Investigation" prepared for this site by Haro, Kasunich and Associates (December 2003) and "Geological Report" prepared by Caprock (June 2004) both conclude that the site is suitable for the proposed development provided recommendations in the reports are incorporated in the project design and are implemented during construction.

(g) A letter from Archaeological Consulting (May 11, 2004) was submitted with the project application. The letter states that an archaeological survey in the project area "would have very limited value due to the impediment of the existing improvements and previous extensive filling operations...furthermore there are no known archaeological sites in the immediate vicinity." The Planning and Building Inspection Staff Archaeologist concurs.

(h) The project has been reviewed by the Monterey County Planning and Building Inspection Department, Salinas Rural Fire Protection District, Monterey County Water Resources Agency, Monterey County Public Works Department, Monterey County Parks Department, Monterey County Sheriff's Department and the Monterey County Environmental 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.

(i) Intensification of water use on the affected property is restricted by a "B-8" zoning overlay. The project, as proposed and conditioned, is not expected to intensify water consumption as: (1) the intensity of the use is not significantly changing, (2) the applicant is proposing the removal of a putting green (and associated irrigation), and (3) conditions of approval mandate the implementation of water conservation measures such as the installation of low-flow fixtures

(j) Following findings and supporting evidence.

2. **FINDING: CEQA (Exempt)** - The project is categorically exempt from environmental review.
- EVIDENCE:** (a) CEQA Guidelines Section 15302 exempts the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.. The project as described in condition 1 would not have the potential for causing a significant adverse effect on the environment for the following reasons:
- (b) No adverse environmental effects were identified during staff review of the development application and during the site visit. There are no environmentally sensitive habitats; known cultural resources or trees that would be impacted. There are no unusual circumstances related to the project or property. Visual impacts would not be significant.
- (c) Disturbed slopes were subjected to historical grading at the time of original construction. A balanced ratio of cut and fill will be retained on site. Grading and construction will be consistent with the recommendations of the Geotechnical and Geologic Reports submitted with this application, as required by Chapter 16.08.110 of Monterey County Code (Grading). Both reports found the proposed development compatible with the site and an absence of adverse geotechnical or geologic hazards that would preclude development of this project. Standard erosion control measures shall be implemented as required in Chapter 16.12 of Monterey County Code (Erosion Control).
- (d) A Traffic Assessment was prepared by Higgins Associates (May 18, 2004) as part of the application. The letter report concluded that there would be no traffic impact associated with the implementation of the proposed new clubhouse. Public Works has reviewed the assessment and concurs with the conclusion.
- (e) Preceding and following findings and supporting evidence.
3. **FINDING: 30 PERCENT SLOPE WAIVER** – There is no feasible alternative that would allow development to occur on slopes of less than 30%; or the proposed development better achieves the goals, policies, and objectives of the Monterey County General Plan and the Toro Area Plan.
- EVIDENCE:** (a) While located on slopes in excess of 30%, the proposed configuration reduces lot coverage, minimizes site disturbance and better stabilizes artificial slopes created 40+ years ago. Furthermore, the project area is constrained by the golf course to the east, a driving range to the south and a parking lot with Corral de Tierra Road beyond that to the West. Moving the project off slopes in excess of 30% risks a further reduction in the primary parking area, increased lot coverage, greater site disturbance and/or a substantial adverse visual impact as buried portions of the structures are “daylighted” and introduced into the viewshed.
- (b) Materials in file including Geotechnical and Geologic Reports and applicant’s letter of justification for a waiver of the policy prohibiting development on slopes exceeding 30 percent.
4. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of Title 21. Zoning violation abatement costs, if any, have been paid.

**EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicates that no violations exist on subject property.

5. **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 improvement in the neighborhood; or to the general welfare of the County.

**EVIDENCE:** Preceding findings and supporting evidence.

6. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission but not the Board of Supervisors.

**EVIDENCE:** Section 21.80.040 of the Monterey County Zoning Ordinance (Title 21).

## **DECISION**

It is the decision of the Zoning Administrator of the County of Monterey that said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

**PASSED AND ADOPTED** this 9th day of September, 2004.

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MIKE NOVO  
ZONING ADMINISTRATOR

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 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 Marina.

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