

MIKE NOVO
ZONING ADMINISTRATOR

COUNTY OF MONTEREY
STATE OF CALIFORNIA

RESOLUTION NO. 040429

A. P. # 416-522-010-000

In the matter of the application of
Carmel Valley Ranch LP (PLN040429)

FINDINGS AND DECISION

to allow for a Five-year Extension to a previously approved Combined Development Permit (PLN970366) for a 3,982 square foot meeting room addition to an existing 25,000 square foot lodge. The property is located at Carmel Valley Ranch, Carmel Valley area, came on regularly for meeting before the Zoning Administrator on August 26, 2004.

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

FINDINGS AND EVIDENCE

- 1. FINDING:** This permit allows a five-year extension of the prior permit (PLN010259) granted on January 31, 2002, for the addition of a 3,900 sq. ft. meeting room facility and food preparation area at the Carmel Valley Ranch Lodge for use by residents and guests only.

EVIDENCE: Application materials contained in Project files PLN970366, PLN990411, PLN010259, and PLN040429
- 2. FINDING:** The proposed use is consistent with the Carmel Valley Master Plan which designates the property as "Visitor Serving/Office" and with the policies of the Carmel Valley Ranch Specific Plan. The subject property is in compliance with all rules and regulations pertaining to zoning uses, any other applicable provisions of Title 21 (Zoning Ordinance) and any zoning violation abatement costs for this site, if any, have been paid.

EVIDENCE: The Carmel Valley Ranch Specific Plan allows uses consistent with the project area, including meeting room facilities for use by residents and guests, and the use conforms with the intent of the Visitor Service section of the Zoning Ordinance (Title 21) and policies of the Carmel Valley Area Master Plan pertaining to visitor serving uses.

EVIDENCE: The text and policies of the Carmel Valley Ranch Specific Plan, the Carmel Valley Master Plan and the Monterey County General Plan have been evaluated during the course of the review of this application. No conflict or inconsistencies with the text or the policies were found to exist. No testimony, either written or oral was received during the course of public hearing to indicate that there is any inconsistency with the Area Plan or the Monterey County General Plan.

EVIDENCE: Staff review of Sections 21.22, 21.44, and 21.45 of the Monterey County Code (Zoning) which relate to the property's Visitor Serving/Professional Office, Design Control and Site Review (VO-D-S) zoning designation. No conflicts were found to exist. Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

3. **FINDING:** The project was the subject of an Initial Study and subsequent filing of a Negative Declaration on November 26, 1997. A finding of "no significant impacts" was made. The conditions under which the project was originally approved have not changed. None of the requirements for a Subsequent Negative Declaration have occurred.
- EVIDENCE:** Staff analysis contained in the Initial study, and the record as a whole, indicate the project will not result in any significant changes or alterations to the existing environment nor to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations because the site is already developed with visitor serving, residential development and recreational uses and facilities.
- EVIDENCE:** Materials in files PLN010259
- EVIDENCE:** CEQA Guidelines Section 15162.
4. **FINDING:** The site is suitable for the use proposed.
- EVIDENCE:** The location of the proposed expansion is the existing Lodge. 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, Public Works Department and Health Department. There has been no indication from those agencies that the site is not suitable. Because the project is an expansion of an existing building, there are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or other concerns that would indicate the site is not suitable for the use proposed.
5. **FINDING:** The conditions of approval comply with the provisions of Title 21, Chapter 21.74 related to Use Permits
- EVIDENCE:** The conditions are based on the recommendations of the local fire district, the Monterey County Water Resources Agency, Monterey County Health Department, and Monterey County Department of Public Works. The conditions incorporate the concerns and recommendations of those various agencies. Additional conditions required for approval assure that the proposed use and site amenities are compatible with the Carmel Valley Ranch and with other developments in the surrounding area.
6. **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:** The project, as described in the application and accompanying materials, was reviewed by the Department of Planning and Building Inspection, Health Department, Public Works Department, and the Water Resources District. The respective departments 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.
7. **FINDING:** Adequate sewage disposal and water supply facilities exist or are readily available to the site, as determined by the Director of Environmental Health.

EVIDENCE: Materials contained in project files PLN970366, PLN990411, PLN010259, and PLN040429

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 following conditions:

1. This permit allows a five year extension of the prior permit (PLN010259) granted on January 31, 2002, for the addition of a 3,900 sq. ft. meeting room facility and food preparation area at the Carmel Valley Ranch Lodge for use by residents and guests only. The use is approved, in accordance with County ordinances and land use regulations, subject to the following terms and conditions. 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 additional permits are approved by the appropriate authorities. **(Planning and Building Inspection)**

Prior to issuance of Grading, Demolition or Building Permits:

2. The applicant shall record a notice which states: "A permit extension (Resolution 040429) was approved by the Zoning Administrator for Assessor's Parcel Number 416-522-010-000 on August 26, 2004. The permit was granted, extending permit number 970366, Resolution #970366, subject to 10 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 applicable conditions from Resolution 970366 shall remain in effect. **(Planning and Building Inspection)**
4. The building design, exterior colors and roofing material, signs, and lighting shall be approved by the Director of Planning prior to obtaining a building permit. **(Planning and Building Inspection)**
5. Prior to the issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Water Release Form. **(Water Resources Agency)**
6. The Applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-140, adopted September 12, 1995 (Fees are updated annually based on CCI). **(Public Works)**

Prior to Final Building Inspection

7. The applicant shall comply with Ordinance No. 3539 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; Planning and Building Inspection)**
8. All improvements shall comply with the California Uniform Retail Food Facilities Law as approved by the Director of Environmental Health. Prior to obtaining a building permit, submit revised plans and necessary review fees for review and approval to the Division of Environmental Health. **(Environmental Health)**
9. Specific fire prevention conditions will be applied at the time of construction plan check, based on applicable Fire Codes. **(Mid Carmel Valley Fire Protection District)**
10. The applicant shall use non-transmitting or solar glass on any windows, including the roof area, to reduce glare. **(Planning and Building Inspection)**

PASSED AND ADOPTED this 26th day of August, 2004.

MIKE NOVO
ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF 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 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 Marina.

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