

MIKE NOVO  
ZONING ADMINISTRATOR

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

RESOLUTION NO. 060022

A.P.# 197-011-005-000

In the matter of the application of  
**William K. & Mary E. Parsons TRS (PLN060022)**

**FINDINGS & DECISION**

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to allow a cottage industry winery for five years, previously permitted by PLN000619 and PLN020330. The property is located at 74 East Carmel Valley Road, Carmel Valley, Carmel Valley Master Plan Area, and came on regularly for hearing before the Zoning Administrator on June 29, 2006.

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

**FINDINGS OF FACT**

**1. FINDING: CONSISTENCY** - The subject Use Permit, (PLN060022), as described in condition #1 and as conditioned, is consistent with the plans, policies, requirements and standards of the Monterey County General Plan, Carmel Valley Master Plan and the Monterey County Zoning Ordinance (Title 21), Specifically, it is consistent with all of the applicable requirements of Section 21.64.130. "LDR/2.5-D-S." (Low-Density Residential, 2.5 acres per unit, 21.64.095 Cottage Industry district, 21.21.44 Design Control district, 21.45, Site Plan Review District, and definitions 21.06 Cottage Industry and 21.06 Winery. The property is located at 74 E. Carmel Valley Road, Carmel Valley.

- EVIDENCE:**
- a) The project is located in a rural setting adjacent to similar residential and agricultural uses (vineyards). The project has been conditioned to insure compliance with the regulations for cottage industries as defined in Title 21 and with the regulations for the Low-Density Residential Zoning District set forth in Chapter 21.14.
  - b) Chapter 21.14 permits cottage industries in the LDR zoning district with a Use Permit. The County has determined that a micro-winery is a cottage industry and is thereby consistent with Section 21.64.095 (Zoning) of the Monterey County Code.
  - c) The project is consistent with the Carmel Valley Master Plan policy 30.0.09(C) which allows wineries subject to a Use Permit and allows agricultural uses.
  - d) Project planner conducted an on-site inspection on 2/10/06 to verify that the project on the subject parcel conforms to the plans listed above. The area in which the property is located has not undergone significant development or change over the past years to a degree that the winery would now be detrimental to the area.

- e) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN060022.

**2. FINDING: SITE SUITABILITY** - The site is suitable for the use proposed. The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Mid-Carmel Valley Fire Department and Environmental Health Department. There has been no indication from these agencies that the site is not suitable for the proposed use. Necessary public facilities are available to the project site. Each agency has reviewed the application and some have recommended conditions of approval. Recommended conditions have been incorporated into the project.

- EVIDENCE:**
- a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works, Environmental Health, Water Resources, and the Carmel Valley Fire Protection District.
  - b) Adequate sewer and water service exists or can be provided, and adequate road and transportation facilities exist for the use.
  - c) The proposed micro-winery is compatible with the area.
  - d) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file, and in project file PLN060022, PLN020330 and PLN000619.
  - e) Project planner conducted an on-site inspection on 2/10/06 to verify that the project on the subject parcel conforms to the plans listed above.

**3. FINDING: CEQA** - The proposed project is categorically exempt from the California Environmental Quality Act.

- EVIDENCE:**
- a) Section 15301 of the Monterey County CEQA Guidelines categorically exempts the extension of the permit for the proposed winery from environmental review. These exemptions address continued operation of existing facilities and uses.
  - b) The micro-winery will continue to operate within an existing 2,189 square foot building. There is not change, intensification of use that will result with the approval of this permit. It simply an extension of five years of an existing operation. There are no physical or environmental constraints, such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar conditions, that would indicate the site is not suitable for the proposed use, nor is there other evidence in the record to indicate the site is not suitable for the project.
  - c) Materials in file PLN060022, PLN020330 and PLN000619.

**4. FINDING: HEALTH AND SAFETY** - The establishment, maintenance or operation of the project applied for will, under the circumstances of this particular case, will not 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:** Preceding findings and supporting evidence.

- 5. 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 Monterey County Planning and Building Inspection Department records and is not aware of any violations existing on subject property.

- 6. FINDING: HEALTH AND SAFETY** - 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:** Preceding findings and supporting evidence.

- 7. 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 the 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 29th day of June, 2006.

  
\_\_\_\_\_  
MIKE NOVO, ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON **JUN 30 2006**

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 **JUL 10 2006**

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.

**Monterey County Planning and Building Inspection  
Condition Compliance and/or Mitigation Monitoring  
Reporting Plan**

**Project Name: PARSONS**

**File No: PLN060022**

**Approval by: Zoning Administrator**

**APN: 197-011-005-000**

**Date: June 29, 2006**

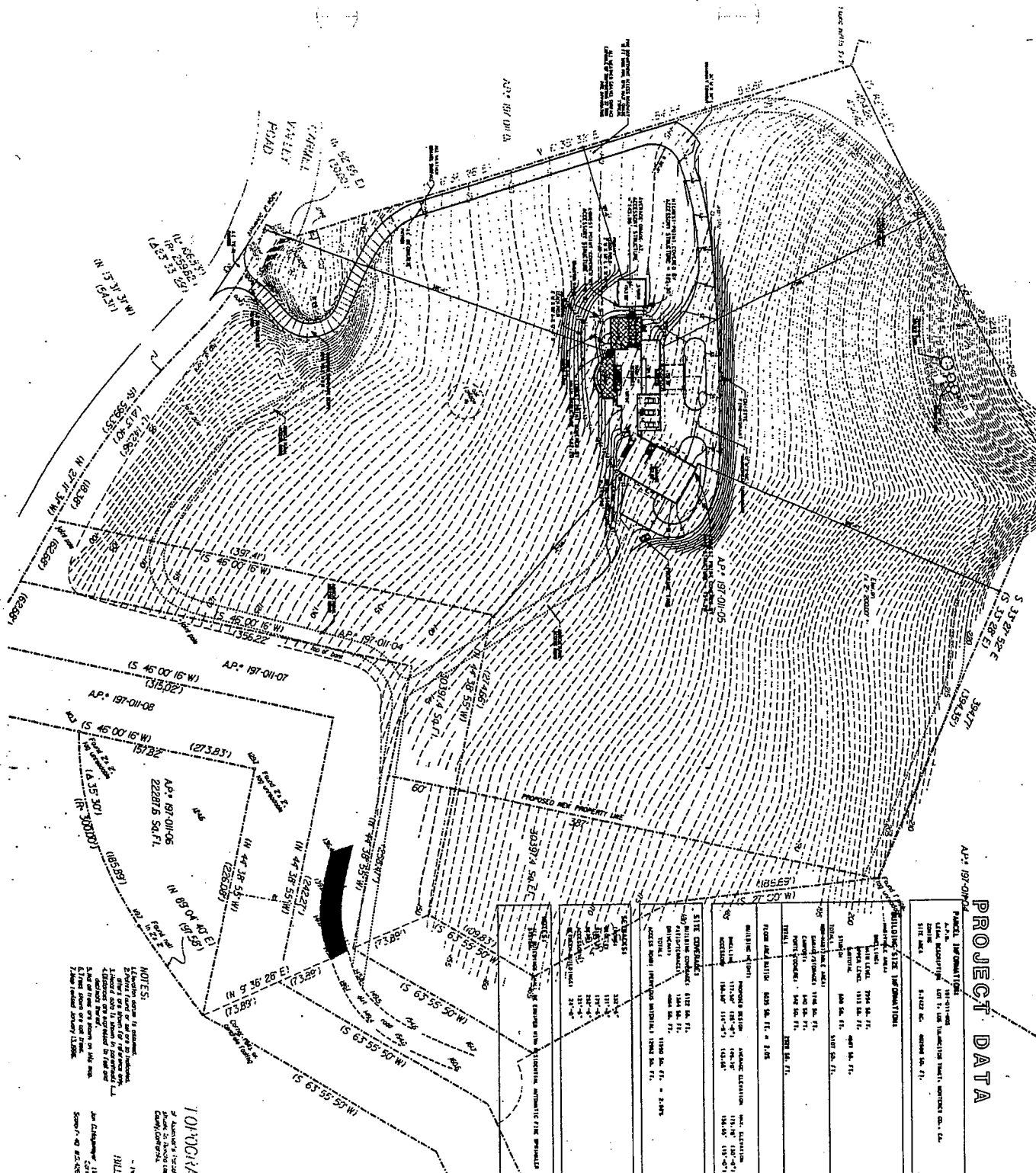
*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<p><b>PBD029 - SPECIFIC USES ONLY</b>            This Use Permit (PLN060022 PARSONS) allows a Cottage Industry Winery for five years, previously permitted by PLN000619 and PLN020330. This permit was 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 Zoning Administrator 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. The approved exterior colors for the proposed barrel room are API Durafin 2000 "Sandstone" or "Surrey Beige" or a similar earth tone to blend in with the natural surroundings. There shall be no wine tasting or wine events on the site. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities.  <b>(Planning and Building Inspection)</b></p>	Adhere to the conditions and uses specified in the permit.	Owner/ Applicant	Ongoing	

2.		<p><b>PBD025 - NOTICE-PERMIT APPROVAL</b>  The applicant shall record a notice which states: "A Use Permit (Resolution 060022) was approved by the Zoning Administrator for Assessor's Parcel Number 197-011-005-000 on June 29, 2006. The permit was granted subject to 7 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. <b>(Planning and Building Inspection)</b></p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use	
3.		<p><b>PBD NON-STANDARD CONDITION</b>  Provide evidence in the form of copies of the bonded winery license from the Federal Bureau of Alcohol, Tobacco and Firearms (BATF) and provide evidence of licensing as appropriate from the California State Department of Alcoholic Beverage Control. <b>(Planning and Building Inspection)</b></p>	Provide a copy of the licenses and any amendments thereto as they occur, upon receipt of said license(s) from the respective regulatory agencies: Federal = BATF bonded winery license State = Department of Alcoholic Beverage Control	Owner/ Applicant	Ongoing	
4.		<p><b>PBD NON-STANDARD CONDITION</b>  Provide evidence in the form of copies of the annual production report to the Federal Bureau of Alcohol, Tobacco and Firearms and a copy of the annual tax report on the winery and a copy of the ABC permit. <b>(Planning and Building Inspection)</b></p>	Provide e-mail, fax or photocopies of production documentation submitted to the Federal BATF. Once annually at the time of submittal to the federal agency	Owner/ Applicant	Ongoing	
5.		<p><b>PBD NON-STANDARD CONDITION</b>  This Use Permit shall expire in five years on June 28, 2011. <b>(Planning and Building Inspection Department)</b></p>	Apply for a subsequent Use Permit for allowed by the ordinance for up to five years at least 30 days prior to the expiration date at the Planning and Building Department.	Owner/ Applicant	Ongoing	

6.		<b>PBD NON-STANDARD CONDITION</b> All previous conditions of permits PLN00619 and PLN020330 are still in effect and are applicable. <b>(Planning and Building Inspection Department)</b>	See previous permit conditions.	Owner/ Applicant	Ongoing	
7.		<b>FIRE NON-STANDARD</b> All fire safety conditions are inspected during the annual fire inspection by the Carmel Valley Fire Protection District. (Carmel Valley Fire Protection District)	Schedule an annual inspection with the Mid-Carmel Valley Fire Department.	Owner/ Applicant	Ongoing	

END OF CONDITIONS



**PROJECT DATA**

**PARCEL INFORMATION**

APN	197-01-04
Area	1.2222 AC. (52,800 SQ. FT.)
Site Area	1.2222 AC. (52,800 SQ. FT.)

**BUILDING SIZE INFORMATION**

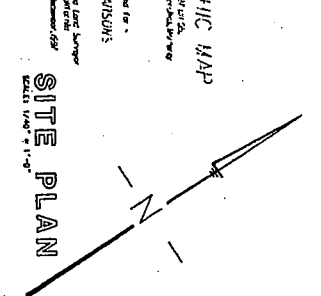
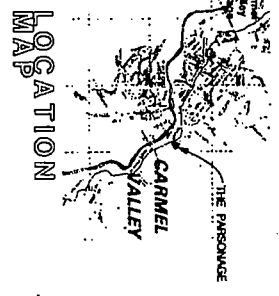
Net Area	2,944 SQ. FT.
Footprint	1,013 SQ. FT.
Roof Area	1,931 SQ. FT.
Roof Height	10.0 FT.
Roof Slope	1:12

**UTILITIES**

Water	11.00' (3.35' DIAM.)
Sewer	11.00' (3.35' DIAM.)
Gas	11.00' (3.35' DIAM.)
Electric	11.00' (3.35' DIAM.)
Telephone	11.00' (3.35' DIAM.)
Cable TV	11.00' (3.35' DIAM.)

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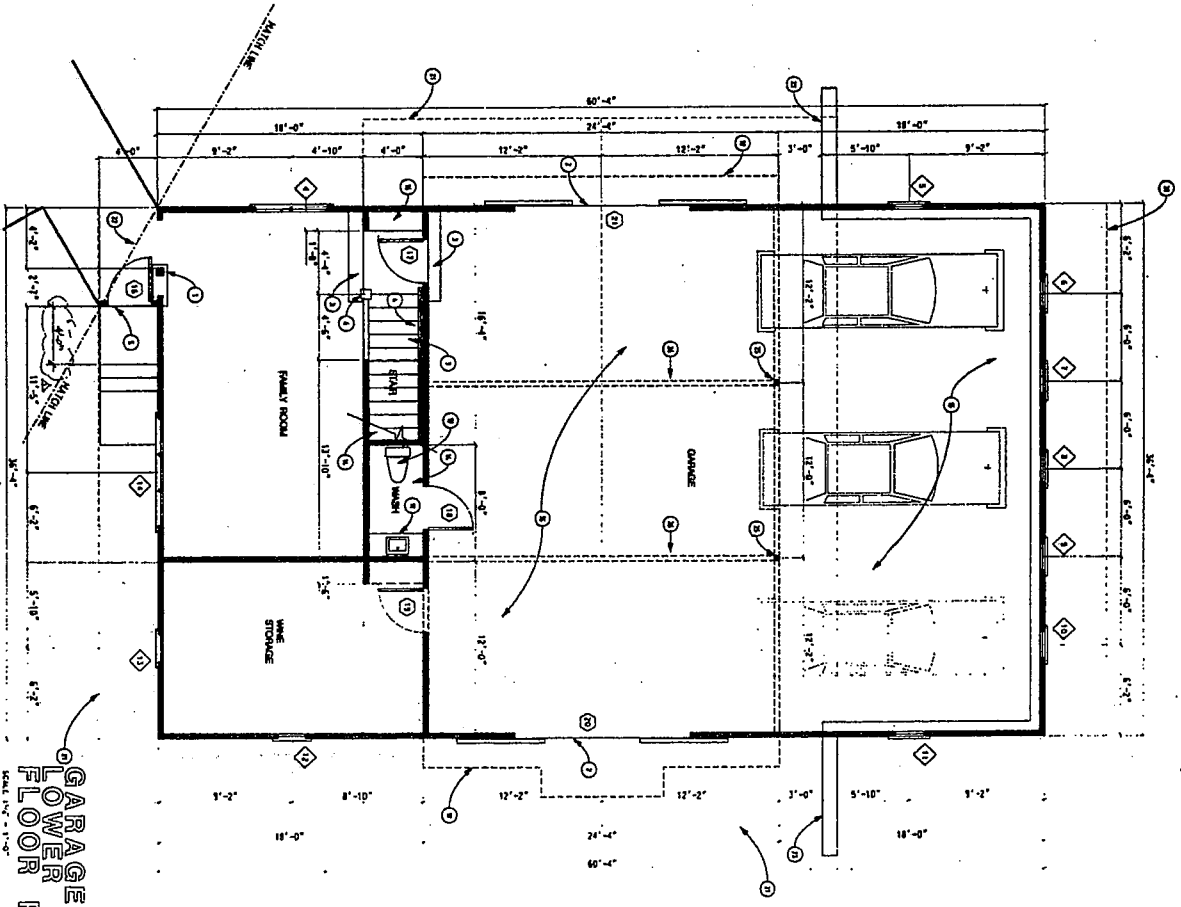
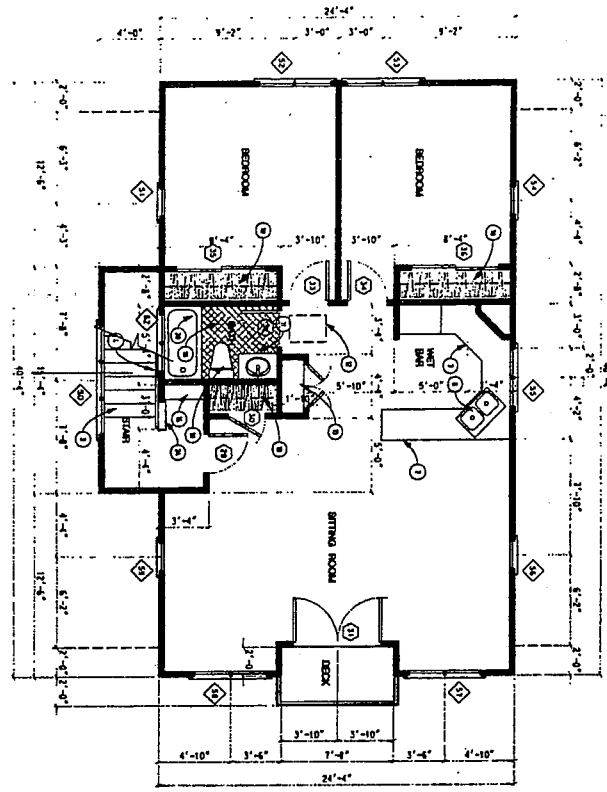




**KEY NOTES:**

1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
2. ALL WALLS ARE 1/2" THICK UNLESS NOTED OTHERWISE.
3. ALL DOORS ARE 3'0" WIDE UNLESS NOTED OTHERWISE.
4. ALL WINDOWS ARE 6'0" WIDE UNLESS NOTED OTHERWISE.
5. ALL FLOORS ARE 4" CONCRETE ON 8" GRAVEL UNLESS NOTED OTHERWISE.
6. ALL CEILING ARE 8'0" HIGH UNLESS NOTED OTHERWISE.
7. ALL ROOF ARE 12/12 PITCH UNLESS NOTED OTHERWISE.
8. ALL STAIRS ARE 8" RISE BY 11" RUN UNLESS NOTED OTHERWISE.
9. ALL BATHS ARE 5'6" WIDE UNLESS NOTED OTHERWISE.
10. ALL KITCHENS ARE 10'0" WIDE UNLESS NOTED OTHERWISE.
11. ALL HALLS ARE 4'0" WIDE UNLESS NOTED OTHERWISE.
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14. ALL DECK ARE 4'0" WIDE UNLESS NOTED OTHERWISE.
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16. ALL DRIVEWAYS ARE 12'0" WIDE UNLESS NOTED OTHERWISE.
17. ALL GARAGES ARE 12'0" WIDE UNLESS NOTED OTHERWISE.
18. ALL STAIRS ARE 8" RISE BY 11" RUN UNLESS NOTED OTHERWISE.
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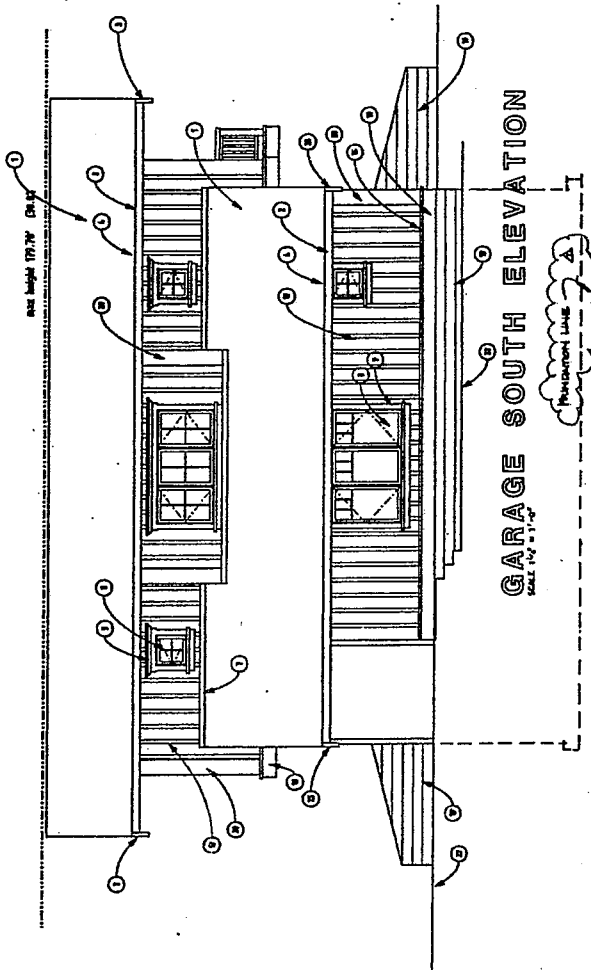
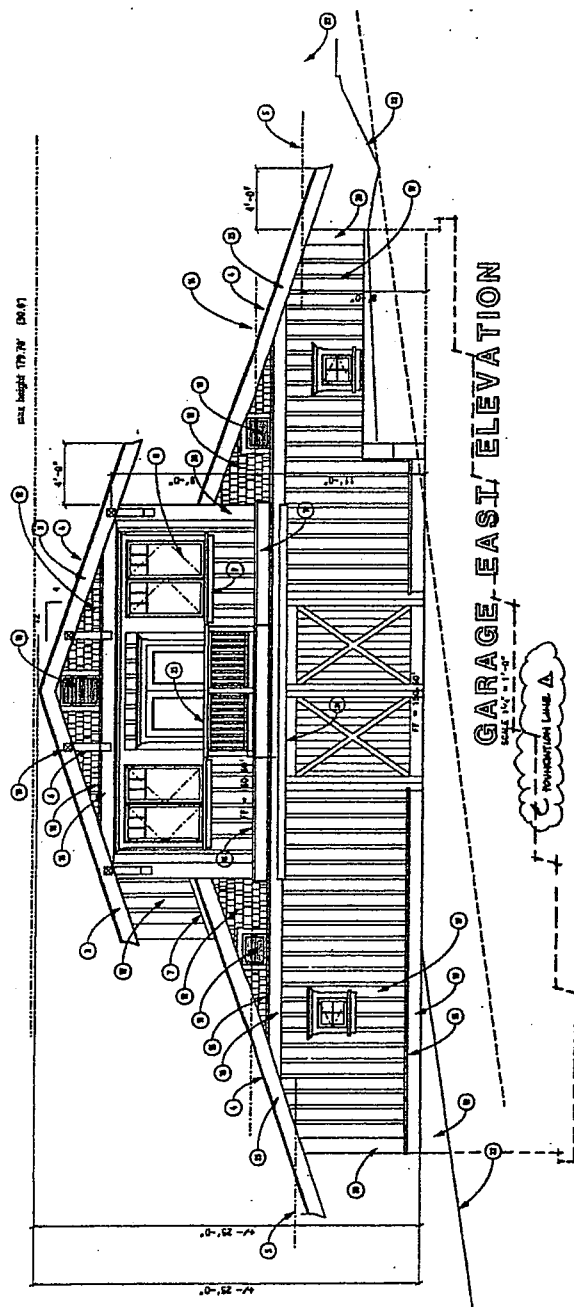
**UPPER LEVEL FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



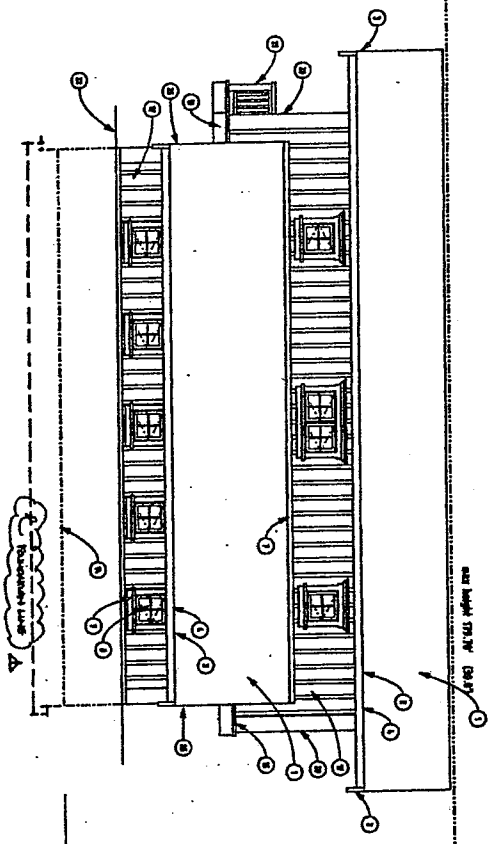
**LOWER LEVEL FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

**KEY NOTES:**

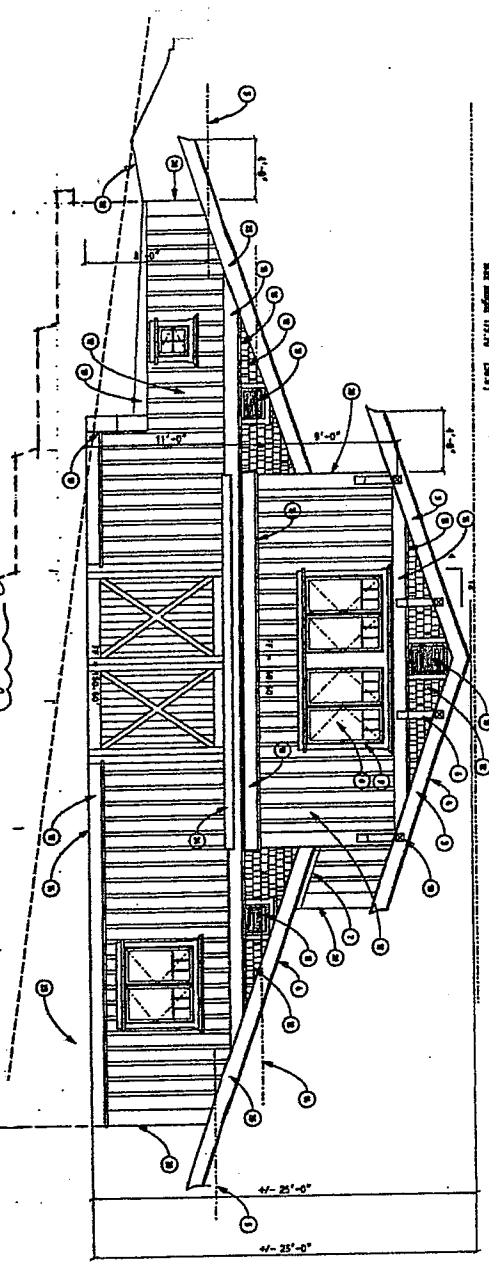
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**GARAGE NORTH ELEVATION**  
SCALE 1/4" = 1'-0"



**GARAGE WEST ELEVATION**  
SCALE 1/4" = 1'-0"



**KEY NOTES:**  
 1. EXTERIOR FINISH: BRICK, TYPICAL.  
 2. 1/2\"/>

**3.3 GARAGE BUILDING EXTERIOR ELEVATIONS**

CONT. SHEET  
 REVISIONS:  
 DATE: 02-06-58

**THE PARSONAGE**  
 2, CAMELOT VALLEY ROAD, FOR STAL & BART PARSONS, 2501 BELLWAY DRIVE, EMERY, CO.

APP. 107-251-000  
 16031 02-04-52

970800

**W. E. BREDTHAUER ARCHITECT**

210 Grand Avenue, Pacific Grove, CA 93950  
 Telephone: 409-372-0300 Fax: 409-372-1100