

In the matter of the application of
Carmel Associated Sportsmen (PLN060343)

FINDINGS & DECISION

for a **Use Permit** in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to allow the continued operation of an indoor small bore shooting range and approval of this permit in perpetuity. The project was originally approved under ZA92029 (1992) and PLN990325 (2000). This approval will be the final public hearing on this matter. The project is located at 29125 Robinson Canyon Road, Carmel Valley Master Plan, and came on regularly for hearing before the Zoning Administrator on August 9, 2007.

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

FINDINGS OF FACT

- 1. FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Carmel Valley Master Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.
- EVIDENCE:**
- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - (b) The property is located at 29125 Robinson Canyon Road, Carmel Valley (Assessor's Parcel Number 416-021-023-000), Carmel Valley Master Plan. The parcel is zoned or Rural Grazing, 10 acres per unit with Design Control, and Site Plan Review Overlays ("RG/10-D-S"). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
 - (c) The project planner conducted a site inspection on August 10, 2006 to verify that the project on the subject parcel conforms to the plans listed above.
 - (d) A private trap and skeet range is an allowed use subject to securing a Use Permit in accordance with Section 21.32.050.Y of the Monterey County Zoning Ordinance (Title 21). The subject indoor small bore shooting range use was established on April 10, 1974 per File No. PC-1948, Resolution No. 74-126 and expired May 8, 1984. It was renewed on July 30, 1992 per ZA92029 which expired August 1st, 1999. On January 13, 2000, the use was renewed for the second time per Resolution No. 990325 which expired August 1, 2006. A letter dated June 1, 2006, found at Exhibit C of the August 9, 2007 staff report, was received by Planning Department staff on June 2, 2006 requesting the renewal of this Use Permit.
 - (e) The Carmel Valley Master Plan designates the property Rural Grazing, 10 acre minimum. An indoor small bore shooting range is a Special Use consistent with Policy 31.1.3, which allows Special Uses that are: low visibility; safe, unobtrusive, and away from pedestrian traffic areas; low noise impact on surrounding uses; follow a rural architectural theme; and conforms to all other Plan requirements.

- (f) The project was not referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve slope restrictions; ridgeline/viewshed development; environmental review, or variance.
- (g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060343.

2. FINDING: SITE SUITABILITY – The site is physically suitable for the use proposed.

- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Valley Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) Staff conducted a site inspection on August 10, 2006 to verify that the site is suitable for this use.
 - (c) Materials in Project File PLN060343.

3. FINDING: CEQA (Exempt): - The project is categorically exempt from environmental review.

- EVIDENCE:**
- (a) California Environmental Quality Act (CEQA) Guidelines Section 15301 categorically exempts negligible or no expansion of existing uses.
 - (b) California Environmental Quality Act (CEQA) Guidelines Section 15323 categorically exempts the normal operations of existing facilities for public gatherings with a past history of being used for the same use.
 - (c) No adverse environmental effects were identified during staff review of the development application during a site visit on August 10, 2006.
 - (d) See preceding and following findings and supporting evidence.

4. 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 costs, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.

5. 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.

6. FINDING: APPEALABILITY - The decision on this project is appealable to the Monterey County Planning Commission.

EVIDENCE: Section 21.80.040.B 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 9th day of August, 2007.



JEFF MAIN, ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON AUG 22 2007

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 SEP - 1 2007

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 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 Resource Management Agency Planning
Department
Condition Compliance Reporting Plan**

Project Name: Carmel Associated Sportsmen, Inc.
File No: PLN060343 **APNs:** 416-021-023-000
Approved by: Zoning Administrator **Date:** August 9, 2007

**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>PBD029 - SPECIFIC USES ONLY This Use Permit (PLN060343) allows the continued operation of an indoor small bore shooting range and approval of this permit in perpetuity. The project was originally approved under ZA92029 (1992) and PLN990325 (2000). This approval will be the final public hearing on this matter. The property is located at 29125 Robinson Canyon Road, Carmel Valley (Assessor's Parcel Number 416-021-023-000), Carmel Valley Master Plan area. 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 Director of RMA - Planning Department. 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.</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	

<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>
		No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. [Resource Management Agency (RMA) - Planning Department]				
2.		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution No. 060343) was approved by the Zoning Administrator for Assessor's Parcel Number 416-021-023-000 on August 9, 2007. The permit was granted subject to 17 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to RMA - PD	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
3.		PDSP001 – CONFLICTS OR NUISANCES – NON-STANDARD If conflicts or nuisances arise with the approved land use and other land uses in the vicinity during the life of this Use Permit, at the discretion of the Resource Management Agency - Director of Planning, the Use Permit may be referred back to the Zoning Administrator. (RMA - Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	

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4.		PDSP002 – NOISE LEVELS - NON-STANDARD Exterior noise levels from the facility shall not exceed the standards as set forth in the Monterey County Code, Section 10.60 and the Noise Element of the Monterey County General Plan. (Environmental Health Division)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
5.		EHSP001 – NOISE LEVELS - NON-STANDARD To control airborne sound, Carmel Associated Sportsmen, Inc. shall at its own expense, seal all sound leaks into outer areas and include air-tight insulation around doors, windows, ventilation ducts, and as necessary apply acoustical material to walls, ventilation and heating ducts, floor and ceiling areas. All doors to the indoor shooting facility shall be solid core and all windows shall be double pane. All doors and windows shall be closed during shooting activities to muffle and reduce the noise emanating from the facility to the outdoors. All shooting at the indoor range shall be through sound-deadening chambers approved by the RMA – Director of Planning. (Environmental Health Division)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
6.		EHSP002 – NOISE MONITORING PROGRAM - NON-STANDARD The property owners shall at its own expense, establish and continuously maintain a monitoring and reporting program satisfactory to the County of Monterey Health Department to assure compliance with Condition No. 4. The property owners shall	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	

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		allow unannounced visits and access to its property by the Monterey County Environmental Health Division personnel to conduct independent noise monitoring to assure accuracy of the property owners monitoring and reporting program. (Environmental Health Division)				
7.		PDSP003 – USE OF THE INDOOR RANGE - NON-STANDARD The use of the indoor range shall be limited to a 0.22 caliber rim-fire rifle and handguns with non-magnum loads. (RMA - Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
8.		PDSP004 – FIREARM TRANSPORT - NON-STANDARD All persons arriving at and leaving the Carmel Associated Sportsmen, Inc. property must transport firearms in accordance with California firearms laws. (RMA - Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
9.		PDSP005 – OPERATIONS GUIDELINES - NON-STANDARD All members and their guests shall conduct their shooting in accordance with the National Rifle Association's Range Operations Guidelines. A copy of said guidelines shall be kept on the premises at all times. (RMA - Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
10.		PDSP006 – STORAGE - NON-STANDARD No storage of ammunition or other incendiary devices shall be permitted in the indoor range facility. (RMA - Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	

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11.		PDSP007 – ACCESS - NON-STANDARD Carmel Associated Sportsmen, Inc. shall keep all access routes to the indoor shooting facility in condition to not allow erosion of soils. (RMA - Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
12.		PDSP008 – OPERATIONS MANUAL - NON-STANDARD Carmel Associated Sportsmen, Inc. shall adopt a written operations manual along with training programs for all range officers to maintain safe use of the facility in a manner which complies with the conditions of this use permit. (RMA - Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
13.		PDSP009 – LEAD DISPOSAL - NON-STANDARD Carmel Associated Sportsmen, Inc. shall dispose of all lead, projectiles and contaminants generated by use of its property in conformity with the laws of the State of California. (Health Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
14.		PDSP0010 – EXPIRATION - NON-STANDARD This use permit is granted in perpetuity. (RMA - Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
15.		PDSP0011 – MEMBERSHIP - NON-STANDARD The Carmel Associated Sportsmen, Inc. club membership shall not exceed 100 people. (RMA - Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	

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16.		EHSP04 – ANNUAL MONIROTING REPORT Carmel Associated Sportsmen, Inc. shall submit in January of each year for the prior calendar year, beginning January 31, 2001. Said report shall be signed by the officers of the Carmel Associated Sportsmen and shall indicate measures taken throughout the prior year to verify that all conditions of the Use Permit are being met. Copies of the report shall be submitted to the RMA – Planning Department, Health Department – Division of Environmental Health. (Health Department and RMA – Planning Department)	Continuous condition requirement of the Monterey County Resource Management Agency - Planning Department	Owner/ Applicant	Continuous	
17.		PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action;	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

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		but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)				

END OF CONDITIONS

CARMEL ASSOCIATED SPORTSMAN, INC.

29125 ROBINSON CANYON ROAD, APN #416-021-23
 Monterey County, California

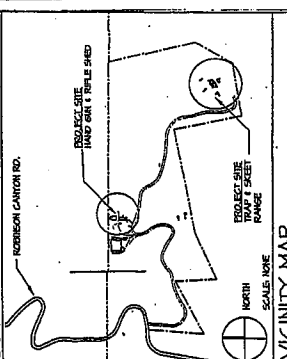
ABBREVIATIONS

AS	APPROPRIATE	AR	ARABIAN	AT	ATLANTIC	AV	AVENUE	AW	AWAY	AX	AXIS	AY	AYER	AZ	AZERBAIJAN
BA	BALCONY	BB	BALTIMORE	BC	BALCONY	BD	BALCONY	BE	BELIEF	BF	BELIEF	BG	BELIEF	BH	BELIEF
BI	BELIEF	BJ	BELIEF	BK	BELIEF	BL	BELIEF	BM	BELIEF	BN	BELIEF	BO	BELIEF	BP	BELIEF
BQ	BELIEF	BR	BELIEF	BS	BELIEF	BT	BELIEF	BU	BELIEF	BV	BELIEF	BW	BELIEF	BX	BELIEF
BY	BELIEF	BZ	BELIEF	CA	CALIFORNIA	CB	CALIFORNIA	CC	CALIFORNIA	CD	CALIFORNIA	CE	CALIFORNIA	CF	CALIFORNIA
CG	CALIFORNIA	CH	CALIFORNIA	CI	CALIFORNIA	CJ	CALIFORNIA	CK	CALIFORNIA	CL	CALIFORNIA	CM	CALIFORNIA	CN	CALIFORNIA
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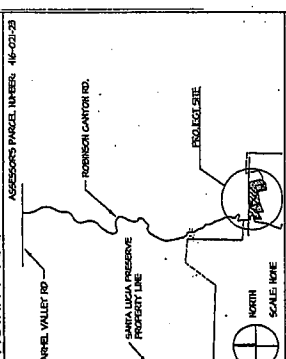
PARCEL DATA

APN: 416-021-23
 PARCEL SIZE: 36.83 AC.
 LOT COVER: 0.13% OF LOT
 PROPERTY ADDRESS: 29125 ROBINSON CANYON RD.
 MONTEREY, CALIFORNIA 93923
 PROPERTY OWNER: CARMEL ASSOCIATED SPORTSMAN, INC.
 EXISTING BUILDINGS ON SITE
 SEWAGE DISPOSAL: PRIVATE SEPTIC TANK
 WATER SUPPLY SYSTEM: PRIVATE WELL
 PROPOSED GRADING ESTIMATE:
 SITE CUT: 0 CU. YDS.
 SITE FILL: 0 CU. YDS.
 AREA OF DEVELOPMENT WITHIN AREA OF MORE THAN
 30% SLOPE: NONE
 PROPOSED TREE REMOVAL:
 NONE

LOCATION MAP



VICINITY MAP

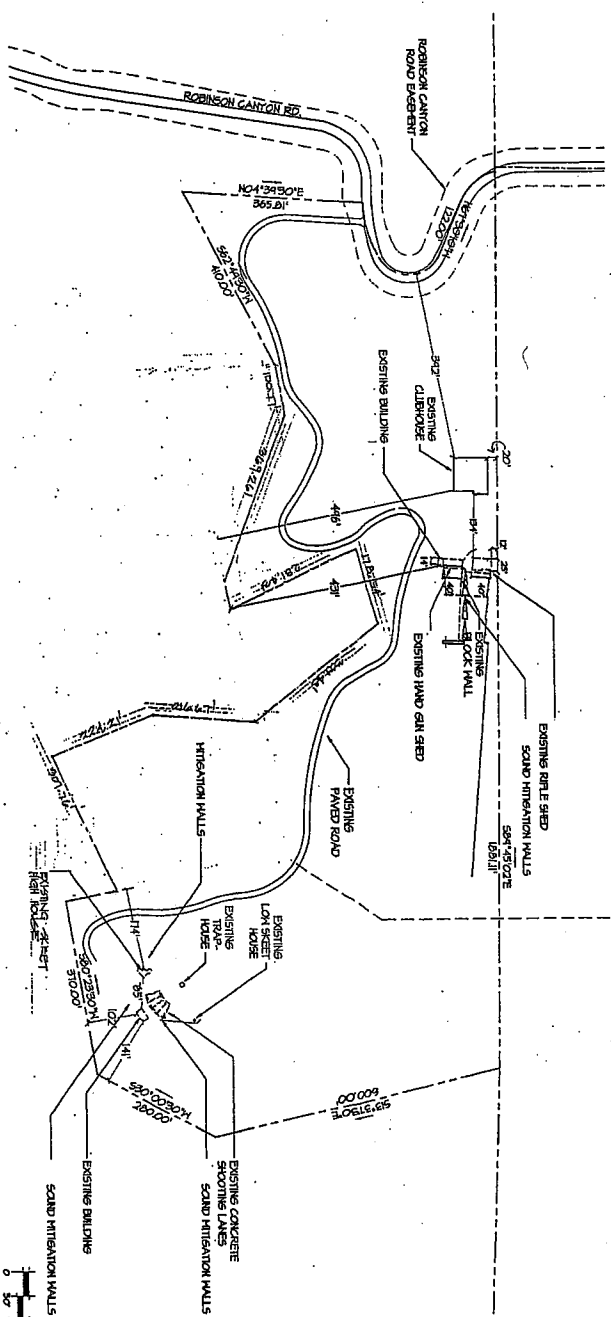


INDEX OF DRAWINGS

COVER SHEET	A01	INDEX OF DRAWINGS, GENERAL NOTES, DATA
ARCHITECTURAL	A02	CANCEL PLAN & 1" X 100' OF SCALE
AS21	A03	TRAIL TO GOLF COURSE
AS22	A04	TRAIL TO GOLF COURSE
AS23	A05	EXISTING HAND GIRT / ISOLE
AS24	A06	ISOLE PLAN

PROJECT #	
DRAWING NO.	A01
CLIENT NAME	
DATE	
SCALE	
PROJECT	
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INDEX OF DRAWINGS
 GENERAL NOTES
 AND DATA

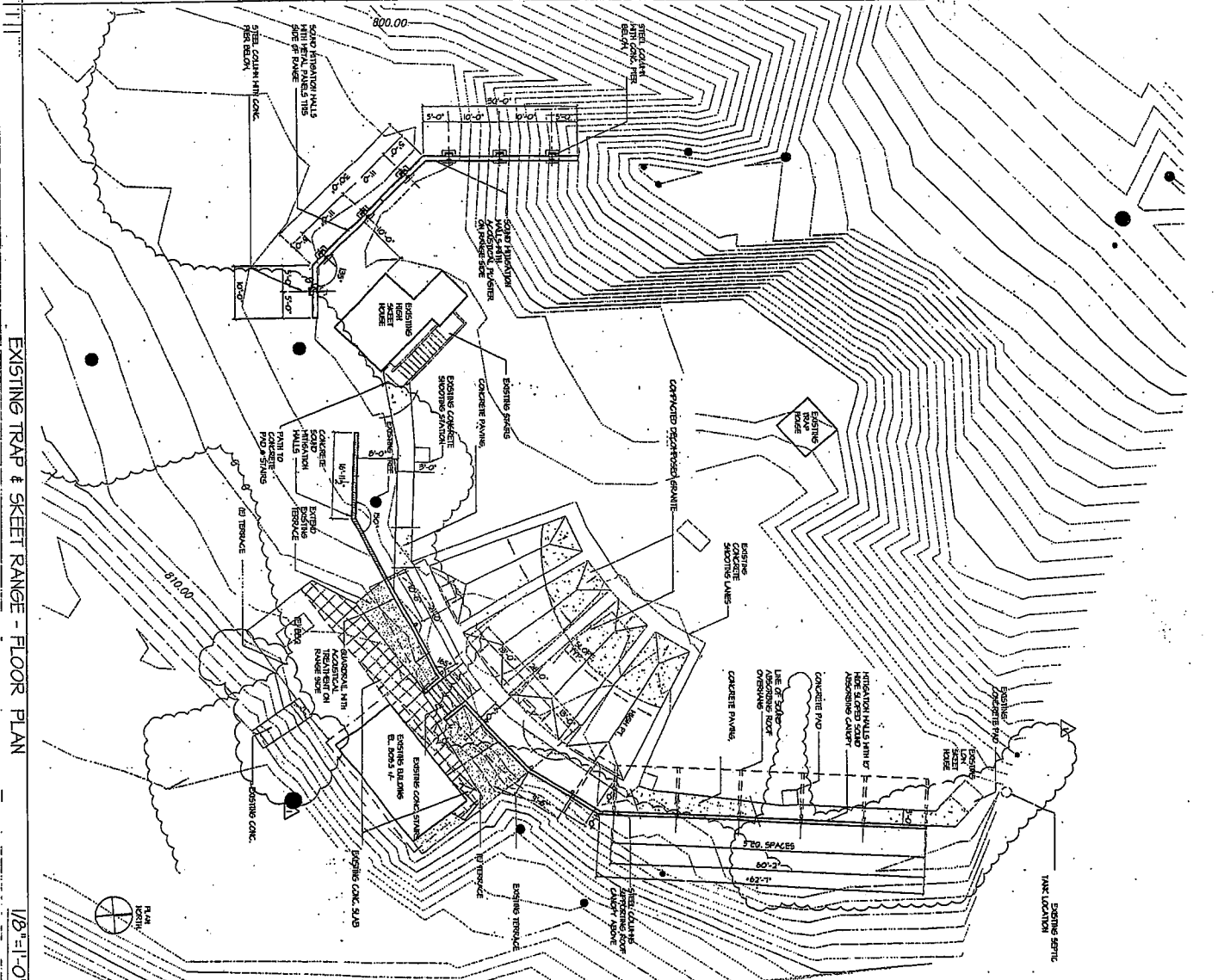
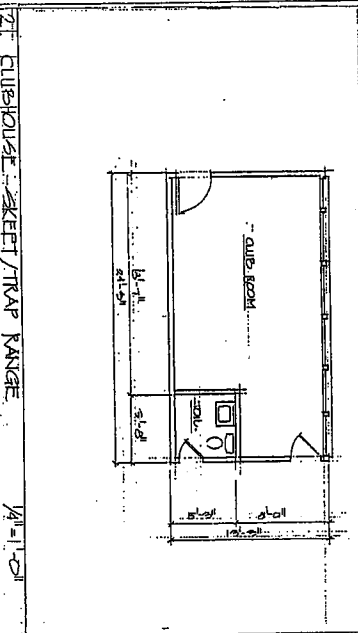
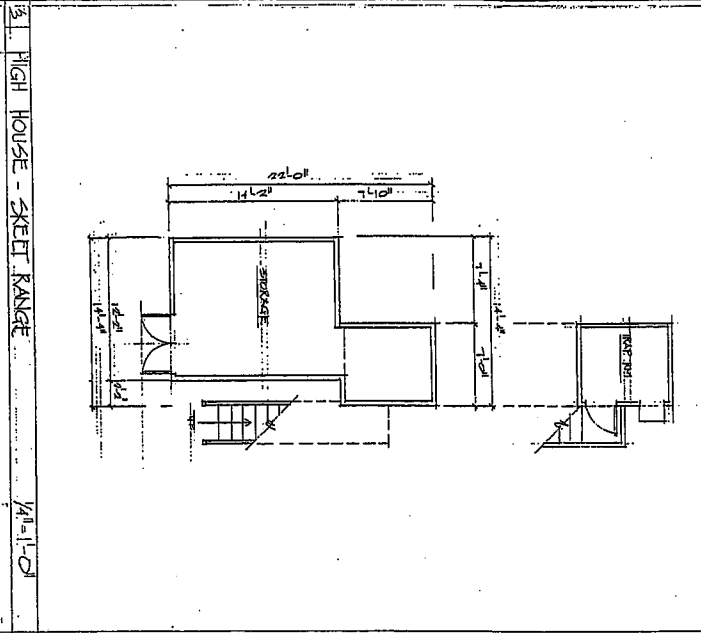
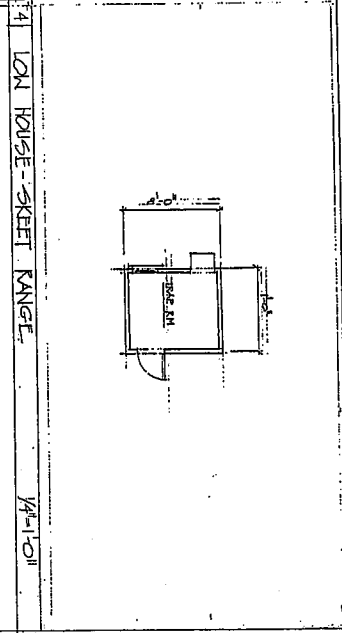


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DRAWING TITLE:
PARCEL PLAN

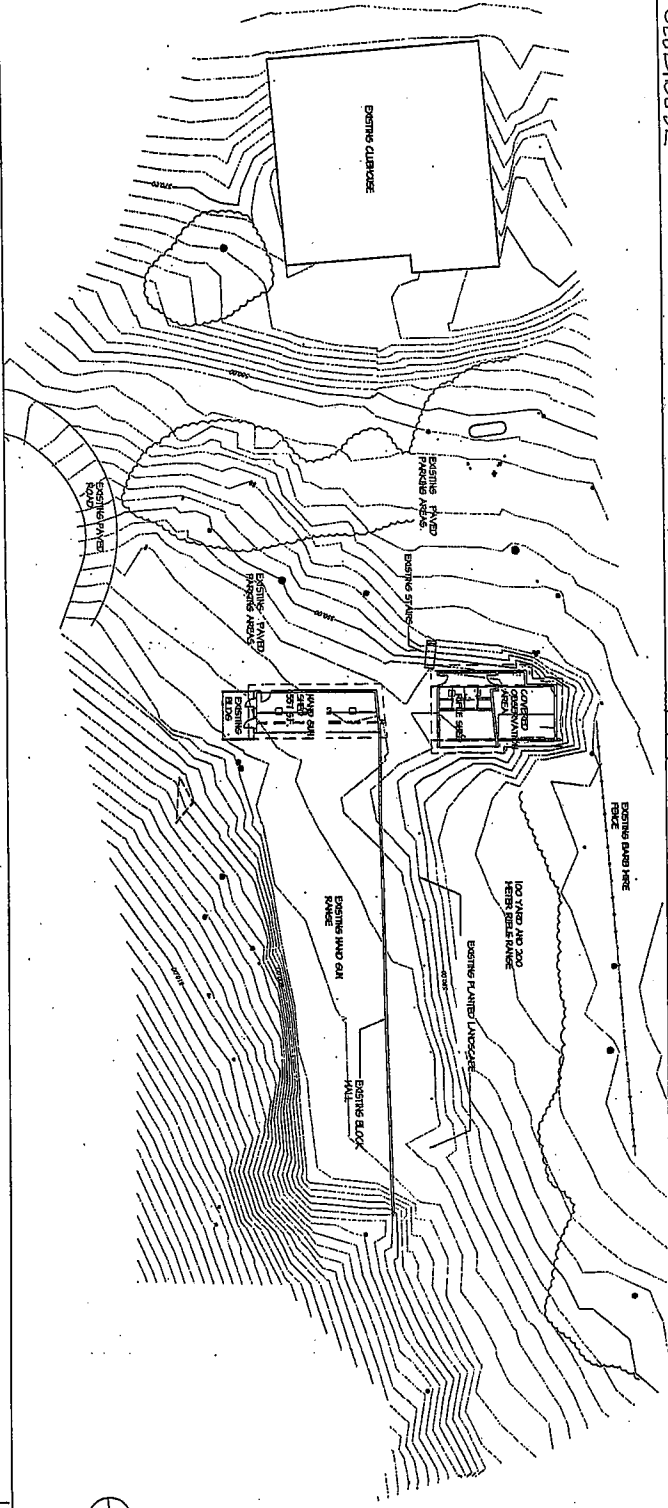
CARMEL ASSOCIATED SPORTSMAN, INC.
29125 Robinson Canyon Road
Monterey County, California
APN #416-021-23

DATE	BY	CHECKED	SCALE
7/1/04			
NO. DATE	REVISIONS		



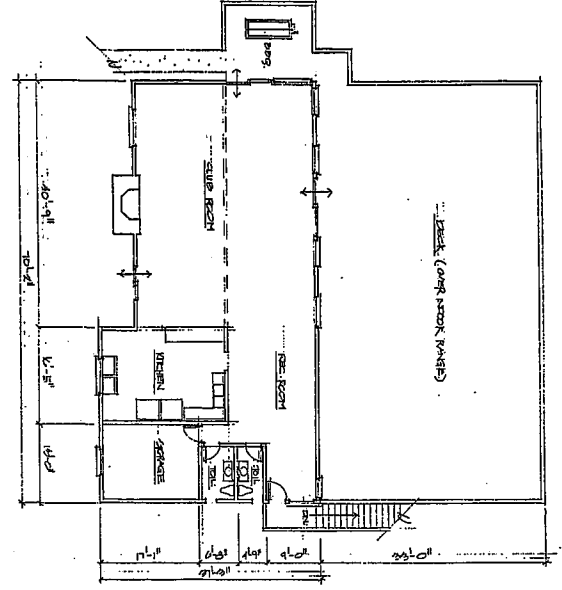
PROJECT NO. DRAWING NO. A2.1	DRAWING TITLE: TRAP & SKELT RANGE FLOOR PLAN	DATE: 08/11/04 DRAWN BY: JMM/ML CHECKED BY: JMM/ML APPROVED BY: JMM/ML	CARMEL ASSOCIATED SPORTSMAN, INC. 29125 Robinson Canyon Road Monterey County, California APN #416-021-23
		SHEET NO.: 1 TOTAL SHEETS: 1	

1 SITE PLAN - RIFLE AND HAND GUN RANGE



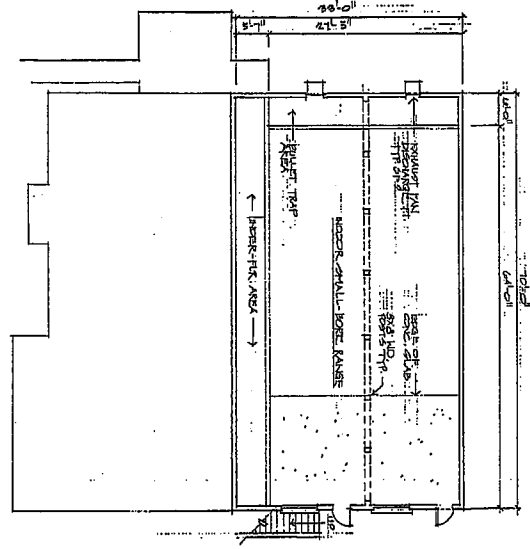
1/6" = 1'-0"

2 EXISTING CLUBHOUSE



1/8" = 1'-0"

3 INDOOR SMALL-BORE RANGE



1/8" = 1'-0"

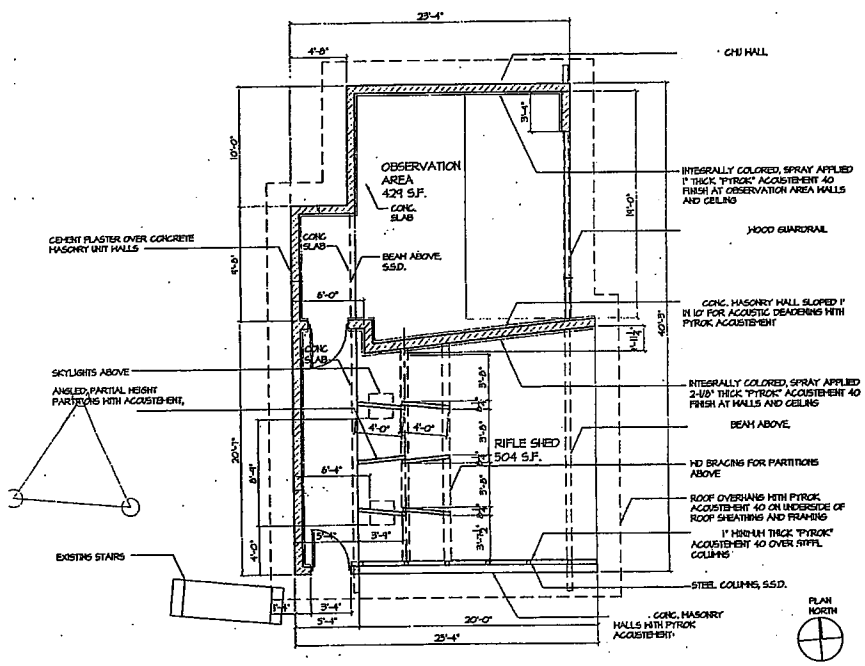
DRAWING TITLE:
HAND GUN & RIFLE
SHED SITE PLAN

PROJECT #:
DRAWING NO.:

A2.2

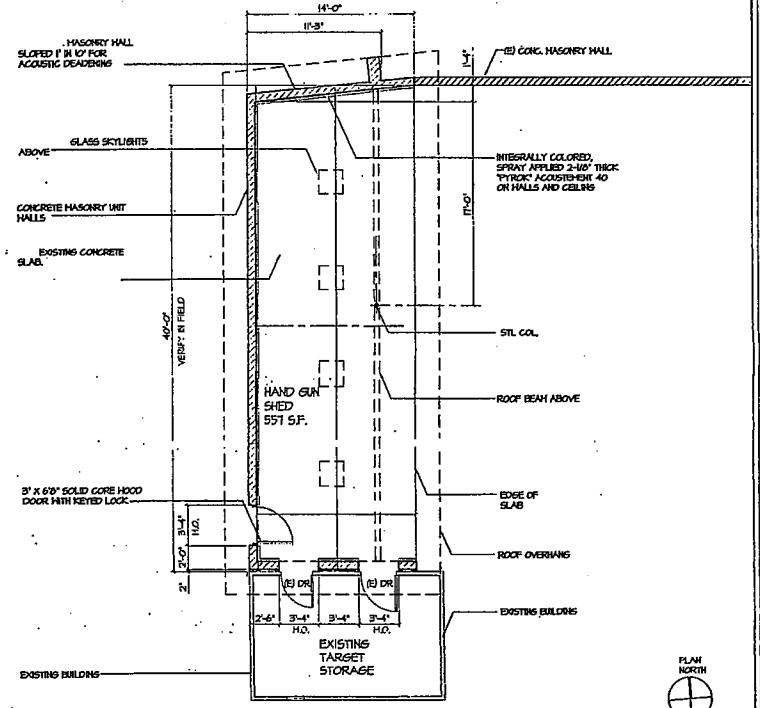
CARMEL ASSOCIATED SPORTSMAN, INC.
29125 Robinson Canyon Road Monterey County, California
APN #16-021-23

SCALE ASSIGNED	DATE	BY
1/17/06		
REVISIONS	NO.	DATE



FLOOR PLAN - RIFLE SHED

1/4"=1'-0"



FLOOR PLAN - HAND GUN SHED

1/4"=1'-0", TYP. U.O.N.

CARMEL ASSOCIATED SPORTSMAN, INC.
29125 Robinson Canyon Road
Menlo Park, California
APN #416-021-23

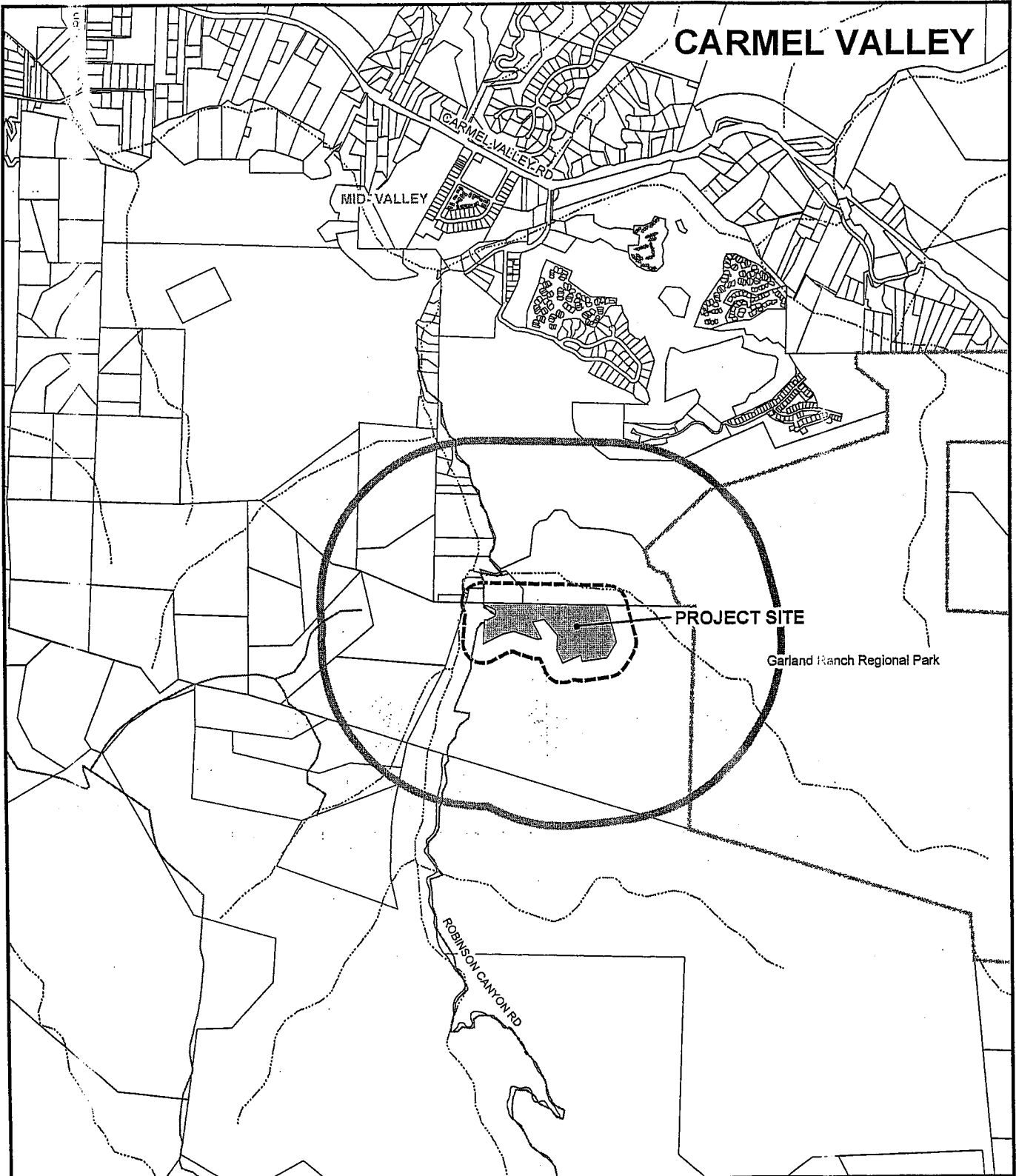
SCALE:	AS SHOWN
DATE:	1/17/04
REVISION:	
DRAWN BY:	
CHECKED BY:	

DRAWING TITLE:
EXISTING RIFLE RANGE
& HAND GUN RANGE
FLOOR PLANS

PROJECT #:
DRAWING NO:

A213


CARMEL VALLEY





APPLICANT: CARMEL ASSOCIATED SPORTSMAN INC

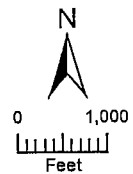
APN: 239-141-003-000

FILE # PLN060343

 300' Limit

 2500' Limit

 City Limits



PLANNER: MANUGUERRA