

**MINOR SUBDIVISION COMMITTEE  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 01004

MINOR SUBDIVISION # PLN 010005

A.P. # 197-231-004-000

In the matter of the request of  
**Carmel Valley Investors (PLN010005)**

**FINDINGS AND DECISIONS**

for a modification of Conditions to add Condition #67 to the previously approved Carmel Valley Investors LLC Minor Subdivision (PLN990386), pursuant to regulations established by local ordinance and state law to address wineries and commercial viticulture, located two miles east of Carmel Valley Village, north of Carmel Valley Road, ¼ mile east of Holman Road, Carmel Valley Master Plan and Toro Area Plan, came on regularly for hearing before the Minor Subdivision Committee on March 8, 2001.

Said Minor Subdivision Committee, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1.     **FINDING:**     The requested modifications are not consistent with the Carmel Valley Master Plan, Toro Area Plan, the County General Plan, Monterey County Zoning Ordinance (Title 21) and the Monterey County Subdivision Ordinance (Title 19).  
**EVIDENCE:**     The requested restriction on Agricultural/Viticulture use of the subject properties are not in conformance with the "RC" (Resource Conservation) zoning and land use classification. Permitted uses within the "RC" zoning classification includes "On lots of ten acres or more, except for those uses requiring an Administrative Permit or Use permit, all soil dependent agricultural uses including crop and tree farming, livestock farming, greenhouses and vineyards."  
**EVIDENCE:**     Placing zoning and land use restrictions on a parcel by parcel basis would lead to potential inconsistencies for property owners requesting zoning information on their properties. Not only would planners need to research plan policies and zoning regulations when answering questions, they would have to research all restrictions placed on each parcel. Restrictions also would permanent and may not reflect changes in land use patterns over time. General Plans and Ordinances are documents that have the ability to change with circumstances, whereas parcel by parcel zoning restrictions would not.
  
2.     **FINDING:**     The proposed modification of conditions to the approved tentative map are not consistent with Title 19.08.010 (Modifications of Conditions to an approved Tentative Map)  
**EVIDENCE:**     In order to allow modification to a tentative map, the modification must be consistent with policies contained in the applicable plan for the area. The proposed modification, in limiting agricultural use, is not consistent with the "Resource Conservation" designation of the County General Plan, the Carmel Valley Master Plan, and Title 21 (Zoning).

DECISION

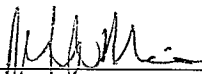
THEREFORE, it is the decision of said Minor Subdivision Committee that said requested modification of condition to add Condition #67 of the previously approved Carmel Valley Investors LLC, Minor Subdivision (PLN990386) to address wineries and commercial viticulture, be denied.

PASSED AND ADOPTED THIS 8th day of March, 2001, by the following vote:

AYES: McPharlin, Hawkins, Main, LeMoine, Cabaluna, Naslund

NOES: Cabaluna

ABSENT: None

  
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Jeff Main, Secretary

COPY OF THIS DECISION WAS MAILED TO APPLICANT ON: **APR - 2 2001**

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **APR 12 2001**

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.