

RESOLUTION NO. 010234

A.P.# 157-171-064-000

In the matter of the application of
Quail Meadows Homeowners Assoc. (PLN010234)

FINDINGS & DECISION

for an Administrative Permit in accordance with Title 21 (Zoning) Chapter 21.70 (Administrative Permits) of the Monterey County Code, and Design Approval to allow the construction of a 96,000 gallon water tank (approx. 14 ft. hgt. by 40 ft. diam.) and a 6 ft. high chain link fence; requiring approximately 1,958 cu. yds. of balanced cut and fill grading, located in the Quail Meadows subdivision approximately 0.4 miles south of the terminus of Covey Court, came on regularly for meeting before the Zoning Administrator on November 15, 2001.

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

FINDINGS OF FACT

1. **FINDING:** The proposed project and/or use, as described in condition #1 is consistent with the policies of the Monterey County General Plan, the applicable Area Plan and the requirements and standards of the Monterey County Zoning Ordinance (Title 21).
EVIDENCE: The text and policies of these documents have been evaluated during the course of the review of this application. No conflicts were found to exist. No communication was received during the course of review of this project to indicate that there is any inconsistency with the text and policies of these documents.
2. **FINDING:** The site is physically suitable for the use proposed.
EVIDENCE: There has been no testimony received, either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. 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, applicable Fire Department, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable. According to County records and reports prepared for the subdivision and this project, 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.
EVIDENCE: Site visit by project planner.
3. **FINDING:** The proposed project will not have a significant environmental impact.
EVIDENCE: The state CEQA Guidelines Section 15303(4) categorically exempts this project from environmental review. No adverse environmental impacts were identified during review of the proposed project.
4. **FINDING:** Public notice of the pending Administrative Permit was provided pursuant to Section 21.70.040, Title 21, Monterey County Code (Zoning).
EVIDENCE: Materials in project file.

5. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions, and any other applicable provisions of Title 21, that no violations exist on the property, and that all zoning violation abatement costs have been paid.
EVIDENCE: Sections 21.38.030, 21.44.030 and 21.45.030 of the Monterey County Code (Zoning). Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.
7. **FINDING:** The proposed water tank will not create a significant visual impact as viewed from a public viewing area.
EVIDENCE: The applicant flagged and staked the proposed project in accordance with County requirements. The project planner performed a site visit and found that the project will not create a significant visual impact from any public viewing areas.
EVIDENCE: The Carmel Valley Land Use Advisory Committee reviewed the project and although they recommended denial of the project, their recommendation was not based on concern over visual impacts.
8. **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: Preceding findings and supporting evidence.

DECISION

THEREFORE, it is the decision of said Zoning Administrator, that said application for an Administrative Permit be granted as shown on the attached sketch, and subject to the following conditions:

1. The subject Administrative Permit allows the construction and use of a 96,000 gallon water tank (approx. 14 ft. ht. by 40 ft. diam.) and a 6 ft. high chain link fence around the tank; requiring approximately 1,958 cu. yds. of balanced cut and fill grading, some of the excavated dirt will be used for road improvements on lot 32. The project is located in the Quail Meadows subdivision (Assessor's Parcel Number 157-171-066-000), approximately 0.4 miles south of the terminus of Covey Court. Access is provided by an existing unpaved private road that intersects with Covey Court. The proposed project is 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 Building and Grading Permits:

2. The applicant shall record a notice which states: "An Administrative Permit (Resolution 010234) was approved by the Zoning Administrator for Assessor's Parcel Number 157-171-066-000 on November 15, 2001. The permit was granted subject to 11 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. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. **(Planning and Building Inspection)**
4. A Grading Permit shall be required pursuant to the Monterey County Code relative to Grading, Chapter 16.08. **(Planning and Building Inspection)**
5. Native trees which are located close to the construction site shall be protected from inadvertent damage from construction equipment by wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. **(Planning and Building Inspection Department)**
6. The applicant shall provide to the Water Resources Agency information on the water system to serve the project, including the location of all water wells on the property, any well logs available and the number of current hookups. **(Water resources Agency)**

Prior to Final Building Inspection/Occupancy

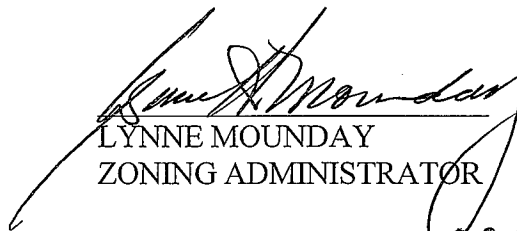
7. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. *Landscaping plans shall include the removal of all non-native vegetation.* Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. **(Planning and Building Inspection)**

Continuous Permit Conditions

8. If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources. **(Planning and Building Inspection)**
9. No exterior lighting shall be allowed without prior approval by the Director of Planning and Building Inspection. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director, prior to the issuance of building permits. **(Planning and Building Inspection)**

10. The proposed water tank shall only be used to supply water to the development on APN 157-171-032-000 as approved under Administrative Permit NO. PLN990291. This condition does not preclude the short-term use of this water for emergency fire suppression or as required due to other natural disasters that may interrupt other existing sources of water. Any other long-term use of this water system, is subject to review and approval by the Monterey County Planning and Building Inspection Dept. Water Resources Agency and Environmental Health Division. The water from the well on Lot 32 will not be used for any other lot unless a water distribution permit is first obtained from the MPWMD. **(Planning and Building Inspection)**
11. The applicant shall install and maintain a meter on the water system and allow. Monterey County Water Resources Agency to monitor project water use. **(Planning and Building Inspection)**

PASSED AND ADOPTED this 15th day of November, 2001.


LYNNE MOUNDAY
ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON **NOV 28 2001**

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 **DEC 10 2001**

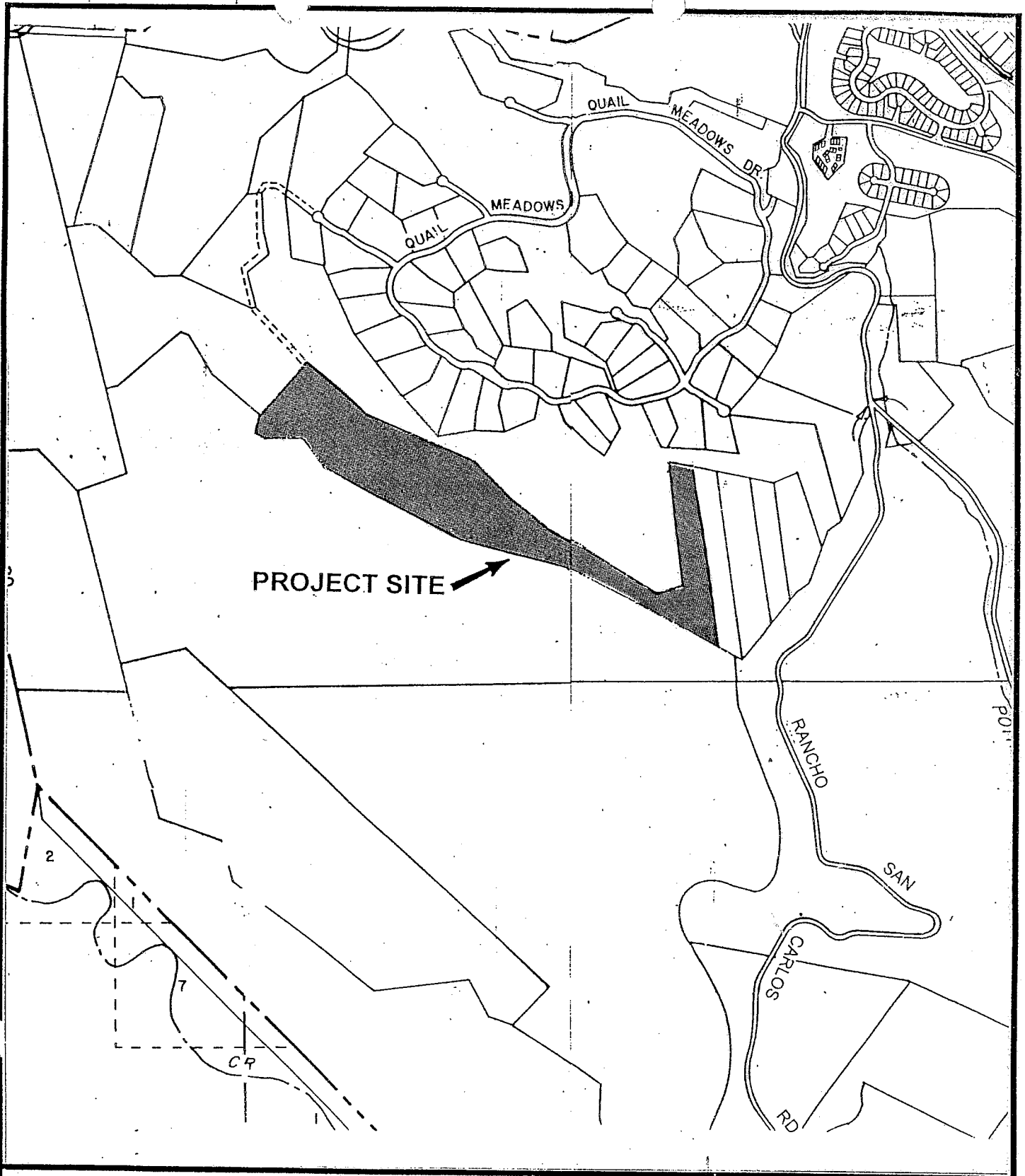
NOTES

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.



APPLICANT: QUAIL LODGE INC.

APN: 157-171-066-000

FILE# 010234

300' LIMIT: 

2,500' LIMIT: 

