

MIKE NOVO  
ZONING ADMINISTRATOR

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

RESOLUTION NO. 030535

A.P. # 189-433-023-000

In the matter of the application of  
**Mark Hyles (PLN030535)**

**FINDINGS & DECISION**

for an Administrative Permit in accordance with Title 21 (Zoning) Chapter 21.70 (Administrative Permits) of the Monterey County Code, to allow construction of a 2,226 sq. ft. single family residence with a detached 363 sq. ft. garage, detached 200 sq. ft. carport; 196 sq. ft. of decking and Design Approval. The project is located at 19 El Cuenco, Carmel Valley, Carmel Valley Master Plan area. The project came regularly for hearing before the zoning administrator on February 24, 2005.

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

**FINDINGS OF FACT**

- FINDING:** The proposed project (PLN030535) would allow a 2,226 sq. ft. single family residence with a detached 363 sq. ft. garage, detached 200sq. ft. carport and 196 sq. ft. of decking. The property is located is located at 19 El Cuenco, Carmel Valley Master Plan area. The project is consistent with the Monterey County General Plan and Carmel Valley Master Plan land use designation of low density residential zoning district and with policies related to slope and development of SFDs in the Robles Del Rio area of Carmel Valley.

**EVIDENCE:** The application and plans submitted for the Administrative Permit in project file PLN030535 at the Monterey County Planning and Building Inspection Department. Staff has reviewed this material and has determined that the project is consistent with the Monterey County General Plan, the Carmel Valley Master Plan and Title 21 of the County Zoning Code.

**EVIDENCE:** Materials in project file PLN030535 and a recommendation for approval (3-0) from the Carmel Valley Land Use Advisory Committee dated June 21, 2004.

**EVIDENCE:** Site visit by staff.

**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, the Carmel Valley Fire District, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable. 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 CVMP** Land Use Plan Figure 2 and policies in the text as reviewed by staff.

- FINDING:** The project, as conditioned, will not involve a risk of adverse environmental impacts

such as soil erosion.

**EVIDENCE:** The Geotechnical Soils-Foundation & Geoseismic Report for the proposed residence 298 A El Cuenco Carmel Valley, California prepared by Grice Engineering and Geology Inc., dated September 3, 2003 and Grice correspondence dated January 20, 2004; Arborist's Report by Forest City Consulting dated May 17, 2004; Preliminary Archaeological Reconnaissance of Assessor's Parcel 189-433-023-000 by Mary Doane, B.S., and Trudy Haversat, M.A., RPA dated January 6, 2004; Archaeological Consulting.

**EVIDENCE:** Materials in project file PLN030535 indicate that the applicant has agreed as a condition of the Administrative Permit to comply with the recommendations in Geotechnical Soils-Foundation & Geoseismic Report for the proposed residence 298 A El Cuenco Carmel Valley prepared by Grice Engineering dated September 3, 2003.

3. **FINDING:** The approved project will not have a significant adverse impact on the environment.

**EVIDENCE:** Section 15303(a) of the California Environmental Quality Act Guidelines (New Construction or Conversion of Small Structures) categorically exempts this project from environmental review.

**EVIDENCE:** Project plans and materials in project file PLN030535.

**EVIDENCE:** The Geotechnical Soils-Foundation & Geoseismic Report for the proposed residence 298 A El Cuenco Carmel Valley, California prepared by Grice Engineering and Geology Inc., dated September 3, 2003 and Grice correspondence dated January 20, 2004; Arborist's Report by Forest City Consulting dated May 17, 2004; Preliminary Archaeological Reconnaissance of Assessor's Parcel 189-433-023-000 by Mary Doane, B.S., and Trudy Haversat, M.A., RPA dated January 6, 2004; Archaeological Consulting.

4. **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 Planning and Building Inspection Department, Environmental Health Department, the Public Works Department, Carmel Valley Fire District and the Water Resources Agency. 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.

**EVIDENCE:** Project plans and application materials in project file PLN030535.

## 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 attached conditions.

**PASSED AND ADOPTED** this 24th day of February 2005.

---

MIKE NOVO  
ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON

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

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 Planning Commission 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:** Hyles      **File No:** PLN030535  
**APNs:** 189-433-023-000  
**Approval by:** Zoning Administrator      **Date:** February 24, 2005

*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 Administrative permit PLN030535 allows construction of a 2,226 sq. ft. single family residence with a detached 363 sq. ft. garage, detached 200 sq. ft. carport; 196 sq. ft. of decking; and Design Approval. The property is located at 19 El Cuenco, Carmel Valley, Carmel Valley Master Plan area (Assessor's Parcel Number 189-433-023-000). 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 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. <b>(Planning and Building Inspection)</b></p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	
2		<p><b>PBD025 - NOTICE-PERMIT APPROVAL</b>  The applicant shall record a notice which states: "A permit (Resolution 030535) was approved by the Zoning Administrator for Assessor's Parcel Number 189-433-023-000 on February 24, 2005. 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 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>PBD030 - STOP WORK - RESOURCES FOUND</b></p> <p>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 a qualified professional archaeologist can evaluate it. 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 and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection)</p>	<p>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	
4	<p><b>PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN</b></p> <p>All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. 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 of Planning and Building Inspection, prior to the issuance of building permits. (<b>Planning and Building Inspection</b>)</p>	<p>Submit three copies of the lighting plans to PBI for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to issuance of building permits.</p>	
5	<p>The height of the carport shall not exceed 15 feet as measured by the average between the highest and lowest (natural grade) points of the structure. (<b>Planning and Building Inspection</b>)</p>				
6	<p><b>WR3 - DRAINAGE PLAN - RETENTION</b></p> <p>The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (<b>Water Resources Agency</b>)</p>	<p>Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant/ engineer</p>	<p>Prior to issuance of grading or building permits</p>	

7		<p><b>WR43 - WATER AVAILABILITY CERTIFICATION</b>  The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. <b>(Water Resources Agency)</b></p>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
8		<p><b>WR45 - WELL INFORMATION</b>  The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. <b>(Water Resources Agency)</b></p>	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	
9		<p><b>WR8 - COMPLETION CERTIFICATION</b>  The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. <b>(Water Resources Agency)</b></p>	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	
10		<p><b>WR40 - WATER CONSERVATION MEASURES</b>  The applicant shall comply with Ordinance No. 3932, or as subsequently amended, 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. <b>(Water Resources Agency)</b></p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	

11		<p><b>FIRE007 - DRIVEWAYS</b></p> <p>Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the “T” shall be a minimum of 60 feet in length. Responsible Land Use Department: Carmel Valley Fire District.</p>	<p>a) Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>b) Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	<p>a) Prior to issuance of grading and/or building permit.</p> <p>b) Prior to final building inspection</p>	
----	--	---	--	--------------------	---	--

12	<p><b>FIRE011 - ADDRESSES FOR BUILDINGS</b></p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Carmel Valley Fire District.</p>	<p>a) Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>b) Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	<p>a) Prior to issuance of building permit.</p> <p>b) Prior to final building inspection</p>	
13	<p><b>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</b></p> <p>Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. Responsible Land Use Department: Carmel Valley Fire District.</p>	<p>a) Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>b) Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	<p>a) Prior to issuance of grading and/or building permit.</p> <p>b) Prior to final inspection</p>	

14	<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. Responsible Land Use Department: Carmel Valley Fire District.	a) Applicant shall enumerate as "Fire Dept. Notes" on plans. b) Applicant shall schedule fire dept. rough sprinkler inspection c) Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	a) Prior to issuance of building permit. b) Prior to framing inspection c) Prior to final building inspection
15	<b>FIRE008 - GATES</b> All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. Responsible Land Use Department: Carmel Valley Fire District.	a) Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. b) Applicant shall schedule fire dept. clearance inspection	Applicant or owner	a) Prior to issuance of grading and/or building permit. b) Prior to final building inspection.
16	<b>FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)</b> All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. Responsible Land Use Department: Carmel Valley Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.
17	<b>PW0006 – CARMEL VALLEY</b> 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). <b>(Public Works)</b>	Applicant shall pay to PBI the required traffic mitigation fee.	Owner/ Applicant	Prior to Building Permits Issuance