

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

RESOLUTION # 02012

MINOR SUBDIVISION NO. 020385

A.P. # 117-422-011-000  
412-011-024-000

In the matter of the application of

**FINDINGS & DECISION**

**Terry Lee & Jamie Lynne Walker (PLN020385)**

for a Minor Subdivision in accordance with Title 21 (Zoning) Chapter 21.76 of the Monterey County Code, consisting of a two-year extension of Minor Subdivision Permit PLN970472, which consists of the division of approximately 40.6 acres into four parcels [3.6, 3.0, 4.8 and 7.0 acre parcels] with a 22.3 acre remainder parcel, located at 464 Vega Road, Watsonville and at the intersection of Vega Road & Marlin Lane, North County area, came on regularly for meeting before the Minor Subdivision Committee on September 26, 2002.

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

1. **FINDING:** This 2-year extension request would extend the Minor Subdivision for Terry Lee and Jamie Lynn Walker (PLN970472) to November 16, 2004.

The previously approved Minor Subdivision consists of a tentative parcel map to subdivide two parcels which total approximately 40.6 acres into four residential parcels (3.6, 3.0, 4.8 and 7.0 acre parcels) with a 22.3 acre remainder parcel, located at the southwest corner of Vega Road and Marlin Lane in the Prunedale Hills area of the North County Area Plan (inland) area. There is no development or tree/vegetation removal proposed as part of this application, with the exception of stabilizing the existing dirt road that provides access to the remainder parcel.

The parcels are designated Low Density Residential: 1-5 acres/unit, and Resource Conservation: 10-160 acres per unit pursuant to the North County Area Plan. The parcels are zoned "Low Density Residential, 2.5 acres per unit" and "Resource Conservation, 10 acres per unit."

The extension request is consistent with the policies of the Monterey County General Plan, Title 21 - Zoning Ordinance of the County of Monterey, the North County Area Plan, and Title 19 of the Subdivisions Ordinance.

**EVIDENCE:** The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- a) The Monterey County General Plan
- b) Chapter 21.14 of the Zoning Ordinance of the County of Monterey, Low Density Residential Zoning Districts or "LDR" Districts

- c) Chapter 21.36 of the Zoning Ordinance of the County of Monterey, Resource Conservation Zoning Districts or “RC” Districts
- d) Chapter 21.66.020 of the Zoning Ordinance of the County of Monterey for development “Standards for Environmentally Sensitive Habitats”
- e) The North County Area Plan
- f) Title 19, Monterey County Subdivision Ordinance for the Inland Area

**EVIDENCE:** Resolution # 2027, as found in File PLN970472.

2. **FINDING:** The extension request is consistent with Section 19.04.040 (Extensions of the Tentative Parcel Map) of Title 19, the Subdivision Ordinance.

1. The applicant applied for the extension request prior to the expiration date.
2. No new information or substantial change in circumstance exists that would affect the original approval.
3. The extension request, as conditioned, will not cumulatively exceed two (2) years.
4. Under the Subdivision Map Act, the appropriate decision making body may grant extension(s) not to cumulatively exceed five (5) years.
5. Staff review of the approved Minor Subdivision determined that the project is consistent with the policies of the Monterey County General Plan, Title 21 – Zoning Ordinance of the County of Monterey, and the North County Area Plan. The parcels are designated Low Density Residential: 1-5 acres/unit, and Resource Conservation: 10-160 acres per unit pursuant to the North County Area Plan. The parcels are zoned “Low Density Residential, 2.5 acres per unit” and “Resource Conservation, 10 acres per unit.”

**EVIDENCE:** Monterey County Code Title 19, specifically Section 19.04.040, Extensions of the Tentative Parcel Map.

**EVIDENCE:** Letter from Todd Bessire of Lombardo and Gilles, representative for Terry Lee and Jamie Lynn Walker, dated July 18, 2002, found in files PLN970472 and PLN020385.

**EVIDENCE:** The issues of greatest concern in North County today are water, traffic, environmentally sensitive habitat areas, fire protection, geology and soils, and consistency with County policies. The adopted Mitigated Negative Declaration addressed these substantial issues at the time the original application was considered and the application was approved with these issues fully disclosed and mitigable. No change in circumstance has occurred since the time of original approval for the project. The Monterey County General Plan, Title 21 – Zoning Ordinance of the County of Monterey, and the North County Area Plan have not changed since project approval.

**EVIDENCE:** Administrative record, oral testimony, tapes and minutes of the November 16, 2000 Minor Subdivision Committee meeting, as found in file

PLN970472 and at the Monterey County Planning and Building Inspection Department.

**EVIDENCE:** Administrative record as found in file PLN020385 and at the Monterey County Planning and Building Inspection Department.

3. **FINDING:** The Monterey County Minor Subdivision Committee previously adopted a Mitigated Negative Declaration on November 16, 2000 for the Minor Subdivision.

**EVIDENCE:** Materials found in file PLN970472, including Resolution # 2027.

**EVIDENCE:** Administrative record, oral testimony, tapes and minutes of the November 16, 2000 Minor Subdivision Committee meeting, as found in file PLN970472 and at the Monterey County Planning and Building Inspection Department.

4. **FINDING:** The extension is appealable to the Monterey County Board of Supervisors.

**EVIDENCE:** Section 19.16.020 of Title 19, Inland Subdivision Ordinance.

### DECISION

THEREFORE, it is the decision of the Minor Subdivision Committee that said application for a two year extension to a Minor Subdivision be granted as shown on the attached sketch, subject to the following conditions:

1. The approval of the extension request would extend the Minor Subdivision for Terry Lee and Jamie Lynn Walker (PLN970472) to November 16, 2004. 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)**
2. The Minor Subdivision expiration date shall be extended to November 16, 2004. **(Planning and Building Inspection)**
3. All conditions of Minor Subdivision PLN970472 (Resolution # 2027), as extended by permit PLN020385, are still applicable with the approval of the extension. **(Planning and Building Inspection)**
4. The applicant shall record a notice, which states: "A permit (Resolution 02012) was approved by the Minor Subdivision Committee for Assessor's Parcel Numbers 117-422-011 and 412-011-024 on September 26, 2002. The permit was granted subject to four 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 permits or recordation of the map. **(Planning and Building Inspection)**

**PASSED AND ADOPTED** this 26th day of September, 2002, by the following vote:

AYES: Hawkins, Main, Beretti, Hori  
NOES: None  
ABSENT: McPharlin, Mulholland

Original Signed By:

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JEFF MAIN, SECRETARY

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 CLERK TO THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

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.

UNLESS EXTENDED AS PROVIDED BY CHAPTER 19.04.040, TITLE 19 (SUBDIVISIONS), MONTEREY COUNTY CODE, THIS APPROVAL EXPIRES ON NOVEMBER 16, 2004. EXTENSION REQUESTS MUST BE MADE IN WRITING 30 DAYS PRIOR TO THE AFOREMENTIONED EXPIRATION DATE.

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.