

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

RESOLUTION # 07010

A.P. # 423-042-001-000, 423-  
042-002-000, 423-042-003-  
000, 423-042-004-000, 423-  
042-005-000, 423-042-006-  
000, 423-042-007-000 & 423-  
042-008-000

In the matter of the application of  
**Scott Trompeter Enterprises, Inc. (PLN070112)**

**FINDINGS & DECISION**

for a **Minor Subdivision Amendment** in accordance with Title 21 (Zoning) Chapter 21.76 of the Monterey County Code, consisting of an Amendment to Inclusionary Housing condition number 14 of Combined Development Permit (PLN030551). The property is located on Jolon Road and Jolon-Lockwood Road, Lockwood, South County, and came on regularly for meeting before the Minor Subdivision Committee on September 27, 2007.

Said Minor Subdivision Committee, 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 South County Area Plan, South County Inventory and Analysis, the Monterey County Zoning Ordinance (Title 21), and the Monterey County Subdivision Ordinance (Title 19) which designate this area as appropriate for the proposed amendment.

- 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 on Jolon Road and Jolon-Lockwood Road, Lockwood (Assessor's Parcel Number 423-042-001-000), South County Area Plan. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, (Zoning Ordinance) and Title 19, (Subdivision Ordinance), and is therefore suitable for the proposed amendment.
  - (c) Staff has concluded that the subject amendment conforms to the plans listed above.
  - (d) The project was not referred to the (LUAC) for review because there is no LUAC established for this area.

(e) The application and related support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development found in Project File PLN070112.

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 the RMA-Housing and Redevelopment Office and RMA-Planning Department. 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) Materials in Project File PLN070112.

3. **FINDING: CEQA (Section 15162[a]):** - The project does not present a substantial change to identified environmental impacts or significant effects previously discussed and addressed in the certified Negative Declaration.

**EVIDENCE:** (a) Section 15162(a) of the CEQA Guidelines states, “When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record...substantial changes are proposed in the project which will require major revisions of the previous EIR or *negative declaration* due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.”

(b) The proposed amendment does not present substantial change that would increase the severity of previously identified significant impacts or cause new significant environmental effects that were not previously discussed and addressed in the Negative Declaration adopted for the Dedini Minor Subdivision Permit (PLN030651 Minor Subdivision Committee Resolution No. 05-013).

(c) Based on available information, there is no reasonable possibility that the proposed activity will have a significant effect on the environment due to unusual circumstances that would require additional review.

(d) See preceding and following findings and supporting evidence.

(e) Materials in project file PLN070112.

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:** (a) Staff reviewed the Monterey County Resource Management Agency’s – Planning Department and Building Services records and is unaware of any violations existing on the 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:** (a) Preceding findings and supporting evidence.

6. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.

**EVIDENCE:** (a) Section 19.16.020.B of the Monterey County Zoning Ordinance (Title 19) states, "The Board of Supervisors is the Appeal Authority to consider appeals from decisions of the Minor Subdivision Committee.

**DECISION**

**THEREFORE**, it is the decision of the Minor Subdivision Committee, to grant the Amendment to Inclusionary Housing condition number 14 of Combined Development Permit (PLN030551) subject to the attached condition.

**PASSED AND ADOPTED** this 27th day of September, 2007, by the following vote:

AYES:           Hori, Onciano, McPharlin, Juarez, Vandever, Treffry  
NOES:           None  
ABSENT:       None

  
JACQUELINE ONCIANO, SECRETARY

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON OCT 11 2007

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 OCT 21 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 90<sup>th</sup> day following the date on which this decision becomes final.

**Monterey County Resource Management Agency –  
Planning Department  
Condition Compliance and/or Mitigation Monitoring  
Reporting Plan**

**Project Name:** Trompeter.

**File No:** PLN070112

**APN:** 423-041-050-000.

**Approved by:** Minor Subdivision Committee **Date:** September 27, 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.		<b>HR_SP001 INCLUSIONARY HOUSING</b> Prior to the issuance of building / planning permits for any of the parcels within the Subdivision, the applicant shall pay an Inclusionary In-Lieu Fee in the amount of \$27,540.” <b>(Housing and Redevelopment)</b>	Applicant shall pay an Inclusionary In-Lieu Fee in the amount of \$27,540 to the Housing and Redevelopment Department.	Owner/ Applicant	Prior to issuance of building/ planning permit	
		<b>END OF CONDITIONS</b>				