

**PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02044

A. P. # 129-083-034-000

In the matter of the application of  
**Whitehead & Babeai (PLN010065)**

FINDINGS AND DECISION

for a Subdivision in accordance with Chapter 19.03, Title 19 (Subdivisions) of the County of Monterey Code, to allow a three-year extension of a Standard Subdivision Tentative Map (PLN980272) (to expire on April 28, 2004) to allow division of a 35.18 acre parcel into 6 parcels of 5 acres each and 1 parcel of 5.18 acres; located on Timeview Way, north of Castroville Boulevard and west of San Miguel Canyon Road, Prunedale area, came on regularly for hearing before the Planning Commission on July 31, 2002.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

1.     **FINDING:**     The applicants, Ron Whitehead and Hassan Babeai, timely applied for extension of a Standard Subdivision Tentative Map (File No. PLN980272).  
       **EVIDENCE:**   Application materials in Project Files PLN980272 and PLN010065.
  
2.     **FINDING:**     Consideration of the subject application for an extension has been carried out pursuant to Section 19.03.035 of Title 19 (Subdivisions) of the Monterey County Code.  
       **EVIDENCE:**   Application materials in Project Files PLN980272 and PLN010065. The purpose of the extension is to allow additional time for implementation and compliance with the conditions of the original approval.
  
3.     **FINDING:**     The extension of the Tentative Parcel Map conforms to the Monterey County General Plan and County Subdivision and Zoning ordinances, and there is no new information or substantial changes in circumstances which would alter the original approval.  
       **EVIDENCE:**   The extension request was reviewed by the Planning and Building Inspection Department, Public Works Department, Environmental Health Division, Water Resources Agency, and North County Fire District. These departments and agencies did not recommend any new conditions for the project.  
       **EVIDENCE:**   The Initial Study for the project was examined in light of development which has taken place in the Prunedale area since the original approval in 1999. None of the conditions described in Section 15162 of the CEQA Guidelines have occurred. There are no substantial changes with respect to the circumstances under which the project was undertaken.  
       **EVIDENCE:**   Application materials in Project Files PLN980272 and PLN010065.

DECISION

It is the decision of the Planning Commission of the County of Monterey that the three year extension of a Standard Subdivision Tentative Map be granted as shown on the attached sketch and subject to the following conditions:

1. This is a three-year extension of a Standard Subdivision Tentative Map to expire on April 28, 2004. This Standard Subdivision Tentative Map in accordance with County ordinances and land use regulations subject to the following terms and conditions and the terms and conditions set forth in Resolution No. 99026 approved by the Monterey County Planning Commission on April 28, 1999 (Exhibit "A" attached). 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)
  
2. The applicant shall comply with the Monterey County Inclusionary Housing Ordinance in effect at the time the application was deemed complete by the Planning and Building Inspection Department on August 20, 1998, prior to the recordation of the Final Map or the issuance of any Building Permits. (Planning and Building Inspection)

**PASSED AND ADOPTED** this 31st day of July, 2002 by the following vote:

Ayes: Errea, Sanchez, Hawkins, Pitt-Derdivanis, Parsons, Diehl, Hernandez, Engell, Wilmot  
 Noes: None  
 Absent: Brennan

Original Signed By:

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 DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

**IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF 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.