

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

RESOLUTION NO. 03087

A.P. # 245-011-016-000

**FINDINGS AND DECISION**

In the matter of the application of  
**John Hansen Cumming Tr, et al (PD030276)**

for a Zoning Map correction from “HI” (heavy industrial) to “F/40” (farmlands, 40-acre minimum building site) and Central Salinas Valley Area Land Use Plan Map Amendment from Mineral Extraction, to Farmlands, 40 acres minimum, located at 39405 Metz Road, King City, Greenfield Area, Central Salinas Valley Area Plan, came on regularly for hearing before the Planning Commission on December 10, 2003.

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

**FINDING 1**

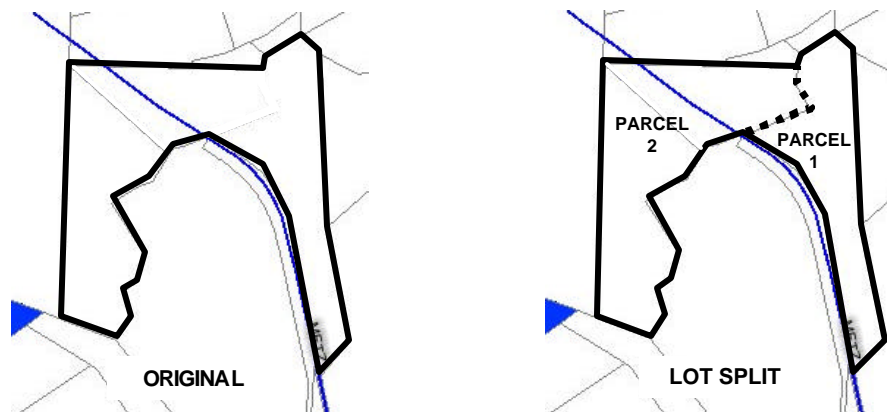
The subject property, Assessors Parcel Number 245-011-016 carries an erroneous zoning and land use designation. To correct these errors, the zoning and Central Salinas Valley Area Land Use Plan Map land use designations should be changed from HI (Heavy Industrial) to F/40 (Farmlands, 40-acre minimum building site) and from Mineral Extraction, To Farmlands, 40 Acres Minimum, respectively, as shown on Exhibits B and C.

**EVIDENCE:**

1. The parcel is situated along the north side of Metz Road, and contains a home ranch and grazing land. The owners report no mining ever took place on the property, and that the property has been used for grazing for at least the past 40 years. Mining operations do take place, however, on parcels immediately north and west of the property.

Prior to 1983, the parcel carried a zoning designation of “AP” (Agricultural Preserve). The current zoning designation of HI (Heavy Industrial) implemented the General Plan and Central Salinas Valley Area Plan designations of Mineral Extraction adopted for the property in 1983 and a 1989, respectively. Based on the available evidence, staff has concluded the general and area plan designations were in error. A probable explanation for the error follows.

The property owners applied for a minor subdivision (MS80-130) in 1980. The original parcel boundaries, and proposed subdivision, are shown below:



The Parcel 1 area contained the home ranch, while the Parcel 2 area contained an aggregate mine operation. This is consistent with aerial photographs of the property (Exhibit D). The staff report for the minor subdivision, however, reversed the parcel descriptions, stating the mining operation took place on Parcel 1, and the home ranch was situated on Parcel 2.

It is likely the erroneous information from the staff report was incorporated into the 1983 general plan update effort, resulting in incorrect land use designations for the parcels.

2. The Important Farmlands Map of the Central Salinas Area Plan, which includes the Parcel 1 area within the farmlands of local importance designation, excluding the Parcel 2 area from any agricultural designation.
3. Designating the Parcel 1 area as Heavy Industrial would be inconsistent with General Plan policies preserving lands designated as prime, of statewide importance, unique or of local importance (Policies 30.0.1, -.3, and -.4) (Exhibit G)

## **FINDING 2**

The map correction is exempt from the California Environmental Quality Act because it is not a project under CEQA.

## **EVIDENCE**

CEQA is not applicable to activities where it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment. The map correction will make the Central Salinas Valley Area Plan land use map consistent with the land use intent for the property, as stated in Policies 30.0.1, -.3, and -.4.

## **DECISION**

THEREFORE, it is the decision of said Planning Commission to adopt the recommended findings and evidence and recommend approval to the Board of Supervisors for the zoning map and area plan map corrections.

**PASSED AND ADOPTED** this 10th day of December, 2003, by the following vote:

AYES: Errea, Hawkins, Padilla, Brennan, Sanchez, Diehl, Salazar, Rochester, Wilmot  
NOES: None  
ABSENT: Parsons

**Original Signed By:**

JEFF MAIN, SECRETARY

Copy of this decision mailed to applicant on