

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

RESOLUTION NO. 04058

A.P. # 207-081-009-000

In the matter of the application of
Sam Eastman TR et al (PLN040443)

FINDINGS & DECISION

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, for outdoor illuminated back to back faced 10'6" x 36' advertising structure (billboard) supported by a single sign pole with an overall height of 35'. The sign will be located on the corner parcel of Hitchcock Road and Highway 68, Salinas, South Salinas, Greater Salinas area, came on regularly for hearing before the Planning Commission on December 8, 2004.

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

FINDINGS OF FACT

1. FINDING: CONSISTENCY - The Project, is consistent with applicable plans and policies, the Greater Salinas Land Use Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for commercial development. Specifically, the proposed off-site advertising sign complies with all applicable requirements of Section 21.60.060.D.3.

EVIDENCE: (a) PBI staff has reviewed the project as contained in the application and accompanying materials for consistency and conformity with the Greater Salinas Area Plan and the Monterey County Zoning Ordinance (Title 21) and have determined that the project is consistent, and conforms with, said Area Plan and Ordinance. Staff notes are provided in Project File PLN040443.

(b) Project planner conducted an on-site inspection on August 27, 2004 to verify that the project on the subject parcel conforms to the plans listed above.

(c) The proposed project for an off-site advertising sign (billboard) is an allowed use, in accordance with Section 21.060.D.3.

(d) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN040443.

2. FINDING: SITE SUITABILITY - The site is not suitable for the use proposed.

EVIDENCE: (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works, Water Resources Agency, Environmental Health, and Salinas Rural Fire District.

(b) Staff conducted an on-site visit on August 27, 2004 to verify if the site is suitable for this use.

(c) Necessary public facilities are available and will be provided.

- (d) The proposed site is in near proximity to the City of Salinas' southerly boundary and "gateway."
- (e) Greater Salinas Area Plan Policy 26.1.14.1.d. requires communication between the County and the City of Salinas in areas of mutual planning concern.
- (f) Greater Salinas Area Plan Policy 26.1.14.4 requires the County to submit all building permit requests and all requests which require discretionary approval to the City Department of Community Development for review and recommendation.
- (g) The City of Salinas provided review and recommendation of the proposal and indicated that the proposed location of the billboard is not suitable due to negative impacts to the aesthetics of the City's established "gateway" and the site's close proximity to a designated scenic highway.

3. **FINDING: CEQA** – Does not apply.

EVIDENCE: (a) Per CEQA Guidelines Section 21080. (b)(5), projects for which a public agency rejects or denies are not required to comply with the environmental review process.
 (b) Staff is recommending denial of the proposed billboard.

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 cost, if any, have been paid.

EVIDENCE: (a) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations existing on subject property.

5. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance or operation of the project applied for will 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) Monterey County Zoning Ordinance Title 21, Chapter 21.80.

DECISION

THEREFORE, it is the decision of said Planning Commission that said application for a Use Permit be denied.

PASSED AND ADOPTED this 8th day of December, 2004, by the following vote:

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

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 SECRETARY 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 90th day following the date on which this decision becomes final.