

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> February 14, 2007 Time: A.M	<b>Agenda Item No.:</b>
<b>Project Description:</b> Use Permit Extension for PLN970585	
<b>Project Location:</b> 300 Aromas Road, Aromas	<b>APN:</b> 267-081-014-000 and 267-111-002-000-000 and 267-111-017-000
<b>Planning File Number:</b> PLN070014	<b>Name:</b> Aromas Community Center Foundation
<b>Plan Area:</b> North County Non-Coastal Area Plan	<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> : F/40 [Farmlands, 40 acre minimum]	
<b>CEQA Action:</b> Exempt per Section 15300.1	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Planning Commission approve the two year extension to Use Permit PLN970585 based on the Findings and Evidence (**Exhibit B**) and subject to the recommended Conditions (**Exhibit C**).

### PROJECT OVERVIEW:

This application is for a two year extension of a Use Permit that was originally approved by the Planning Commission on January 8, 2003, PLN970585. The original approval was granted for two years. On December 6, 2004, Aromas Community Foundation requested an extension to PLN970585 and subsequently was granted an additional two years under PLN050294. The application before the Planning Commission, PLN070014, is for a second extension to allow Aromas Community Foundation time to complete Condition 20 which is the Foundations' last of 36 conditions. Condition 20, which is a requirement for an agricultural buffer is set to be heard by the Board of Supervisors on February 27<sup>th</sup> 2007.

### OTHER AGENCY INVOLVEMENT:

- ✓ Aromas Fire Protection District
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended by have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was not referred to the North County Non-Coastal Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the projects scope has not changed since its approval by the Planning Commission.

Note: The decision on this project is appealable to the Board of Supervisors.

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Valerie Herrera, Assistant Planner  
(831) 755-5227, [herrerav@co.monterey.ca.us](mailto:herrerav@co.monterey.ca.us)  
January 25, 2007

cc: Planning Commission Members (10); County Counsel; Aromas Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Agricultural Commissioners Office; Bob Schubert, Acting Planning & Building Services Manager; Planner; Carol Allen; Aromas Community Foundation; File PLN070014.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Recommended Findings and Evidence
	Exhibit C	Recommended Conditions of Approval
	Exhibit D	Site Plan
	Exhibit E	Planning Commission Resolution No. 03001 for PLN970585

This report was reviewed by Bob Schubert, Acting Planning and Building Service Manager.

## **EXHIBIT B**

### **RECOMMENDED FINDINGS AND EVIDENCE**

1. **FINDING: CONSISTENCY** – The project, as described in Condition Number 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, North County Non-Coastal Area Plan, and the Monterey County Zoning Ordinance Title 21, which designates this area as appropriate for development.

**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 at 300 Aromas Road, Aromas (Assessor's Parcel Number 267-081-014-000 and 267-111-002-000-000 and Portion of 267-111-017-000), North County Non-Coastal Area Plan. The parcel is zoned F/40, "Farmlands, 40 acres minimum. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.

(c) On January 8, 2003 the Planning Commission approved the project per resolution number 03001.

(e) The project was not referred to the North County Non-Coastal Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the projects scope has not changed since its approval by the Planning Commission.

(f) On December 26, 2006, the applicant, Janet Montgomery of Aromas Community Foundation, requested an extension of their Use Permit to allow for the completion of their two remaining conditions of approval. The project plans and related support materials submitted by the Aromas Community Foundation to the Monterey County Resource Management Agency Planning Department can be found in Project File PLN070014.

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 and agencies: RMA - Planning Department, Aromas Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. 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) The application, project plans and related support materials submitted by the applicant to the Monterey County Resource Management Agency Planning Department for the proposed development can be found in Project File PLN070014.

3. **FINDING: CEQA (Exempt):** - The project, PLN070014, is categorically exempt from environmental review.

- EVIDENCE:** (a) California Environmental Quality Act (CEQA) Guidelines Section 15301, categorically exempts existing facilities involving negligible or no expansion of use beyond that which was existing at the time of the lead agency's determination.
- (b) No adverse environmental effects were identified during staff review of the development application extension.
- (c) See preceding and following findings and supporting evidence.

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 Monterey County RMA - Planning Department and Building Services 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 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) The project as described in the application and accompanying materials was reviewed by the following departments and agencies: RMA – Planning Department, North County Fire Protection District, Sheriff's Office, Public Works, Environmental Health Division, and Water Resources Agency. Conditions have been recommended to ensure that the project will not have an adverse effect to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

(b) The application, project plans, and related support materials submitted by the applicant to the Monterey County RMA – Planning Department for the proposed development, found in Project File PLN070014.

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

**EVIDENCE:** Section 21.80.040.D Monterey County Zoning Ordinance (Title 21).

