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MINUTES
Carmel Highlands Land Use Advisory Committee
Monday, March 6, 2023

1. Meeting called to order by John Borelli at 4:03 pm

2. Roll Call

Members Present:

Dan Keig, Clyde Freedman, Norm Levi, Chip Moreland & John Borelli (5)

Members Absent:

Holli Leon and Doug Paul (2)

3. Approval of Minutes:

A. February 6, 2023 minutes

Minutes were not received from the county at the time of the meeting to review. The Minutes will be reviewed at the next meeting.

Motion: _____ (LUAC Member's Name)

Second: _____ (LUAC Member's Name)

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

None

5. Scheduled Item(s)

6. Meeting Adjourned: 5:30 pm

Minutes taken by: John Borelli

Action by Land Use Advisory Committee
Project Referral Sheet

Monterey County Housing & Community Development
1441 Schilling Place 2nd Floor
Salinas CA 93901

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc.)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc.)
Mr. Troedson's comments & concerns		LUAC members discussed Mr. Troedson's comments and it was clear that Mr. Troedson and the owner, Mr. Koomey will be able to work out a suitable compromise regarding the issues raised.
LUAC members had no other issues or concerns with the project.		

ADDITIONAL LUAC COMMENTS

None

RECOMMENDATION:

Motion by: John Borelli (LUAC Member's Name)

Second by: Clyde Freedman (LUAC Member's Name)

 Support Project as proposed

Support Project with changes Support this project with provisions for 1. A light color wood siding, 2. A darker color flat roof membrane and 3. Alternatives to obscure (hide) the solar roof panels such as a small parapet wall.

 Continue the Item

 Reason for Continuance: _____

Continue to what date: _____

Ayes: Dan Keig, Clyde Freedman, Norm Levi, Chip Moreland & John Borelli (5)

Noes: 0

Absent: Holli Leon and Doug Paul (2)

Abstain: _____

**Action by Land Use Advisory Committee
Project Referral Sheet**

Monterey County Housing & Community Development
1441 Schilling Place 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Carmel Highlands

2. **Project Name:** WHISLER MARK
File Number: PLN210352
Project Location: 55 RILEY RANCH RD, CARMEL, CA 93923
Assessor's Parcel Number(s): 243-113-001-000
Project Planner: Fiona Jensen

Area Plan: CARMEL LAND USE PLAN, Coastal Zone
Project Description: A Coastal Development Permit to allow transient use of a property for remuneration as a use similar to other visitor-serving uses. The property is located at 55 Riley Ranch Road, Carmel (Assessor's Parcel Number 243-113-001-000), Carmel Area Land Use Plan, Coastal Zone. Although Monterey County Coastal Zoning Ordinance (Title 20) does not have adopted short-term rental (transient use of a residential property for remuneration) regulations, the subject property's Zoning District (Visitor Serving Commercial) allows for the establishment of "Hotel, motel, hostels, inns" and "Other visitor-serving uses of a similar character, density and intensity as those listed" in Title 20 Section 20.22.060, subject to the granting of a Coastal Development Permit in each case. The proposed transient use of the property for remuneration has been applied for as a similar use to other allowed visitor serving uses.

Was the Owner/Applicant/Representative present at meeting? YES X NO

(Please include the names of those present)

Mark Whistler, Pat Whisler & Sara Whisler

Was a County Staff/Representative present at meeting? Zoe Zepp & Fiona Jensen (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	

Mark Whistler, Pat Whisler & Sara Whisler	X	<p>The owners explained that they have been operating this location as a Bed & Breakfast for the past 10+ years.</p> <p>Owners have been in operation as short-term rental and paying TOT tax since 2010 without a single complaint</p> <p>The owners are seeking from the county, approval and the appropriate permit to operate as a Bed & Breakfast under the Visitor Serving statute.</p>
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LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc.)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc.)
LUAC members sought an explanation from the county as to how this location could be permitted as a Bed & Breakfast.	The county representative explained this location was designated as visitor serving under the land use plan and the official permit request would be considered at a county hearing in the	
LUAC members voiced concerned that the visitor serving statute could open up a door to other locations using this statute which would permanently and negatively alter the character of the	The county representative indicated that the county would put the proper land use controls in place to assure that this did not happen.	

ADDITIONAL LUAC COMMENTS

4 LUAC members visited the site on the afternoon of March 6, 2023. In attendance were: John Borelli, Dan Keig, Chip Moreland and Clyde Freedman. This site visit was helpful to members in understanding the minimal impact this location would have on the character of the Carmel Highlands.

The owners explained in detail the rules that it has put in place for many years to control excessive noise, control occupancy and automobile traffic and other disruptions to the beauty and tranquility of the Carmel Highlands community.

This site visit arranged by John Borelli with the Project owners. The site visit was not agendized. A quorum of LUAC members (4) attended the site visit.

RECOMMENDATION:

Motion by: Norm Leve (LUAC Member's Name)

Second by: Dan Keig (LUAC Member's Name)

X Support Project as proposed

 Support Project with changes

 Continue the Item

Reason for Continuance: _____

Continue to what date: _____

Ayes: Dan Keig, Clyde Freedman, Norm Levi, Chip Moreland & John Borelli (5)

Noes: 0

Absent: Holli Leon and Doug Paul (2)

Abstain: _____

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Housing & Community Development
1441 Schilling Place 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Carmel Highlands

2. **Project Name:** WHISLER MARK
- File Number:** PLN210353
- Project Location:** 47 HWY 1 HWY, CARMEL, CA 93923
- Assessor's Parcel Number(s):** 243-113-001-000
- Project Planner:** Fionna Jensen
- Area Plan:** CARMEL LAND USE PLAN, Coastal Zone
- Project Description:** A Coastal Development Permit to allow transient use of a residential property for remuneration as a similar use to a Bed & Breakfast. The property is located at 47 Highway 1, Carmel (Assessor's Parcel Number 243-061-003-000), Carmel Area Land Use Plan, Coastal Zone. Although Monterey County Coastal Zoning Ordinance (Title 20) does not have adopted short-term rental (transient use of a residential property for remuneration) regulations, the subject property's Zoning District (Low Density Residential) allows for the establishment of a Bed and Breakfast facility and "Other residential uses of a similar character, density and intensity to those uses listed" in Title 20 Section 20.14.050, subject to the granting of a Coastal Development Permit in each case. The proposed transient use of the residential property for remuneration has been applied for as a similar use to a Bed and Breakfast facility.

Was the Owner/Applicant/Representative present at meeting? YES X NO _____

(Please include the names of those present)

Mark Whistler, Pat Whisler & Sara

Was a County Staff/Representative present at meeting? Zoe Zepp & Fionna Jensen _____

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Mark Whistler, Pat Whisler & Sara	X		<p>The owners explained that they have been operating this location as a Bed & Breakfast for the past 10+ years.</p> <p>Owners have been in operation as short-term rental and paying TOT tax since 2010 without a single complaint</p> <p>The owners are seeking from the county, approval and the appropriate permit to operate as a Bed & Breakfast under the Visitor Serving statute.</p>

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LUAC members voiced concerned that the visitor serving statute could open up a door to other locations using this statute which would permanently and negatively alter the character of the Carmel Highlands.	The county representative indicated that the county would put the proper land use controls in place to assure that this did not happen.	

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This site visit arranged by John Borelli with the Project owners. The site visit was not agendized. A quorum of LUAC members (4) attended the site visit.

RECOMMENDATION:

Motion by: Clyde Feedman (LUAC Member's Name)

Second by: Dan Keig (LUAC Member's Name)

X Support Project as proposed

 Support Project with changes

 Continue the Item

Reason for Continuance: _____

Continue to what date: _____

Ayes: Dan Keig, Clyde Freedman, Norm Levi, Chip Moreland & John Borelli (5)

Noes: 0

Absent: Holli Leon and Doug Paul (2)

Abstain: _____