

# **County of Monterey**

Monterey County Zoning Administrator  
Monterey County Government Center - Thyme Conference Room  
1441 Schilling Place, 2nd Floor



## **Meeting Agenda - Final**

**Thursday, June 13, 2024**

**9:30 AM**

**Monterey County Zoning Administrator**

The Recommended Action indicates the staff recommendation at the time the agenda was prepared. That recommendation does not limit the Zoning Administrator alternative actions on any matter before it.

In addition to attending in person, public participation will be available by ZOOM and/or telephonic means:

**PLEASE NOTE: IF THE ZONING ADMINISTRATOR IS PRESENT IN PERSON, PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE ZONING ADMINISTRATOR.**

You may participate through ZOOM. For ZOOM participation please join by computer audio at:

<https://montereycty.zoom.us/j/92771458150?from=addon>

OR to participate by phone call any of these numbers below:

- + 1 669 900 6833 US (San Jose)
- + 1 346 248 7799 US (Houston)
- + 1 312 626 6799 US (Chicago)
- + 1 929 205 6099 US (New York)
- + 1 253 215 8782 US
- + 1 301 715 8592 US

Enter this Meeting ID number 927 7145 8150 when prompted.

**PUBLIC COMMENT:** Please submit your comment (limited to 250 or less) to the Clerk at [zahearingcomments@co.monterey.ca.us](mailto:zahearingcomments@co.monterey.ca.us). In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Zoning Administrator Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the meeting.

Public Comment Prior to Wednesday at 5:00 PM will be distributed to the Zoning Administrator via email.

Public Comment submitted during the meeting can be submitted at any time and every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. Comments received after the agenda item will be made part of the record if received prior to the end of the meeting.

**ALTERNATIVE FORMATS:** If requested, the agenda shall be made available in appropriate

alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132) and the federal rules and regulations adopted in implementation thereof. For information regarding how, to whom and when a person with a disability who requires a modification or accommodation in order to participate in the public meeting may make a request for disability-related modification or accommodation including auxiliary aids or services or if you have any questions about any of the items listed on this agenda, please call the County of Monterey Housing and Community Development at (831) 755-5025.

**INTERPRETATION SERVICE POLICY:** The County of Monterey Zoning Administrator invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the County of Monterey Housing and Community Development Department located in the County of Monterey Government Center, 1441 Schilling Place, 2nd Floor South, Salinas - or by phone at (831) 755-5025. The Clerk will make every effort to accommodate requests for interpreter assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting.

La medida recomendada indica la recomendación del personal en el momento en que se preparó la agenda. Dicha recomendación no limita las acciones alternativas del Administrador de Zonificación sobre cualquier asunto que se le haya sometido.

Además de asistir en persona, la participación del público estará disponible por ZOOM y/o medios telefónicos:

**TENGA EN CUENTA: SI EL ADMINISTRADOR DE ZONIFICACIÓN ESTÁ PRESENTE EN PERSONA, LA PARTICIPACIÓN PÚBLICA DE ZOOM ES SOLO POR CONVENIENCIA Y NO ES REQUERIDA POR LA LEY. SI LA TRANSMISIÓN DE ZOOM SE PIERDE POR CUALQUIER MOTIVO, LA REUNIÓN PUEDE PAUSARSE MIENTRAS SE INTENTA UNA SOLUCIÓN, PERO LA REUNIÓN PUEDE CONTINUAR A DISCRECIÓN DEL ADMINISTRADOR DE ZONIFICACIÓN.**

Puede participar a través de ZOOM. Para la participación de ZOOM, únase por computadora en:

[https://montereycty.zoom.us/j/927 7145 8150](https://montereycty.zoom.us/j/92771458150)

O para participar por teléfono, llame a cualquiera de estos números a continuación:

- + 1 669 900 6833 US (San Jose)
- + 1 346 248 7799 US (Houston)
- + 1 312 626 6799 US (Chicago)
- + 1 929 205 6099 US (New York)
- + 1 253 215 8782 US
- + 1 301 715 8592 US

Presione el código de acceso de reunión: 927 7145 8150 cuando se le solicite.

**COMENTARIO PÚBLICO:** Por favor envíe su comentario (limitado a 250 palabras o menos) al personal de la reunión del Administrador de Zonificación al correo electrónico:

[zahearingcomments@co.monterey.ca.us](mailto:zahearingcomments@co.monterey.ca.us). En un esfuerzo por ayudar al personal, indique en la línea de asunto, la audiencia de la reunión (por ejemplo, Administrador de Zonificación) y el número de la agenda (por ejemplo, el No. de agenda 10). Su comentario se incluirá en el registro de la reunión del Administrador de Zonificación.

Los comentarios públicos recibidos antes de las 5:00 p.m. el miércoles antes de la reunión del Administrador de Zonificación del Condado de Monterey se distribuirán por correo electrónico.

El comentario público enviado durante la reunión se puede enviar en cualquier momento y se hará todo lo posible para leer su comentario en el registro, pero algunos comentarios pueden no leerse debido a limitaciones de tiempo. Los comentarios recibidos después del tema de la agenda se incluirán en el registro si se reciben antes de que finalice la junta.

**FORMATOS ALTERNATIVOS:** Si se solicita, la agenda se pondrá a disposición de las personas con discapacidad en formatos alternativos apropiados, según lo exige la Sección 202 de la Ley de Estadounidenses con Discapacidades de 1990 (42 USC Sec. 12132) y las reglas y regulaciones federales adoptadas en implementación de la misma. Para obtener información sobre cómo, a quién y cuándo una persona con una discapacidad que requiere una modificación o adaptación para participar en la reunión pública puede hacer una solicitud de modificación o adaptación relacionada con la discapacidad, incluidas las ayudas o servicios auxiliares, o si tiene alguna pregunta sobre cualquiera de los temas enumerados en esta agenda, llame al Departamento de Vivienda y Desarrollo Comunitario del Condado de Monterey al (831) 755-5025.

**POLÍZA DE SERVICIO DE INTERPRETACIÓN:** El Administrador de Zonificación del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un intérprete, por favor comuníquese con el Departamento de Vivienda y Desarrollo Comunitario localizado en el Centro de Gobierno del Condado de Monterey, (County of Monterey Government Center), 1441 Schilling Place, segundo piso sur, Salinas – o por teléfono al (831) 755-5025. La asistente hará el esfuerzo para acomodar los pedidos de asistencia de un intérprete. Los pedidos se deberán hacer lo más pronto posible, y a lo mínimo 24 horas de anticipo para cualquier reunión.

**NOTE:** All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Staff Report.

**9:30 A.M - Call to Order****ROLL CALL**

Mike Novo, Zoning Administrator  
Representative from Environmental Health  
Representative from Public Works  
Representative from Environmental Services

**PUBLIC COMMENT**

This is a time set aside for the public to comment on a matter that is not on the agenda.

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

The Zoning Administrator Clerk will announce agenda corrections, deletions and proposed additions, which may be acted on by the Zoning Administrator as provided in Sections 54954.2 of the California Government Code.

**ACCEPTANCE OF MINUTES**

- A. Acceptance of the May 9, 2024, County of Monterey Zoning Administrator meeting minutes.

**Attachments:**     [Cover Sheet](#)  
                          [Draft ZA Minutes - 05-09-24](#)

**9:30 A.M. - SCHEDULED ITEMS****1. PLN200097 - WIND & SEA PROPERTY LLC**

Public hearing to consider restoration of approximately 11,750 square feet of Northern coastal bluff scrub habitat, removal of “Deck 2,” after-the-fact partial conversion of a detached garage into a 336 square foot guesthouse, and after-the-fact construction of outdoor sauna, hot tubs, an outdoor patio, and a deck within 50 feet of a coastal bluff and 100 feet of environmentally sensitive habitat area to partially clear Code Enforcement Violation No. 16CE00201.

**Project Location:** 54722 Highway 1, Big Sur.

**Proposed CEQA Action:** Find the project Categorical Exempt pursuant to CEQA Guidelines sections 15301 and 15333, and no exceptions apply pursuant to section 15300.1.

**Attachments:**     [Staff Report](#)

**OTHER MATTERS****ADJOURNMENT**



# County of Monterey

**Item No.A**

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: MIN 24-037**

**June 13, 2024**

**Introduced:** 5/30/2024

**Current Status:** Agenda Ready

**Version:** 2

**Matter Type:** Minutes

Acceptance of the May 9, 2024, County of Monterey Zoning Administrator meeting minutes.



# County of Monterey

Item No.A

## Zoning Administrator

Legistar File Number: MIN 24-037

June 13, 2024

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**Introduced:** 5/30/2024

**Current Status:** Agenda Ready

**Version:** 2

**Matter Type:** Minutes

Acceptance of the May 9, 2024, County of Monterey Zoning Administrator meeting minutes.

# **County of Monterey**

Monterey County Zoning Administrator  
Monterey County Government Center - Thyme Conference Room  
1441 Schilling Place, 2nd Floor  
Salinas, CA 93901



## **Meeting Minutes - Draft**

**Thursday, May 9, 2024**

**9:30 AM**

**Monterey County Zoning Administrator**



**9:30 A.M - Call to Order**

**Mike Novo called the meeting to order at 9:30 am**

**ROLL CALL**

**Mike Novo, Zoning Administrator  
Nicki Fowler, Environmental Health  
Borra Akkaya, Engineering Services  
Katherine Day, Environmental Services**

**PUBLIC COMMENT**

**None**

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

**None**

**ACCEPTANCE OF MINUTES**

- A. Acceptance of the April 25, 2024, County of Monterey Zoning Administrator meeting minutes.**

**The Zoning Administrator accepted the April 25, 2024, County of Monterey Zoning Administrator meeting minutes.**

**9:30 A.M. - SCHEDULED ITEMS**

- 1. PLN230159 - MOSS LANDING POWER COMPANY LLC**

Public hearing to consider inspections and repairs to a 350 linear foot section of an existing PG&E natural gas pipeline within 100 feet of Environmentally Sensitive Habitat Area.

**Project Location:** Between 12151 Dolan Road and 357 Dolan Road, Moss Landing.

**Proposed CEQA Action:** Find the project Statutorily Exempt pursuant to CEQA Guidelines section 15284.

**Fionna Jensen, Project Planner, presented the item.**

**Public Comment: Leah Parrilla, Applicant, and Chrissie Klinkowskie, PG&E Biologist.**

**The Zoning Administrator found that the project Statutorily Exempt pursuant to CEQA Guidelines; and approved a Coastal Development Permit to allow inspections and repairs to a 350 linear foot section of an existing PG&E natural gas pipeline within 100 feet of Environmentally Sensitive Habitat Area. The Zoning Administrator made non-substantive changes to the resolution, and added to condition #4, in the section of compliance and monitoring action, that PG&E provide copies of any permits from state and federal biological agencies.**

**2. PLN200315 - PACKARD JULIE E TR**

Public hearing to consider expanding a stormwater detention pond (0.99 acres in total) and improving the existing water level control structure and outlet structure within 100 feet of Environmentally Sensitive Habitat Area.

**Project Location:** No address assigned. Located immediately south of parcel with addresses of 1957 & 1965 Highway 1, North County Land Use Plan.

**Proposed CEQA Action:** Adopt a Mitigated Negative Declaration pursuant to CEQA Guidelines section 15074.

**Fionna Jensen, Project Planner, presented the item.**

**Public Comment: Megan Barker, Agent/Biologist**

**The Zoning Administrator adopted a Mitigated Negative Declaration pursuant to CEQA Guidelines section 15074; approved a Coastal Development Permit to allow expansion of a stormwater detention pond (0.99 acres in total) and improvements to an existing water level control structure and outlet structure within 100 feet of Environmentally Sensitive Habitat Area; and adopted a Mitigation Monitoring and Reporting Plan. The Zoning Administrator made non-substantive changes to the resolution and added onto condition #9, under monitoring action, for the Resource Conservation District of Monterey County to provide copies of any permits from state and federal biological agencies. The Zoning Administrator also amended condition #9 to allow other qualified biologists, and added under condition #10, monitoring action, county grading inspector will ensure compliance prior to final inspection.**

**3. PLN220131 - GARCIA REYNALDO JR & KAPIOLANIE**

Consider construction of a new 848 square feet single family dwelling with 86 square feet covered porch and the conversion of an existing 704 square feet detached garage into an accessory dwelling unit.

**Project Location:** 11260 Poole Street, Castroville

**Proposed CEQA action:** Find the project categorically exempt pursuant to Section 15303, New Structures, of the CEQA Guidelines.

**Marlene Garcia, Project Planner, presented the item.**

**Public Comment: Mark Norris, Agent**

**The Zoning Administrator found that the project qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines and there are no exceptions pursuant to Section**

**15300.2; and approved a Design Approval application to allow the construction of a new 848 square foot single family dwelling, an 86 square foot covered porch and the conversion of an existing 704 square foot detached garage into an accessory dwelling unit, with a correction under the CEQA paragraph that section 15303 allows construction or conversion of up to two houses in a residential zone.**

**4. PLN200208 - GUNSEL**

Public hearing to consider construction of a 1,200 square foot Accessory Dwelling Unit.

**Project Location:** 24806 Handley Drive, Carmel, Carmel Area Land Use Plan.

**Proposed CEQA action:** Find the project qualifies for a Categorical Exemption pursuant to CEQA Guidelines section 15303.

**McKenna Bowling, Project Planner, presented the item.**

**Public Comment: Glenn Warner, Architect; Sahin Gonsel, Applicant**

**The Zoning Administrator found that the project is exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to section 15300.2; and approved a Coastal Administrative Permit and Design Approval to allow the construction of a 1,200 square foot detached Accessory Dwelling Unit with an attached 256 square foot deck. The Zoning Administrator made non-substantive changes to the resolution.**

**OTHER MATTERS**

None

**ADJOURNMENT**

**The meeting was adjourned at 10:14 am**



# County of Monterey

Item No.1

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: ZA 24-023

June 13, 2024

**Introduced:** 6/4/2024

**Current Status:** Agenda Ready

**Version:** 2

**Matter Type:** Zoning Administrator

### **PLN200097 - WIND & SEA PROPERTY LLC**

Public hearing to consider restoration of approximately 11,750 square feet of Northern coastal bluff scrub habitat, removal of "Deck 2," after-the-fact partial conversion of a detached garage into a 336 square foot guesthouse, and after-the-fact construction of outdoor sauna, hot tubs, an outdoor patio, and a deck within 50 feet of a coastal bluff and 100 feet of environmentally sensitive habitat area to partially clear Code Enforcement Violation No. 16CE00201.

**Project Location:** 54722 Highway 1, Big Sur.

**Proposed CEQA Action:** Find the project Categorically Exempt pursuant to CEQA Guidelines sections 15301 and 15333, and no exceptions apply pursuant to section 15300.1.

### RECOMMENDATION:

It is recommended that the Zoning Administrator continue the hearing to a date uncertain.

### PROJECT INFORMATION:

**Property Owner:** Alex Hakakian

**Agent:** Chris Gourlay

**APN:** 421-011-010-000

**Zoning:** Rural Density Residential, 40 units per acre, Design Control Overlay, (Coastal Zone)  
[RDR/40-D(CZ)]

**Plan Area:** Big Sur Coast Land Use Plan

**Flagged and Staked:** No

**Project Planner:** Fionna Jensen, 831-796-6407, JensenF1@countyofmonterey.gov

### SUMMARY/DISCUSSION:

The project site is approximately 10.5 miles north of Lucia, CA, and is surrounded by residentially zoned parcels to the north and south, watershed and scenic conservation parcels to the west, and the Pacific Ocean to the west. The subject property is developed with an existing single-family dwelling and a detached garage, as well as various other site improvements including decks, an outdoor seating area, a driveway, and an on-site well and wastewater treatment system.

In 2016 and 2018, HCD-Code Enforcement received numerous complaints alleging construction and grading without appropriate permits. Unpermitted activities that required granting of applicable permits included partial conversion of a detached garage into a 336-square-foot guesthouse, construction of an outdoor patio and two decks, and the installation of hot tubs and an outdoor sauna. Additionally, since 2016 and as recently as April 5, 2024, the County has received complaints that the subject property has been used as a short-term rental, a

wedding venue, and for the assemblage of people. After investigation, HCD-Code Enforcement issued an Administrative Citation (16CE00201) on November 4, 2022, confirming that the violations included the use of the property as a short-term rental, holding of private events (e.g. weddings), and construction without property permits.

To partially abate this violation, the Applicant/Owner is seeking after-the-fact approval of the unpermitted development (partial conversion of a detached garage into a 336-square-foot guesthouse, outdoor patio, two decks, hot tubs, and sauna). Portions of the unpermitted development occurred within 100 feet of environmentally sensitive habitat areas, 50 feet of a coastal bluff, and on slopes in excess of 30%.

Staff informed the Applicant/Owner that various conditions of approval are needed to address the violations and ensure compliance with applicable requirements of the Big Sur Coast LUP and Coastal Implementation Plan. Prior to distribution of the June 13, 2024, Zoning Administrator staff report, the Applicant/Owner requested a continuance to a date uncertain to allow additional time to discuss the draft conditions of approval with HCD-Planning staff.

Prepared by: Fionna Jensen, Senior Planner

Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

cc: Front Counter Copy; California Coastal Commission; Anna Ginette Quenga, AICP, Principal Planner; Fionna Jensen, Senior Planner; HCD Engineering Services; Environmental Health Bureau; HCD-Environmental Services; CalFire; Alex Hakakian, Applicant/Owner; Chris Gourlay, Agent; South Coast LUAC; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Project File No. PLN200097



## Zoning Administrator

Legistar File Number: ZA 24-023

June 13, 2024

**Introduced:** 6/4/2024

**Current Status:** Agenda Ready

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**Matter Type:** Zoning Administrator

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[RDR/40-D(CZ)]

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Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

cc: Front Counter Copy; California Coastal Commission; Anna Ginette Quenga, AICP, Principal Planner; Fionna Jensen, Senior Planner; HCD Engineering Services; Environmental Health Bureau; HCD-Environmental Services; CalFire; Alex Hakakian, Applicant/Owner; Chris Gourlay, Agent; South Coast LUAC; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Project File No. PLN200097