



# Monterey County

Monterey County Planning  
Commission  
Monterey County  
Government Center -  
Board of Supervisors  
Chambers  
168 W. Alisal St.  
Salinas, CA 93901

## Action Minutes - Draft Monterey County Planning Commission

*Cosme Padilla, Chair*  
*Don Rochester, Vice-Chair*  
*Carl P. Holm, Secretary*

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Wednesday, May 11, 2016

9:00 AM

Board Chamber

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### 9:00 A.M. - CALL TO ORDER

The meeting was called to order by Chair Padilla at 9:00 A.M.

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Commissioners Present:**

Ana Ambriz	Jose Mendez
Marth Diehl	Cosme Padilla
Melissa Duflock	Amy Roberts
Paul C. Getzelman	Don Rochester
Luther Hert	Keith Vandever

**Commissioners Absent:**

None

### PUBLIC COMMENTS

There were no public comments.

### AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Commissioner Clerk Jackie Nickerson informed the Commissioners of documents distributed on the Dias:

- Original Letters for signature dated May 11, 2016 regarding Agenda Item #2 (Thank You Letters)
- Memo from Mr. David Mack dated May 11, 2016 regarding Agenda Item #3 (Von Schack),
- Letter from Louise Ramirez, Chairperson, Ohlone/Costanoan-Esselen Nation, dated May 6, 2016 regarding Agenda Item #5 (Schwenk)

### APPROVAL OF MINUTES

1. [MIN 16-014](#) Approval of March 30, 2016 Planning Commission minutes.

**Attachments:** [Draft PC Minutes 033016](#)  
[Final PC Minutes 033016](#)

It was moved by Commissioner Vandevere, seconded by Commissioner Getzelman and passed by the following vote to approve the March 30, 2016 minutes:

AYES: Diehl, Duflock, Getzelman, Padilla, Roberts, Rochester, Vandevere  
NOES: None  
ABSENT: None  
ABSTAIN: Ambriz, Hert, Mendez

### **COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

There were no Commissioner comments, requests, or referrals.

### **9:00 A.M. - SCHEDULED MATTERS**

2. [PC 16-004](#) Recognize Carol Allen and Linda Rotharmel for their service to the Planning Commission.

**Attachments:** [Report](#)  
[Exhibit A - Thank You Letter to Carol Allen](#)  
[Exhibit B - Thank You Letter to Linda Rotharmel](#)

Secretary Holm presented recognition letters to two staff that have served the Planning Commission, Carol Allen and Linda Rotharmel. The Commissioners thanked Carol and Linda for their service, appreciating the work they have done and support they have provided.

3. [PC 16-005](#) **Von Schack PLN160013**  
Public hearing to consider the project Categorically Exempt per Section 15305 (a) of the CEQA Guidelines and approval of a Coastal Development Permit (PLN160013) for a Lot Line Adjustment between two parcels of approximately 6.35 acres and 2 acres, resulting in two parcels of 4.85 acres and 3.5 acres. The property is located at 31453 & 31525 Highway 1, Carmel, Big Sur Coast Land Use Plan (APN: 243-221-028-000 and 243-221-026-000).

**Attachments:** [Staff Report](#)  
[Exhibit A - Draft Resolution](#)  
[Exhibit B - Advisory Committee Minutes](#)  
[Staff Submittal](#)  
[PC Resolution 16-010](#)

Project planner David Mack accompanied with Resource Management Agency (RMA) Services Manager John Ford, presented the project. Staff advised the Commission of the memo distributed on the Dias requesting changes to the Conditions of Approval, amending Condition No. 2 and the addition of Condition No. 4.

County Counsel Wendy Strimling recommended that the Commission add the standard indemnification condition.

Commissioner Diehl asked for clarification regarding trees as identified by the LUAC, whether it has been considered and are not being included. Staff found that the Lot Line Adjustment did not impact trees so there was no need to require any conditions.

Public Comments: Anthony Lombardo, representing applicant.

Applicant agreed to the Conditions of Approval with the changes as stated.

It was moved by Commissioner Diehl, seconded by Commissioner Vandevere and passed by the following vote to find the project Categorically Exempt per Section 15305 (a) of the CEQA Guidelines and approve the Coastal Development Permit for the Lot Line Adjustment, subject to the Conditions of Approval with the changes as stated:

AYES: Ambriz, Diehl, Duflock, Getzeman, Hert, Mendez, Padilla, Roberts, Rochester, Vandevere  
NOES: None  
ABSENT: None  
ABSTAIN: None

4. [PC 16-006](#)

**Birnberg Diane Mix TR, PLN160139**

Continue the hearing to a date uncertain for PLN160139, requesting a four year extension to a Combined Development Permit (PLN110474) consisting of: 1) Administrative Permit for development of a two-story single family dwelling 2) Use Permit for the removal of 33 Oak trees; 3) Use Permit for development on slopes in excess of 30% to a date uncertain. The property is located at 8 Corral Run, Carmel, Carmel Valley Master Plan (Assessor's Parcel Number 239-101-017-000).

Attachments: [Staff Report](#)

RMA Services Manager John Ford requested a continuance to a date uncertain.

Public Comments: None

It was moved by Commissioner Diehl, seconded by Commissioner Rochester and passed by the following vote to continue the hearing on the project to a date uncertain:

AYES: Ambriz, Diehl, Duflock, Getzeman, Hert, Mendez, Padilla, Roberts, Rochester, Vandevere  
NOES: None  
ABSENT: None  
ABSTAIN: None

5. [PC 16-007](#)

**Schwenk PLN150453**

Public hearing to consider adoption of a Mitigated Negative Declaration and approval of a Coastal Development Permit and Design Approval to allow a residential remodel within 750 feet of a known archaeological resource. The property is located at 2486 17th Avenue, Carmel, Carmel Area Land Use Plan, Coastal Zone (Assessor's Parcel Number 009-471-020-000).

**Attachments:**    [Staff Report](#)  
[Exhibit A - Draft Resolution](#)  
[Exhibit B - Mitigated Negative Declaration](#)  
[Public Submittal](#)  
[PC Resolution 16-011](#)

Project Planner Steve Mason and RMA Services Manager John Ford presented the project. Staff presented draft language for amending Finding #6.

John Ford explained the letter distributed on the Dias from Ohlone/Costanoan Esselen Nation (OCEN) addressing concerns about excavation. Staff explained that there are two sets of issues, one is archaeology and the other is tribal cultural resources. There is no substantial evidence that shows tribal cultural resources exist on site. Staff met with the Chairperson of OCEN and she would prefer not to see any excavation. The County policy is to avoid archaeological resources where they are known to exist. Sampling was done of the site and the results give no indication of the existence of resources.

County Counsel Wendy Strimling recommended for the Commission to add a CEQA finding in regards to tribal cultural resources and the standard indemnification condition.

Mr. Ford suggested language for adding evidence to Finding #6, immediately before evidence "g."

Commissioner Diehl identified a typographical error to be corrected in the introductory paragraph (delete "Zoning" before "Planning Commission").

Public Comments: Jeff Crockett, Agent.

Agent agreed to the Conditions of Approval and findings as amended.

It was moved by Commissioner Rochester, seconded by Commissioner Ambriz and passed by the following vote to adopt a Mitigated Negative Declaration, approve the Coastal Development Permit and adopt a Mitigation Monitoring Reporting Plan subject to the Conditions of Approval with changes and corrections to the Resolution as stated:

AYES:        Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts,  
                 Rochester, Vandevere  
NOES:        None  
ABSENT:     None  
ABSTAIN:    None

## **OTHER MATTERS**

6.        [PC 16-008](#)        Appoint Jana Geer-Glowacki to the Spreckels Neighborhood Design Review Committee.

It was moved by Commissioner Roberts, seconded by Commissioner Diehl and passed by the following vote to appoint Jana Geer-Glowacki to the Speckels

**Neighborhood Design Review Committee:**

**AYES:** Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester, Vandevere

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

7. [PC 16-009](#) Appoint Lesley Noble and Sherry Owen to the North County Land Use Advisory Committee (LUAC).

**It was moved by Commissioner Rochester, seconded by Commissioner Diehl and passed by the following vote to appoint Lesley Noble and Sherry Owen to the North County Land Use Advisory Committee (LUAC):**

**AYES:** Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester, Vandevere

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

## **Department Report**

**Secretary Holm informed the Commission of projects that will be coming forward before the Planning Commission:**

1.) **Medical Marijuana AdHoc Committee will be meeting this Thursday, May 12, 2016 and staff will be finalizing draft ordinances that will be going out to the public. Environmental review will be completed with a document going out at the end of this month (May). A workshop is anticipated in the beginning of June with a hearing at the end of June relative to the ordinances.**

2.) **Short Term Rentals (STR) Working Group will be having their final meeting this week. A working paper with issues and options will be provided for the Planning Commission to consider on how to address those issues. Staff will be looking for direction from the Commission on how to draft an ordinance. Events will follow after the STRs.**

3.) **Commissioner Diehl inquired about timing for Pebble Beach Inclusionary Housing Project. Secretary Holm noted that this item was scheduled to be presented on May 25, but may be brought before the Commission in June. The final Environmental Impact Review (EIR) report has been distributed to the Commission.**

## **ADJOURNMENT**

**The meeting was adjourned by Chair Padilla at 9:35 A.M.**

**APPROVED:**

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**CARL P. HOLM**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY:** \_\_\_\_\_  
**JACQUELYN NICKERSON**  
**PLANNING COMMISSION CLERK**

**APPROVED ON** \_\_\_\_\_