

County of Monterey

Government Center - Board Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901



Meeting Minutes - Final

Wednesday, September 11, 2024

9:00 AM

Monterey County Planning Commission

9:00 A.M. - CALL TO ORDER

The meeting was called to order by Chair Diehl at 9:03 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Shaw.

ROLL CALL

Present:

Christine Shaw

Paul C. Getzelman

Ben Work

Ernesto G. Gonzalez

Francisco Javier Mendoza

Martha Diehl

Etna Monsalve

Katharine Daniels

Ramon Gomez

Amy Roberts

Secretary Beretti reviewed the Zoom protocols.

PUBLIC COMMENTS

Nina Beety

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Clerk Janet Navarro informed the Commission of correspondence received and distributed by email on the dais for Agenda Item No. 2, PLN220038 – Casa Ondulado, Agenda Item No. 4, PLN230192 – Mc Monigle, Agenda Item No. 5, PLN150805 – Big Sur Land Trust, and Agenda Item No. 6, PLN210202 – Abalone Creek Estate.

COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

Commissioner Daniels requested information on the paving project started on Carmel Valley Road today, will the entire road be repaved or just a portion of the road.

Commissioner Roberts and Commissioner Diehl informed the public that the Land Use Advisory Committees are in need of members.

Commissioner Gomez acknowledged the first responders and victims of September 11, 2001 events and wished to honor their lives.

APPROVAL/ACCEPTANCE OF MINUTES

1. Approval of the July 10, 2024, July 31, 2024 and the August 14, 2024 Planning Commission Meeting Minutes.

Public Comment: None

It was moved by Commissioner Gonzalez, seconded by Commissioner Mendoza and passed by the following vote to approve the July 10, 2024, July 31, 2024 and August 14, 2024 Planning Commission meeting minutes.

AYES: Shaw, Work, Gonzalez, Mendoza, Diehl, Monsalve, Getzelman, Daniels, Gomez, Roberts

NOES: None

ABSENT: None

ABSTAIN: None

9:00 A.M. – SCHEDULED MATTERS

2. PLN220359 - CASA ONDULADO LLC (FORMERLY SOSKE ANN ELIZABETH & STEPHEN EDWARD TRS)

Continued from August 28, 2024 - public hearing to consider a coastal permit to allow a lot line adjustment between two legal lots of record consisting of Lot 1 (APN 008-441-033-000, approximately 5.24 acres) and Lot 2 (APN 008-441-035-000, approximately 1.11 acres), resulting in two parcels containing 5.02 acres (Adjusted Lot 1) and 1.33 acres (Adjusted Lot 2), respectively.

Project Location: 1451 Ondulado Road, Pebble Beach & 1467 Padre Lane, Pebble Beach.

Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15305.

Commissioners Roberts stated that she was not at the August 28, 2024 meeting, but she did watched the entire meeting.

Christina Vu, Project Planner presented the project.

Applicant Representative: Joel Panzer

Public Comment: None

It was moved by Commissioner Daniels, seconded by Commissioner Work and passed by the following vote to find that the project is a minor lot line adjustment, which qualifies as a Class 5 Categorical Exemption pursuant to Section 15305(a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and approve a Coastal Development Permit to allow a Lot Line Adjustment between two (2) legal lots of record: Lot 1 (APN 008-441-033-000, approximately 5.24 acres) and Lot 2 (APN 008-441-035-000, approximately 1.11 acres), resulting in two parcels containing 5.02 acres (Adjusted Lot 1) and 1.33 acres (Adjusted Lot 2), with the request to include a references to the archaeological report prepared by Dana E. Supernowicz in the resolution.

AYES: Shaw, Work, Gonzalez, Mendoza, Diehl, Monsalve, Getzelman, Daniels, Gomez, Roberts

NOES: None

ABSENT: None

ABSTAIN: None

3. PLN240203 - BERGERON BIG SUR DEVELOPMENT LLC

Public hearing to consider a merger and lot line adjustment of Parcel 1 (34.1 acres), Parcel 2 (74.2 acres), Parcel 3 (0.14 acres), and Parcel 4 (24.8 acres), resulting in three parcels containing 52.6 acres (Parcel A), 40.3 acres (Parcel B), and 40.4 acres (Parcel C), and transfer of a development credit created under PLN060613 ("Donor Site") to a Adjusted Parcel A ("Receiver Site").

Project Location: 48170 Highway 1, Big Sur

Proposed CEQA Action: Find the project Categorical Exempt pursuant to CEQA Guidelines sections 15305(a) and 15325, and no exceptions pursuant to section 15300.2 can be made.

Chair Diehl recused herself due to possible conflict of interest. Commissioner Gonzalez sat as Chair.

Fionna Jensen, Project Planner presented the item.

Applicant Representative: Aengus Jeffers

Public Comment: Christine Kemp

It was moved by Commissioner Mendoza, seconded by Commissioner Gomez and passed by the following vote to find that the project qualifies as Class 5 and Class 25 Categorical Exemptions pursuant to CEQA Guidelines sections 15305(a) and 15325, and there are no exceptions pursuant to Section 15300.2; and approve a Combined Development Permit consisting of a Coastal Development Permit to allow a merger and lot line adjustment of Parcel 1 (34.1 acres), Parcel 2 (74.2 acres), Parcel 3 (0.14 acres), and Parcel 4 (24.8 acres), resulting in three parcels containing 52.6 acres (Parcel A), 40.3 acres (Parcel B), and 40.4 acres (Parcel C); and a Coastal Development Permit to designate Proposed Parcel A as the "Receiver Site" of a Transferable Development Credit created under PLN060613 (Planning Commission Resolution No. 07031), which a resulting development total of one unit with an addition of a condition to require compliance with regulations related to the applicants involvement with use of private roads.

AYES: Work, Gonzalez, Getzelman, Gomez, Mendoza

NOES: None

ABSENT: None

ABSTAIN: Roberts, Shaw, Monsalve, Daniels

RECUSED: Diehl

The Commission recessed at 10:54 a.m., returned at 11:08 a.m.

All Commissioners present.

4. PLN230192 - MC MONIGLE JOSEPH & NANCY T TRS

Public hearing to consider establishing transient use of residential property for remuneration (commonly known as Short-Term Rental).

Project Location: 27365 Schulte Road, Carmel

Proposed CEQA action: Find the project Categorical Exempt pursuant to Section 15301 of the CEQA Guidelines and none of the exceptions to the exemptions listed in Section 15300.2 can be made.

Ben Moulton, Project Planner presented to item.

Applicant Representative: Stephen Lyon

Public Comment: None

It was moved by Commissioner Gonzalez, seconded by Commissioner Getzelman and passed by the following vote to find that the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301 and none of the exceptions listed in Section 15300.2 apply; and approve an Administrative Permit to allow transient use of residential property for remuneration (commonly known as Short-Term Rental) with an update to finding one, evidence d and to condition 7 to modify to the number of overnight occupants including the number of daytime hour occupants.

AYES: Work, Gonzalez, Mendoza, Diehl, Monsalve, Getzelman, Daniels, Gomez, Roberts

NOES: Shaw

ABSENT: None

ABSTAIN: None

The Commission recessed at 11:59 a.m. and returned at 1:04 p.m.

Roll Call:

Present:

Christine Shaw

Paul C. Getzelman

Ernesto G. Gonzalez

Martha Diehl

Etna Monsalve

Katharine Daniels

Amy Roberts

Ben Work, Francisco Javier Mendoza and Roman Gomez arrived at 1:09 p.m.

5. PLN150805 - BIG SUR LAND TRUST (LOBOS RIDGE)

Public hearing to consider construction of a two-story 4,650 square foot single family residence with a 1,500 square foot attached garage, 205 square foot mechanical room, a detached 190 square foot temporary trailer and associated site improvements to include development on slopes in excess of 30% (approx. 195 square feet) and within 100 feet of Environmentally Sensitive Habitat Areas.

Project Location: 3400 Red Wolf Drive, Carmel, Carmel Area Land Use Plan, Coastal Zone

Proposed CEQA Action: Consider and adopt a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Plan pursuant to CEQA Guidelines section 15074.

Son Pham-Gallardo, Project Planner presented to item.

Applicant Representative: Rich Hamilton, Robert Carver

Public Comment: None

It was moved by Commissioner Mendoza, seconded by Commissioner Daniels and passed by the following vote to adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines; and approve a Combined Development Permit consisting of a Coastal Administrative Permit and Design Approval to allow the construction of a 4,649 square foot two-story single family dwelling, with an attached 1,499 square foot garage, 205 square foot mechanical room, 190 square foot temporary construction trailer and associated site improvements including a driveway, hardscape and conversion of a test well to a domestic production well; and a Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat Areas (ESHA); and a Coastal Development Permit to allow 98 square feet of development on slopes exceeding 30%; and adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan with the modification that the trailer be removed after occupancy is granted and with modifications to Findings 7 and 8 to provide clarification regarding ESHA and development on slopes.

AYES: Shaw, Work, Gonzalez, Mendoza, Diehl, Monsalve, Getzelman, Daniels, Gomez, Roberts

NOES: None

ABSENT: None

ABSTAIN: None

6. PLN210202 - ABALONE CREEK ESTATE LLC

Public hearing to consider after-the-fact development on slopes in excess of 25%; construction of a 7,452 square-foot livestock barn, a 2,400 square-foot storage shed, a 1,000 square-foot livestock shed, a 7,200 square-foot machine and equipment shed, a 216 square-foot potting shed, five portable chicken coops and horse shelters and associated site improvements including perimeter and internal fencing, four 240 square foot concrete material bins, and five water tanks (above ground and below ground) totaling 152,400 gallons; and development on slopes in excess of 25% to improve and extend an interior ranch road.

Project Location: 18000 Corral Del Cielo, Salinas.

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

Fionna Jensen, Project Planner presented to item.

Applicant Representative: Taryn Christiansen, Jason Retterer, Craig Holdren

Public Comment: Mitchell Kirk, Steven Dorrance, Norm Groot, Keith Salam, Mike Weaver, Sue Burnham, Ben S, Nike Towardlli, missed her name, Bob Burnham, Ismael Escoville, Mary Gerrardo, missed her name, Rose Evers, Dave Wagner, Jennifer Rosenthal

Commissioner Monsalve left the meeting at 2:56 p.m.

Applicant Representative: Jason Retterer

Randy Ishii, Director of Public Works, Armando Fernandez, HCD

Commissioner Gonzalez left the meeting at 3:20 p.m.

It was moved by Commissioner Mendoza, seconded by Commissioner Work and passed by the following vote to adopt a Mitigated Negative Declaration pursuant to CEQA Guidelines section 15074;

And approve a Combined Development Permit consisting of an After-the-Fact Use Permit to allow development on slopes exceeding 25%; a Design Approval to allow construction of a 7,452 square-foot livestock barn, a 2,400 square-foot storage shed, a 1,000 square-foot livestock shed, a 7,200 square-foot machine and equipment shed, a 216 square-foot potting shed, and associated site improvements including perimeter and internal fencing, four 240 square foot concrete material bins, and five water tanks totaling 152,400 gallons; and a Use Permit to allow additional development on slopes exceeding 25%; and adopt a Mitigation Monitoring and Reporting Plan.

Commissioner Daniels requested a Planning Commission referral to consider the public roads accessed by Abalone Ranch be evaluated and considered for

possible increase maintenance needs in the future.

AYES: Shaw, Work, Mendoza, Diehl, Monsalve, Getzelman, Daniels, Gomez, Roberts

NOES: None

ABSENT: Monsalve, Gonzalez

ABSTAIN: None

The Commission recesses at 3:35 p.m. and returned at 3:47 p.m.

ROLL CALL

Present:

Christine Shaw

Paul C. Getzelman

Ben Work

Francisco Javier Mendoza

Martha Diehl

Katharine Daniels

Ramon Gomez

Amy Roberts

Absent:

Etna Monsalve

Ernesto G. Gonzalez

7. PLN210292 - CUDE JESSE AND SANDRA TRUST

Public hearing to consider after-the-fact construction of a two story single family dwelling (1,175 sq. ft.) with deck (872 sq. ft.), a non-habitable accessory structure (225 sq. ft. shed), a platform deck (215 sq. ft.), three water tanks (two 2,500 gallons each and one 5,000 gallon), and associated improvements; removal of one protected Madrone tree (8 inch diameter), within 100 feet of an environmentally sensitive habitat area (Redwood Forest, intermittent stream), and grading on slopes exceeding 30 percent.

Project Location: 37761 Palo Colorado, Big Sur, Big Sur Coast Land Use Plan, Coastal Zone

Proposed CEQA Action: Finding the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303

Mary Israel, Project Planner presented to item.

Applicant Representative: James Renfro, Jesse Cude

Public Comment: Norman Cotton, Nikki Nedeff

It was moved by Commissioner Daniels, seconded by Commissioner Mendoza and passed by the following vote to find the project involves construction of

the first single family dwelling and accessory structures on a parcel that allows residence as a primary use which qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303, and there are no exceptions pursuant to Section 15300.2; approve a Combined Development Permit to clear a Code Enforcement violation (14CE00095) consisting of a Coastal Administrative Permit and Design Approval to allow after-the-fact construction of a two-story single family dwelling (1,175 square feet) with 872 square feet of deck, a shed (approximately 225 square feet), a 215 square foot deck, two 2,500-gallon dark green water tanks, proposed 5,000-gallon water tank and associated improvements; colors and materials are beige siding and dark green/gray trim and green metal rooves; a Coastal Development Permit to allow after-the-fact development within 100 feet of an environmentally sensitive habitat area (Redwood Forest and intermittent stream); a Coastal Development Permit to allow after-the-fact and new development on slopes exceeding 30 percent; and a Coastal Development Permit to allow the after-the-fact removal of one Madrone tree (approximately 8 inches diameter). The project also includes partial restoration in the form of stabilization of 890 square feet of disturbed slope and revegetation of approximately 2,820 square feet of disturbed area with native forest understory or coastal scrub plants with the modifications to the condition 9 to add additional information regarding the Fire Fuel Management Zones, condition 10 to add additional information regarding the Conservation and Scenic Easement and Finding 6 evidence c, to clarify the amount of development on slopes.

AYES: Shaw, Work, Mendoza, Diehl, Getzelman, Daniels, Gomez, Roberts

NOES: None

ABSENT: Monsalve, Gonzalez

ABSTAIN: None

Commissioner Daniels left the meeting at 4:30 p.m.

OTHER MATTERS

None

DEPARTMENT REPORT

Secretary Beretti informed the Commission that Carmel Valley Road will be repaved between Valley Greens Drive and Miramonte and that the Board of Supervisors did approve the updates to Title 7 and that the inland areas the Vacation Rental Ordinance Regulations becomes operatable on October 14, 2024.

The Nicola project was approved by the Board of Supervisors on September 10, 2024. the project at the \

The Chief of Planning was appointed to Melanie Beretti.

ADJOURNMENT

The meeting was adjourned by Chair Diehl at 4:32 p.m.

APPROVED:

/s/ Melanie Beretti

Melanie Beretti

Planning Commission Secretary

ATTEST:

BY: /s/ Melissa McDougal

Melissa McDougal

Planning Commission Clerk

APPROVED ON: 10-30-24