

County of Monterey

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



Meeting Minutes - Final

Wednesday, June 12, 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 9:01 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Roberts

ROLL CALL

Present:

Christine Shaw

Paul C. Getzelman

Ben Work

Ernesto G. Gonzalez

Francisco Javier Mendoza

Martha Diehl

Etna Monsalve

Katharine Daniels

Amy Roberts

Ramon Gomez

Secretary Beretti reviewed the Zoom protocols.

PUBLIC COMMENTS

None

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Clerk, Elizabeth Vasquez, informed the Commission of correspondence received and distributed by email and on the dais for Agenda Item No. 5 (REF 100042 [INLAND] & REF 130043 [COASTAL] VACATION RENTAL ORDINANCES)

Agenda Item No. 2 will be presented first on the Scheduled Matters

COMMISSIONER COMMENTS AND REQUESTS

Commissioner Shaw mentioned that during the May 29, 2024 staff mentioned the continuance of the Vacation Rental Ordinances item would be the first item on the agenda for June 12, 2024. She also mentioned a member of the North County LUAC reached out to her regarding the removal of one of the members to be re-added to a PC agenda. Clerk will send out a letter to the member notifying of the removal from North County LUAC.

Commissioner Monsalve also asked if the Vacation Rental Ordinances can be moved to the beginning of today's agenda.

Commissioner Daniels prefers the agenda remains as it's been published, to allow

anyone from the public who's planned their morning to be able to listen in on the item as it comes up rather than moving it earlier on the agenda.

Commissioner Gonzalez, requests more information as to the deeper issues for the removal of one of the North County LUAC members.

Commissioner Mendoza commented on a trailer that's been parked for months on public road in North County area on Porter Drive next to a recycling center. Also mentioned there is a railroad yard off of Salinas Rd. turning into a flea market, many people selling products for many months already. Would like to know are these legal vendors? If it's not addressed, it could become too big of an issue for the County to control it or could be an accident waiting to happen.

Commissioner Work commented on San Lucas not having drinking water would like to know what's the direction to find out more information. Staff will add it as a referral to bring a presentation in a future meeting date.

APPROVAL OF CONSENT CALENDAR

1. Approval of the March 27, 2024, May 8, 2024, and May 15, 2024 Planning Commission Meeting Minutes.

Public Comment: None

It was moved by Commissioner Gonzalez, seconded by Commissioner Work and passed by the following vote to approve the March 27, 2024, May 8, 2024, and May 15, 2024, Planning Commission Meeting Minutes.

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

NOES: None

ABSENT: None

ABSTAIN: None

Commissioner Daniels expressed her concerns as to why she'd like to keep Agenda Item No. 5 (REF 100042 [INLAND] & REF 130043 [COASTAL] VACATION RENTAL ORDINANCES) as listed on the agenda. Chair Diehl suggested to move the order of today's scheduled agenda items to be as follows: Agenda Item No. 2, Agenda Item No. 4, Agenda No. 5, and lastly Agenda Item No. 3. The Commission agreed with the decision.

9:00 A.M. – SCHEDULED MATTERS

2. BRADLEY ALLEY AND STREET VACATION/ABANDONMENT

Conduct a public hearing to consider and adopt a resolution providing a report to the Board of

Supervisors on the proposed abandonment or vacation in the Community of Bradley of the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20-foot-wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6, and finding that the proposed abandonment or vacation is in conformity with the policies contained within the Monterey County General Plan and the South County Area Plan, a part of the 2010 General Plan subject to a reservation of rights by the County pursuant to California Streets & Highways Code (SHC) Section 8340 which authorizes the County to reserve and except from this vacation an easement for public utilities with the rights necessary to maintain, operate, replace, remove, or renew any and all public utility facilities within the vacated portions Bradley Road.

Project Location: Community of Bradley, South County Area Plan

Proposed California Environmental Quality Act (CEQA) Action: Categorically Exempt per Sections 15301; and 15304 of the CEQA Guidelines.

Michael Goetz, County Surveyor presented the item.

Public Comment: None

It was moved by Commissioner Gomez, seconded by Commissioner Daniels and passed by the following vote to find Categorically Exempt per Sections 15301; and 15304 of the CEQA Guidelines; and consider and adopt a resolution providing a report to the Board of Supervisors on the proposed abandonment or vacation in the Community of Bradley of the portion of Ross Street westerly of Blocks 5 and 12, the alleys within Blocks 5 and 12, and approximately 20 foot wide portions of Bradley Road along the frontage of Block 5 and the westerly half of Block 6, and finding that the proposed abandonment or vacation is in conformity with the policies contained within the Monterey County General Plan and the South County Area Plan, a part of the 2010 General Plan subject to a reservation of rights by the County pursuant to California Streets & Highways Code (SHC) Section 8340 which authorizes the County to reserve and except from this vacation an easement for public utilities with the rights necessary to maintain, operate, replace, remove, or renew any and all public utility facilities within the vacated portions Bradley Road.

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

NOES: None

ABSENT: None

ABSTAIN: None

4. PLN220063 - CUCCIA COLETTE TRS

Public hearing to consider the transient use of an existing two-story single family dwelling and cabin for remuneration (home-stay Short-Term Rental).

Project Location: 28180 Robinson Canyon Road, Carmel

Proposed CEQA action: Finding the project Categorically Exempt pursuant to CEQA Guidelines Section 15301

Mary Israel, Project Planner presented the project.

Applicant: Colette Cuccia

Public Comment: Maria Matias

It was moved by Commissioner Shaw, seconded by Commissioner Monsalve and passed by the following vote to find that the project is for leasing of existing private structures, involving negligible or no expansion of an existing use qualifies as a Class 1 Categorical Exemption pursuant to CEQA Guidelines Section 15301, and none of the exceptions contained in Section 15300.2 apply; and approve an Administrative Permit to allow transient use of a residential property (single family dwelling and cabin/guesthouse) for remuneration and abate zoning violations 20CE00068 and 23CE00404; and approval of the fee waiver to waive the double fee.

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

NOES: None

ABSENT: None

ABSTAIN: None

The Commission recessed for break at 10:05 a.m. The Commission resumed the meeting at 10:18 a.m. All Commissioners present after break.

Anna Quenga will be standing in for Melanie Beretti as Secretary for the remainder of the meeting.

County Counsel, Kelly Donlon, reiterated that Commissioner Shaw did listen to the May 29th meeting and she will participate in today's discussion. Kelly also stated that on the May 29, 2024 Planning Commission meeting public comment was received and heard during the meeting and after public comment the item was continued to a date certain of June 12, 2024 to continue with staff's discussion. The Chair indicated that continuation of public comment will not be accepted at today's hearing.

5. REF 100042 [INLAND] & REF 130043 [COASTAL] - VACATION RENTAL ORDINANCES

Public Hearing to consider a recommendation to the Board of Supervisors to find the Vacation Rental Ordinances consistent with the Final Environmental Impact Report (Final EIR) and certify the Final EIR for the amendments to the Monterey County Code (SCH # 2022080643), to adopt ordinances

amending Title 7 (Business Taxes, Licenses and Regulations), adopt a resolution of intent to adopt an ordinance amending Title 20 (Coastal Zoning Ordinances), and to adopt an ordinance amending Title 21 (Non-coastal Zoning Ordinance) to establish a new Chapter 7.120, Section 20.64.290, and Section 21.64.290, and amending Resolution Board No. 01-485 to add item 14 “to the list of compatible uses within Agricultural Preserves” and add item 15 “to the list of compatible uses within Farmland Security Zones.”

Project Location: Countywide

Proposed CEQA action: Find the vacation rental ordinances consistent with the Final Environmental Impact Report (Final EIR) and recommend that the Board certify the Final Environmental Impact Report (Final EIR) for the amendments to the Monterey County Code (MCC).

Taylor Price, Project Planner presented the project.

Lynette Charlesworth, Tax Collector’s Office

County Counsel re-informed the public and Commission that public comment will not continue during today’s meeting as it was taken during the May 29, 2024 Planning Commission meeting. Melanie Beretti informed the public that they have the opportunity to comment on the item if it goes before the Board of Supervisors. Taylor Price informed the Commission and the Public that there is currently a placeholder for the Board of Supervisors meeting date of August 27, 2024.

Commissioner Gonzalez asked if the public comments can be included to the Board of Supervisors staff report. Staff confirmed the public comment can be included as an attachment to the report or it can be published on the Housing and Community Development’s website.

It was moved by Commissioner Gomez, seconded by Commissioner Getzelman and passed by the following vote to find the vacation rental ordinances consistent with the Final Environmental Impact Report (Final EIR) and recommend that the Board certify the Final Environmental Impact Report (Final EIR) for the amendments to the Monterey County Code (MCC); and recommendation to the Board of Supervisors to find the Vacation Rental Ordinances consistent with the Final EIR and certify the Final EIR for the amendments to the Monterey County Code (SCH # 2022080643), to adopt ordinances amending Title 7 (Business Taxes, Licenses and regulations), adopt a resolution of intent to adopt an ordinance amending Title 20 (Coastal Zoning Ordinances), and to adopt an ordinance amending Title 21 (Non coastal Zoning Ordinance) to establish a new Chapter 7.120, Section 20.64.290, and Section 21.64.290, and amending Board of Supervisors Resolution No. 01 485 to add item 14 “to the list of compatible uses within Agricultural Preserves” and add item 15 “to the list of compatible uses within Farmland

Security Zones’, with a recommendation that Staff research the different processes to streamline the Homestay requirements, remove Commercial Vacation Rentals from the Residential Zoning Districts within Moss Landing Community Plan Area, research the feasibility of a requirement for an informational sign outside the vacation rental, revise the purpose of Title 7 to be inclusive of all residential neighborhoods, clarify the requirement to post Advertised Rental Rates, update the Vacation Rental Ordinances for Guesthouses and Homestays pursuant to the staff recommendation, update the maximum occupancy requirements pursuant to the staff recommendation, research an increase to fines for violations of the Vacation Rental Ordinances, research fines for Hosting Platforms, prepare options for Board consideration of methods to limit the number of Commercial Vacation Rentals a single Owner can have and limit Vacation Rentals to non-investor-owned properties, and reduce the implementation date of Title 20.

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

NOES: None

ABSENT: None

ABSTAIN: None

Chair Diehl asked Counsel if item No. 3 can be continued to a date uncertain. Counsel stated as it is not a noticed item, the continuation of the item is at the Commission’s discretion.

3. Consider adoption of modifications to the Monterey County Planning Commission Rules for the Transaction of Business, and provide direction to staff as appropriate.

It was moved by Commissioner Gomez, seconded by Commissioner Roberts and passed by the following vote with respect to the Planning Commission rule to continue the item to a date uncertain.

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

NOES: None

ABSENT: None

ABSTAIN: None

DEPARTMENT REPORT

Secretary Beretti informed the Commission follow up on research on signs on the corner of HWY 68 and Corral De Tierra sign regulation and DA update, Roberts requested that we forward this to Code Enforcement to send a notice ask to remove.

Thanked the Planning Commission and staff on the laborious work of the 6th Cycle

Draft Housing Element Update that went before the Board of Supervisors on June 11, 2024 based on the Planning Commission's recommendation was able to get to a point where they made recommendation to staff to make amendments based on input and to submit directly to State HCD. The Board accepted all the approved sites that the Planning Commission recommended. The Board evaluated the sites that the Planning Commission had questions on they recommended removal of sites 48, 1, 2, 3, and 4. The others were recommended to keep in. Emails recommending adding additional sites were received for Pajaro and Las Lomas, City of Marina, and 3 additional sites in Carmel Valley that had developer interest in. The Board directed staff to evaluate those sites that were requested, vet them, and if appropriate to add onto the draft before it's sent to State HCD. The draft will be available for 7 days. Board of Supervisors asked staff to return on August 20, 2024 for an update.

ADJOURNMENT

The meeting was adjourned by Chair Diehl at 12:38 p.m.

APPROVED:

/s/ MELANIE BERETTI

MELANIE BERETTI

PLANNING COMMISSION SECRETARY

ATTEST:

BY: Elizabeth Vasquez

ELIZABETH VASQUEZ

PLANNING COMMISSION CLERK

APPROVED ON 07/10/2024