



Monterey County

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

Action Minutes - Final Monterey County Planning Commission

Cosme Padilla, Chair
Don Rochester, Vice-Chair
Jacqueline R. Onciano, Secretary

Wednesday, June 29, 2016

9:00 AM

Board Chamber

9:00 A.M. - CALL TO ORDER

The meeting was called to order by Chair Padilla at 9:01 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Getzelman.

ROLL CALL

Present:

Martha Diehl	Cosme Padilla
Melissa Duflock	Amy Roberts
Paul C. Getzelman	Don Rochester
Luther Hert	Keith Vandever

Absent:

Ana Ambriz
Jose Mendez

PUBLIC COMMENT

There was no public comment.

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Commission Clerk Jackie Nickerson informed the Commissioners of the following documents distributed on the dais:

- Additional correspondence regarding Agenda Item #5 (Medical Marijuana Regulations); and
- Letter emailed the morning of the hearing regarding Agenda Item #3 (Del Monte Forest Area Local Coastal Program Amendment)

COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

Commissioner Diehl requested staff to report on the status of development of regulations related to Short Term Rentals (STR) to be able to respond to the public appropriately.

APPROVAL OF MINUTES

There were no minutes to approve.

9:00 A.M. – SCHEDULED MATTERS

1. [PC 16-020](#)

PLN150500 - Panattoni

Public hearing to consider action on a Combined Development Permit to merge three parcels into two parcels; demolition of an existing single family dwelling and construction of a single family dwelling on a newly configured parcel, and construction of a single family dwelling on the second newly configured parcel.

Proposed CEQA Action: Addendum to a Negative Declaration 1476 and 1482 Cypress Drive, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone.

Project Planner, Ms. Liz Gonzales, presented the project.

Commissioners asked questions of staff.

Public Comment: Aengus Jeffers; Applicant's representative. Submitted letter and spoke to points in the letter.

Concerns were raised by the Commission.

RMA Services Manager, Mr. John Ford, responded.

It was moved by Commissioner Vandevere, seconded by Commissioner Diehl and passed by the following vote to continue the hearing on the project to the August 31, 2016 Planning Commission meeting:

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

Break at 10:00 a.m. - Recovene at 10:12 a.m.

2. [PC 16-021](#)

PLN150378/Carmel Inn Ventures LLC (Carmel River Inn)

Public hearing to consider an Amendment to a Combined Development Permit and General Development Plan for Carmel River Inn proposing guest unit modifications.

Proposed CEQA Action: Addendum to an adopted Mitigated Negative Declaration (Section 15164 of the CEQA Guidelines) 26600 Oliver Road, Carmel, Carmel Area Land Use Plan.

Project Planner, Mr. Dan Lister, presented the project and made corrections to the resolution and conditions, and added an action to adopt a Mitigation and Monitoring Reporting Plan.

Public Comment: Paul Davis, Architect; Jim Flag.

The Commissioners had concerns about the procedure and time length it would take to move the cabins in a flood evacuation. It was recommended that a condition be added for the applicant to submit an evacuation plan acceptable to the Director of Planning.

Senior Deputy County Counsel Wendy Strimling suggested augmenting the indemnification condition.

It was moved by Commissioner Diehl, seconded by Commissioner Vandevere and passed by the following vote to approve the project with conditions including requiring a flood evacuation plan acceptable to the Director of RMA and augmentation of the indemnification condition as discussed:

AYES: Diehl, Duflock, Getzelman, Hert, Padilla, Roberts, Rochester, Vandevere

NOES: None

ABSENT: Ambriz, Mendez

ABSTAIN: None

Chair Padilla announced that the meeting will continue into the afternoon and Agenda Item No. 5 will not likely be heard until 1:30 p.m.

3. [PC 16-018](#) **PLN150149 - Del Monte Forest Area Local Coastal Program Amendment (Policy 20)**

Public hearing to consider recommendation to the Board of Supervisors of Local Coastal Program Amendments to amend Policy 20 of the Del Monte Forest Area Land Use Plan and Section 20.147.040.D.2 of Part 5 of the Monterey County Coastal Implementation Plan (Title 20 of the Monterey County Code) regulating development within the indigenous Monterey cypress habitat.

Proposed CEQA Action: Statutorily Exempt per CEQA Guidelines Section 15265

Del Monte Forest Indigenous Monterey Cypress Habitat Area, Pebble Beach, Del Monte Forest

Project Planner, Mr. Joe Sidor, presented the project.

Public Comment: Pam Silkwood; Aengus Jeffers.

Deliberation occurred. Commissioners noted concerns with language in that creating (restoring) area is not as good as avoiding undisturbed area, which is habitat (not just trees and root zones). Net benefit is not the same as avoidance.

It was moved by Commissioner Vandevere, seconded by Commissioner Hert and passed by the following vote to recommend the board not adopt changes to Policy 20 and direct staff to draft a resolution to reflect the reasons:

AYES: Diehl, Getzelman, Hert, Padilla, Roberts, Rochester, Vandevere

NOES: Duflock

ABSENT: Ambriz, Mendez

ABSTAIN: None

4. [PC 16-023](#)

PLN150150 - Richard C and Melanie F Lundquist TRS

Public hearing to consider action on an amendment to a Combined Development Permit to allow demolition of an existing residence, construction of a new single family residence, detached garage, and new stone wall within Native Monterey Cypress habitat, requiring the removal of Monterey Cypress Trees, development in a location with archaeological resources and on slopes exceeding 30%.

Proposed CEQA Action: Addendum to previously adopted Mitigation Negative Declaration

3224 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan

Project Planner, Mr. Joe Sidor, requested a continuance of the hearing to August 31, 2016 in order to schedule a site visit.

Public Comment: Aengus Jeffers; Applicant's Representative. Based on discussion of Policy 20 (previous item), applicant requested a continuance. Offered to conduct a field trip or meet with Commissioners if interested.

Commissioners expressed that there is no purpose to a field trip until the project is before the Commission. There can be a separate inquiry if staff feels there is a need/benefit to having a site visit. It was moved by Commissioner Diehl, seconded by Commissioner Vandevere and passed by the following vote to continue the hearing on the project to the August 31, 2016 Planning Commission meeting:

AYES: Diehl, Duflock, Getzelman, Hert, Padilla, Roberts, Rochester, Vandevere

NOES: None

ABSENT: Ambriz, Mendez

ABSTAIN: None

Recess to Lunch at 12:00 p.m. to reconvene at 1:30 p.m.

The meeting was reconvened by Chair Padilla at 1:30 p.m.

5. [PC 16-022](#)

REF150048 - Medical Marijuana Regulations

Continued from June 22, 2016: Public hearing to consider making a recommendation to the Board of Supervisors regarding County ordinances establishing land use and permitting regulations for commercial medical cannabis activities and personal medical cannabis cultivation including:

- a. An Ordinance amending Title 21 (non-coastal zoning ordinance) of the Monterey County Code to regulate commercial medical cannabis activities in the inland unincorporated area of Monterey County.
- b. An Ordinance amending the Monterey County Coastal Implementation Plan, Part 1 (Title 20, coastal zoning ordinance) of the Monterey County Code to regulate commercial medical cannabis activities in the coastal zone of unincorporated Monterey County; and
- c. An Ordinance adding Chapters 7.90 and 7.95 to the Monterey

County Code requiring an annual commercial medical cannabis permit for commercial medical cannabis activities and requiring an annual personal medical cannabis permit for personal cultivation of one hundred square feet or less of medical marijuana exclusively for personal use.

Proposed CEQA Action: Negative Declaration prepared

Commissioner Roberts recused herself and left the room.

RMA Services Manager, Ms. Jacqueline Onciano, and Management Analyst, Mr. Brandon Swanson, presented the recommended resolution, continued from the June 22, 2016 Planning Commission meeting with requested corrections.

Commissioner Diehl listed suggestions to put forward as Commissioner comments for consideration. Commissioners discussed these suggestions and others.

Public Comment: Ryan Gilruth; Daniel Sosa; Tiffany Wright; Heidi Park; Jody Pemberton; Mike Linder; Marilyn Rose; Peter Brazil; Susan Selix; and Terry Upton.

Deliberation occurred. A refined list of Commission comments was developed for inclusion with the resolution to be presented to the Board of Supervisors.

It was moved by Commissioner Vandevere, seconded by Commissioner Diehl and passed by the following vote to recommend the Board of Supervisors not adopt the ordinances as drafted and to include suggestions for the Board to consider:

AYES: Diehl, Hert, Padilla, Rochester, Vandevere

NOES: Duflock, Getzelman

ABSENT: Ambriz, Mendez

RECUSE: Roberts

OTHER MATTERS

None.

DEPARTMENT REPORT

Secretary Carl Holm discussed the coffee fund with the Commission.

ADJOURNMENT

The meeting was adjourned by Chair Padilla at 2:30 p.m.

ACCEPTED:



CARL HOLM
PLANNING COMMISSION SECRETARY

ATTEST:

BY: 
JACQUELYN NICKERSON
PLANNING COMMISSION CLERK

APPROVED ON: JAN 11 2017