

County of Monterey

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



Meeting Minutes - Final

Wednesday, March 27, 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 9:08 a.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Mendoza.

ROLL CALL

Present:

**Christine Shaw
Martha Diehl
Amy Roberts
Katharine Daniels
Paul Getzelman
Ben Work
Ernesto Gonzalez
Francisco Mendoza**

Absent:

**Etna Monsalve
Ramon Gomez**

Secretary Beretti reviewed the Zoom protocols.

PUBLIC COMMENTS

**Lisa Baca
Sara Clark
Kirsten Stember
A. Kelly**

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Commission Clerk, Elizabeth Vasquez informed the Planning Commission of correspondence received and distributed for Agenda Item No. 3 – REF210024 – Big Sur Coast Land Use Plan Update, No. 4 – PLN230064 – Roberts Bryan and Addrienne D TRS, No. 5 – PLN220352 – Chun-Tao Ma and Ning Zhang TRS, No. 6 – PLN160856 and PLN230308 – Maehr Ted H. and Rainer Richard Scott.

Chair Diehl moved agenda item number 6 before agenda item number 3.

COMMISSIONER COMMENTS AND REQUESTS

Commissioner Shaw requested that Staff investigate the situation at the Equestrian Center due to the public comment received. Staff informed the Commission that this request will be placed on a future Planning Commission agenda.

Commissioner Mendoza, asked Staff if they can provide any recommendations/information regarding fire insurance for homeowners that are retired and on fixed incomes?

APPROVAL OF CONSENT CALENDAR

1. REFERRAL 22.7 - PAJARO RIVER LEVEE IMPROVEMENTS AND PRIORITY COMMUNITY PLAN UPDATES

- a. Consider receiving an update from the Pajaro River Flood Management Agency regarding repair and improvements to the Pajaro River Levee;
- b. Consider receiving an update from staff regarding the Pajaro Long-Term Recovery Planning and status update 2010 General Plan implementation related to Pajaro and Chualar Community Plans development.
- c. Provide direction to staff.

Project Location: North County Inland Area (Pajaro); Central Salinas Valley Area (Chualar)

Proposed CEQA action: Statutory Exemption pursuant to Section 15262 of the CEQA.

It was moved by Commissioner Gonzalez, seconded by Commissioner Daniels and approve by the following vote to approve the consent calendar as presented.

Public Comment: None

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

NOES: None

ABSENT: Monsalve, Gomez

ABSTAIN: None

9:00 A.M. – SCHEDULED MATTERS

2. PLN230261 - 3196 LLC

Public hearing to consider allowing the restoration and replanting 15 Monterey Cypress trees within a Conservation Scenic Easement to abate Code Enforcement violation 23CE00332.

Project Location: 3196 17 Mile Drive, Pebble Beach

Proposed CEQA action: Find the project Categorically Exempt pursuant to Section 15308 of the CEQA Guidelines

Kayla Nelson, Project Planner requested a continuance for the hearing on this item to a date uncertain to allow the applicant adequate time to provide sufficient information regarding the purposed restoration plan.

Applicant/Applicant’s Representative: Tony Lombardo

Public Comment: None

It was moved by Commissioner Daniels, seconded by Commissioner Roberts to continue the hearing on this item to a date uncertain.

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

NOES: None

ABSENT: Monsalve, Gomez

ABSTAIN: None

6. PLN160856 and PLN230308 - MAEHR TED H. AND RAINER RICHARD SCOTT

Public hearing to consider after-the-fact permitting to legalize development of a 1,472 square foot two-story single family dwelling, a detached accessory dwelling unit (185 square feet functionally related to a 452 square foot detached kitchen and cold room), a 857 square foot two-story barn, a 364 square foot carport/workshop, three sheds (260 square feet, 100 square feet, and 82 square feet), 12 water storage tanks, a water catchment system and an on-site wastewater system, approximately 600 linear feet of unpaved driveway and associated grading, and removal of three Madrone trees, to partially clear Code Enforcement case (CE080464). Public hearing also to consider a Lot Line Adjustment between two legal lots of record consisting of Parcel 1, containing 43.65 acres (Assessor's Parcel Number 418-151-005-000), and Parcel 2 containing 7.25 acres (APN 418-151-006-000), resulting in two legal lots of approximately 40.55 acres (Adjusted Parcel 1) and 10.35 acres (Adjusted Parcel 2), respectively.

Project Location: The properties are located at 38829 Palo Colorado Rd. (Parcel 1) and 1122 Palo Colorado (Parcel 2), Carmel, Big Sur Coast Land Use Plan, Coastal Zone.

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

Mary Israel, Project Planner requested continuance for the hearing on this item to a date uncertain to allow the Applicant to submit additional materials and to allow Staff additional time to research the possible removal of trees without the benefit of a permit.

Public Comment: None

It was moved by Commissioner Roberts, seconded by Commissioner Mendoza and passed by the following vote to continue the hearing on this item to a date uncertain.

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

NOES: None

ABSENT: Monsalve, Gomez

ABSTAIN: None

3. REF210024 - BIG SUR COAST LAND USE PLAN UPDATE

- a. Conduct a continued public workshop to review and receive public input regarding the Ad Hoc Committee's proposed updates to the Big Sur Coast Land Use Plan; and
- b. Provide direction to staff.

Project Location: Big Sur Coastal Planning Area

Proposed CEQA action: A planning workshop is statutorily exempt per California Environmental Quality Act (CEQA) 15262.

Taylor Price, Project Planner presented the item.

Public Comment on Aircraft/Unmanned Aircraft Systems: Tray Crop, Marcus Foster, Mike Linder, Christina McGinnis, Mike Caplin, Rachel Goldberger.

Public Comment on Special Events: Marcus Foster, Tray Crop, Mr. Koch, Christina McGinnis.

Public Comment on Rural Community Center Zoning District: Marcus Foster, Tray Crop, Ted Maher, Mike Linder, Steve Beck, Patrick Orozco, Sara Clark, Rachel Goldberger, Christina McGinnis, Jennifer Rosenthal, Mike Caplin.

The Commission recessed at 11:15 a.m. and returned at 11:30 a.m., all Commissioners present who were present before the recess.

Public Comment on Considering on Expansion: Steve Beck, Tray Crop, Marcus Foster, Mike Linder, Mike Caplin, Matt Glazer, Christina McGinnis, Aengus Jeffers, David Smiley.

It was moved by Commissioner Daniels, seconded by Commissioner Roberts to continue the workshop to May 8, 2024, with the understanding that the Ad Hoc Committee will meet prior to the May 8, 2024 meeting.

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

NOES: None

ABSENT: Monsalve, Gomez

ABSTAIN: None

The Commission recessed for lunch and returned at 1:31 p.m. All Commissioners present who were present before the recess.

Commissioner Daniels recused herself from item No. 4, due to a campaign contribution in excess of \$250 from a participant.

4. PLN230064 - ROBERTS BRYAN & ADRIENNE D TRS

Public hearing to consider a lot line adjustment to merge two parcels resulting in one 4.01 acre parcel; the remodel, partial demolition and minor addition of a 12,176 square foot single family residence resulting in a 12,636 square foot single family residence; demolition of 397 square foot detached guest house and replacement with a 424 square foot detached guest house; demolition of a 644 square foot attached garage and construction of a 941 square foot detached garage; and associated site improvements including approximately 800 cubic yards of grading with 750 cubic yards of cut and 50 cubic yards of fill, repaving an existing driveway, installing an auto court, pathways, post-construction drainage improvements, a pool deck, and a pool. The project includes development within the Critical Viewshed, 50 feet of a bluff, on slopes in excess of 30%, and within 100 feet of environmentally sensitive habitat area (coastal bluff scrub and coastal sage scrub).

Project Location: 37600 Hwy 1, Big Sur

Proposed CEQA action: Find that the project qualifies for Class 1 and 5 Categorical Exemptions pursuant to CEQA Guidelines sections 15301 and 15305, and that none of the exceptions from CEQA Guidelines 15300.2 apply.

Phil Angelo, Project Planner presented the item.

Applicant/Applicant's Representative: Anthony Lombardo

Public Comment: Marcus Foster

It was moved by Commissioner Roberts, seconded by Commissioner Mendoza and passed by the following vote to find that the project qualifies for Class 1 and 5 Categorical Exemptions pursuant to CEQA Guidelines sections 15301 and 15305, and that none of the exceptions from CEQA Guidelines 15300.2 apply; and approve a Combined Development Permit consisting of a Coastal Development Permit to allow a Lot Line Adjustment to merge two parcels resulting in a single 4.15 acre parcel, a Coastal Administrative Permit and Design Approval to allow the remodel, partial demolition and minor of an existing 12,176 square foot single family residence, resulting in a 12,636 square foot single family residence, the demolition of existing 397 square foot detached guest house and replacement with a 424 square foot detached guest house, the demolition of a 644 square foot attached garage and construction of a 941 square foot detached garage and associated site improvements including approximately 800 cubic yards of grading with 750 cubic yards of cut and 50 cubic yards of fill, repaving an existing driveway, installing an auto court, pathways, post-construction drainage improvements, a pool deck, and a pool, and a Coastal Development Permit to allow development within the Critical Viewshed, a Coastal Development Permit to allow development within 50 feet of a bluff a Coastal Development Permit to allow development on slopes in excess of 30%; and a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat area, with the following

changes to language: “The easement area shall encompass all of existing 2.56 acre (Parcel B). The existing approved walking path and approved stormwater line shall be allowed within the easement area. The Conservation and Scenic Easement shall protect environmentally sensitive habitat areas, including the existing bluff and sage scrub, and shall protect the Big Sur Critical Viewshed by prohibiting new development within the easement area.” Quantifying the reductions in the development for the critical viewshed evidence, remove the language regarding heavy cypress screening, and to add language to minimize impacts to the viewshed and visual access to the Construction Management Plan.

AYES: Diehl, Work, Roberts, Getzelman, Gonzalez, Shaw, Mendoza

NOES: None

ABSENT: Monsalve, Gomez, Daniels

ABSTAIN: None

5. PLN220352 - CHUN-TAO MA & NING ZHANG TRS

Continued from February 28, 2024, public hearing to consider establishment of the transient use of a residential property (single-family dwelling) for remuneration, commonly known as a short-term rental.

Project Location: 26132 Carmel Knolls Drive, Carmel

Proposed CEQA action: Find the project categorically exempt pursuant to Section 15301, Existing Structures, of the CEQA Guidelines and no exceptions to the exemption per Section 15300.2 can be made.

Phil Angelo, Project Planner presented the item.

Applicant/Applicant’s Representative: Aaron Gannage

Public Comment: Gale Agron, Barbara Mitchell, Nora Ward, Brenda Chow, Jack Lagier, Patricia and William and Patricia Roden.

It was moved by Commissioner Daniels, seconded by Commissioner Mendoza and passed by the following vote to request Staff to return on a date certain of May 8, 2024, with a resolution of intent to deny.

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

NOES: None

ABSENT: Monsalve, Gomez

ABSTAIN: None

DEPARTMENT REPORT

Secretary Beretti informed the Commission that the Garrapata Creek Bridge Rail returned to the Board of Supervisors with a resolution of intent to deny, but due to additional concerns the Board continued the hearing on this item to a date certain of May 7, 2024. The continuance would allow time for a working group including, District 5, Planning Staff, Cal-Trans Staff and Community members time discuss additional potential options.

ADJOURNMENT

The meeting was adjourned by Chair Diehl at 3:21 p.m.

APPROVED:

/s/ MELANIE BERETTI

MELANIE BERETTI
PLANNING COMMISSION SECRETARY

ATTEST:

BY: Elizabeth Vasquez
ELIZABETH VASQUEZ
PLANNING COMMISSION CLERK

APPROVED ON 06/12/2024