Monterey County

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

Meeting Agenda - Final-Revised

Wednesday, September 14, 2022
9:00 AM

Monterey County Planning Commission

Francisco Mendoza, Chair
Etna Monsalve, Vice Chair
Craig Spencer, Secretary

The Recommended Action indicates the staff recommendation at the time the agenda was prepared. That recommendation does not limit the Planning Commission's alternative actions on any matter before it.

IMPORTANT NOTICE REGARDING COVID-19 AND PARTICIPATION IN THE PLANNING COMMISSION MEETING

Monterey County Planning Commission will be held by teleconference to minimize the spread of the COVID-19 virus, in accordance with the State of Emergency proclaimed by Governor Newsom on March 4, 2020, Government Code section 54953 as amended by AB 361, and the Monterey County Health Officer recommendation of social distancing measures for meetings of legislative bodies.

To participate in this Monterey County Planning Commission meeting, the public are invited to observe and address the Commission telephonically or electronically. Instructions for public participation are below:

PARTICIPATE VIA ZOOM LINK:
https://montereycty.zoom.us/j/95424030669?pwd=MHlzNElxNHFTMGgwZE9SWi9wbjY4UT09

PARTICIPATE BY PHONE: by dialing 1-669-900-6833 and then when prompted, entering the Meeting ID Access Code 954 2403 0669, PASSWORD: 119518

Public Participation Instructions:
The meeting will be conducted via teleconference using the Zoom program, and Commissioners will attend electronically or telephonically. The meeting will have no physical location to physically attend.
The public may observe the Zoom meeting via computer by clicking on the following link: https://montereycty.zoom.us/j/95424030669?pwd=MHlzNElxNHFTMGgwZE9SWi9wbjY4UT09, or the public may listen via phone by dialing 1-669-900-6833 and then when prompted, entering the Meeting ID Access Code 954 2403 0669. Password: 119518
You will be asked for a "Participant ID". You do not need a Participant ID to join the meeting, press the pound key (#) again and you will be automatically connected.
1. If a member of the public wishes to comment on a particular agenda item, the public is strongly encouraged to submit their comments in writing via email to the County Housing and Community Development at pchearingcomments@co.monterey.ca.us by 2:00 p.m. on the Tuesday prior to the Commission meeting. To assist County staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Planning Commission date and agenda number in the subject line. Comments received by the 2:00 p.m. Tuesday deadline will be distributed to the Commission and will be placed in the record.
2. Applicants and members of the public wishing to comment on a specific agenda item while the matter is being heard during the meeting may participate by any of the following means:
a. When the Chair calls for public comment on an agenda item, the Secretary of the Commission or his or her designee will first ascertain who wants to testify (among those who are in the meeting

electronically or telephonically) and will then call on speakers and unmute their device one at a time. Public speakers including the applicant may be broadcast in audio form only.
b. If speakers or other members of the public have documents they wish to distribute to the Commission for an agenda item, they are encouraged to submit such documents by 2:00 p.m. on Tuesday before the meeting to: pchearingcomments@co.monterey.ca.us. To assist staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Planning Commission date and agenda number in the subject line.
c. If applicants or members of the public want to present documents/Power Point presentations while speaking, they should submit the document electronically by 2:00 p.m. on Tuesday before the meeting at pchearingcomments@co.monterey.ca.us.. (If submitted after that deadline, staff will make best efforts, but cannot guarantee, to make it available to present during the Commission meeting.)
d. While the matter is being heard, a member of the public may submit a comment via email, preferably limited to 250 words or less, to the Secretary of the Commission at pchearingcomments@co.monterey.ca.us. To assist staff in identifying the agenda item to which the comment relates, the public is requested to indicate the Planning Commission date and agenda number in the subject line. If the comment is received prior to close of public comment on an agenda item, every effort will be made to read the comment into the record, but some comments may not be read out loud due to time limitations or length of the comment (if the comment exceeds 250 words). Comments received prior to the close of the public comment period on an agenda item will be made part of the record for that item.
3. Members of the public who wish to make a general public comment for items not on the day's agenda may submit their comment via email, preferably limited to 250 words or less, to the Secretary of the Commission at pchearingcomments@co.monterey.ca.us. The Planning Commission date and "general comment" should be indicated in the subject line. The comment will be placed in the record for the meeting, and every effort will be made to read the comment into the record at the appropriate time on the agenda.
4. Individuals with disabilities who desire to request a reasonable accommodation or modification to observe or participate in the meeting may make such request by sending an email to pchearingcomments@co.monterey.ca.us. The request should be made no later than noon on the Monday prior to the Commission meeting in order to provide time for County to address the request.
5. The Chair and/or Secretary may set reasonable rules as needed to conduct the meeting in an orderly manner.

BREAKS will be taken approximately at 10:15 a.m. and 3:00 p.m.

DOCUMENT DISTRIBUTION: Documents relating to agenda items that are distributed to the Planning Commission less than 72 hours prior to the meeting are available by request by sending an email to pchearingcomments@co.monterey.ca.us. Documents distributed by County staff at the meeting of the Planning Commission will be available upon request by sending an email to pchearingcomments@co.monterey.ca.us.

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132) and the federal rules and regulations adopted in implementation thereof. For information

regarding how, to whom and when a person with a disability who requires a modification or accommodation in order to participate in the public meeting may make a request for disability-related modification or accommodation including auxiliary aids or services or if you have any questions about any of the items listed on this agenda, please call the Monterey County Housing and Community Development at (831) 755-5025.
The Planning Commission Clerk must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Wednesday Planning Commission meeting in order for the materials to be included in the agenda packet distributed in advance to the Commission.

AVISO IMPORTANTE SOBRE COVID-19 Y PARTICIPACIÓN EN LA REUNIÓN DE LA COMISIÓN DE PLANIFICACIÓN
La Comisión de Planificación del Condado de Monterey se llevará a cabo por teleconferencia para minimizar la propagación del virus COVID-19, de acuerdo con el Estado de Emergencia proclamado por el Gobernador Newsom el 4 de Marzo del 2020, Orden Ejecutiva N-29-20 emitida por el Gobernador Newsom el 17 de Marzo del 2020, y la Orden de Refugio en el Lugar (aka "Quedate en Casa") emitida por el Oficial de Salud del Condado de Monterey el 17 de Marzo del 2020, según se pueda enmendar periódicamente.

Para participar en esta reunión de la Comisión de Planificación del Condado de Monterey, él público están invitados a observar y hacer frente a la Comisión telefónicamente o por vía electrónica. Las instrucciones para la participación pública están a continuación:

Instrucciones de participación pública:
La reunión se llevará a cabo por teleconferencia utilizando el programa Zoom, y los Comisionados asistirán por vía electrónica o telefónica. La reunión no tendrá un lugar físico para asistir físicamente. El público puede observar la reunión Zoom a través de computadora haciendo clic en el siguiente enlace: https://montereycty.zoom.us/j/95424030669?pwd=MHlzNElxNHFTMGgwZE9SWi9wbjY4UT09, o el público puede escuchar a través del teléfono llamando al 1-669-900-6833 y cuando se le solicite el código de acceso para entrar a la reunión, presione los siguientes números: 954 2403 0669, Contraseña: 119518. Se le pedirá una "identificación de participante". No necesita una identificación de participante para unirse a la reunión, presione la tecla numeral (#) nuevamente y se conectará automáticamente.
1. Si un miembro del público desea comentar sobre un tema de la agenda en particular, se le es sumamente recomendable que envie sus comentarios
por escrito por correo electrónico a la Agencia de Administración de Recursos del Condado (Housing and Community Development) a pchearingcomments@co.monterey.ca.us antes de las 2:00 P. M. el Martes antes de la reunión de la Comisión. Para ayudar al personal del Condado a identificar el numero del proyecto de la agenda con el cual se relaciona el comentario, se solicita al público que indique la fecha de la Comisión de Planificación y el número de la agenda en la línea de asunto. Comentarios recibidos en la fecha limite del Martes a las 2 P.M, serán distribuidos a la Comisión y serán colocados en el registro.
2. Los aplicantes del proyecto y miembros del público que desean comentar en un proyecto específico, mientras que el proyecto se este presentando durante la reunión, pueden participar por

cualquiera de los siguientes medios:
a. Cuando el Presidente del los Comisionarios (Chair of the Planning Commission) solicite comentarios públicos sobre un tema de la agenda, el Secretario de la Comisión o su designado, primero determinará quién quiere testificar (entre los que están en la reunión por vía electrónica o telefónica) y luego llamará a los oradores (speakers) y activará la bocina para el orador, uno a la vez. Todo orador, incluyendo el aplicante del projecto, serán transmitidos por audio en altavoz solamente.
b. Si los oradores u otros miembros del público tienen documentos que desean distribuir a la Comisión para un tema o proyecto de la agenda, se les recomienda enviar dichos documentos antes de las 2:00 P.M. el Martes antes de la reunión a: pchearingcomments@co.monterey.ca.us . Para ayudar al personal a identificar el numero del proyecto de la agenda con el cual se relaciona el comentario, se solicita al público que indique la fecha de la Comisión de Planificación y el número de agenda en la línea de asunto.
c. Si los aplicantes o miembros del público desean presentar documentos o presentaciones de PowerPoint mientras hablan, deben enviar el documento electrónicamente antes de las 2:00 P.M. del Martes antes de la reunión a pchearingcomments@co.monterey.ca.us (Si se presenta después de ese plazo, el personal hará los mejores esfuerzos, pero no puede garantizar que esté disponible su PowerPoint para presentar durante la reunión de la Comisión).
d. Mientras se escucha el proyecto, un miembro del público puede enviar un comentario por correo electrónico, preferiblemente limitado a 250 palabras o menos, al Secretario de la Comisión a pchearingcomments@co.monterey.ca.us . Para ayudar al personal a identificar el proyecto de la agenda con el cual se relaciona el comentario, se solicita al público que indique la fecha de la Comisión de Planificación y el número de agenda en la línea de asunto. Si el comentario se recibe antes del cierre del comentario público sobre un tema de la agenda, se hará todo lo posible para leer el comentario en el registro, pero algunos comentarios pueden no leerse en voz alta debido a limitaciones de tiempo o duración del comentario (si el comentario supera las 250 palabras). Los comentarios recibidos antes del cierre del período de comentarios públicos sobre un proyecto de la agenda serán parte del registro de ese proyecto.
3. Los miembros del público que deseen hacer un comentario público general para los temas que no están en la agenda del día pueden enviar su comentario por correo electrónico , preferiblemente limitado a 250 palabras o menos, al Secretario de la Comisión en pchearingcomments@co.monterey.ca. nos . La fecha de la Comisión de Planificación y el "comentario general" deben indicarse en la línea de asunto. El comentario se colocará en el registro de la reunión, y se hará un gran esfuerzo para leer el comentario en voz alta para su registro verbalmente en el momento apropiado de la agenda.
4. Las personas con discapacidades que deseen solicitar una modificación o modificación razonable para observar o participar en la reunión pueden realizar dicha solicitud enviando un correo electrónico a pchearingcomments@co.monterey.ca.us . La solicitud debe hacerse a más tardar el mediodía del Lunes antes de a la reunión de la Comisión para dar tiempo al Condado para que atienda la solicitud .
5. El Presidente y / o Secretario pueden establecer reglas razonables según sea necesario para llevar a cabo la reunión de manera ordenada.

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Staff Report.

9:00 A.M. - CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Richard Coffelt	Ernesto G. Gonzalez
Amy Roberts	Francisco Javier Mendoza
Martha Diehl	Katharine Daniels
Etna Monsalve	Ben Work
Paul C. Getzelman	Nathalia Carrillo

PUBLIC COMMENTS

This is a time set aside for the public to comment on a matter that is not on the agenda.

WRITTEN CORRESPONDENCE FOR ITEMS NOT ON THE AGENDA

This is a time set aside to review/discuss correspondence letters received from the public for items not on the Agenda.

Recent County Counsel and Pacaso letters regarding Pacaso's property listings within the County.

Attachments: Letter from County Counsel to Pacaso dated June 24, 2022
Letter from County Counsel to Pacaso dated August 12, 2022
Response Letter from Pacaso to County Counsel dated August 22, 2022

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

The Commission Clerk will announce agenda corrections, deletions and proposed additions, which may be acted on by the Planning Commission as provided in Sections 54954.2 of the California Government Code.

COMMISSIONER COMMENTS AND REQUESTS

This is a time set aside for the Commissioners to comment, request, or refer a matter that is on or not on the agenda.

REFERRAL ITEMS/OTHER MATTERS

This is a time set aside for the Commissioners to add new referral items and discuss other matters.

1. **PLANNING COMMISSION REFERRALS**

   Attachments: PC REFERRAL SPREADSHEET 9-14-2022

APPROVAL OF CONSENT CALENDAR

2. Consider finding, pursuant to AB 361 and in order for the Planning Commission to continue to meet remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; that the Planning Commission has reconsidered the circumstances of the state of emergency; and that the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies.
   Proposed CEQA action: Not a project pursuant to CEQA Guidelines section 15378(b)(5)

   Attachments: Staff Report

3. Approval of the June 8, 2022 Planning Commission Meeting Minutes.

   Attachments: Draft PC Minutes_060822

4. Approval of the June 29, 2022 Planning Commission Meeting Minutes.

   Attachments: Draft PC Minutes_062922

5. Approval of the August 24, 2022 Planning Commission Meeting Minutes.

   Attachments: Draft PC Minutes_082422

6. Reappoint the following members to their respective Land Use Advisory Committee (LUAC)

   Attachments: LUAC Reappointments
   LUAC Appointment Worksheet

9:00 A.M. – SCHEDULED MATTERS

7. **PLN210191 - DAVIS KELLY TR**
   Continued from August 24, 2022 - Public hearing to consider construction of a 3,646 square foot single family dwelling, an attached 476 square foot attached garage, an attached 344 square foot guesthouse over a 398 square foot storage area, and associated site improvement including less than 120 square feet of development on slopes exceeding 30% and removal of 10 non-native trees.

   Project Location: 1458 Riata Road, Pebble Beach, Del Monte Forest Land Use Plan
   Proposed CEQA Action: Categorically Exempt per Section 15303 of the CEQA Guidelines

Attachments: Staff Report
Exhibit A - Project Data Sheet
Exhibit B - Draft Approval Resolution
Exhibit C - Draft Denial Resolution
Exhibit D - Del Monte Forest LUAC Minutes (August 4, 2022)
Exhibit E - Vinicity Map

DEPARTMENT REPORT

ADJOURNMENT

PLANNING COMMISSION SUPPLEMENTAL

Revised Agenda Item No.7 (PLN210191 - Davis Kelly TR) on September 9, 2022 replacing the word interruption with interpretation on the staff report.