

# Agenda Item A

## **Monterey County**

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



### **Action Minutes - Draft**

**Wednesday, January 10, 2018**

**9:00 AM**

### **Monterey County Planning Commission**

*Keith Vandevere, Chair  
Paul Getzelman, Vice-Chair  
Jacqueline R. Onciano, Secretary*

**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**

The meeting was called to order by Vice Chair Duflock at 9:08 A.M.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Mendez.

**ROLL CALL**

**Present:**

Ana Ambriz (Did not return at 1:30 p.m.)  
Martha Diehl  
Melissa Duflock  
Paul C. Getzelman  
Jose Mendez  
Cosme Padilla  
Amy Roberts (Arrived at 1:30 p.m.)  
Keith Vandevere (Arrived at 1:30p.m.)  
Jon Wizard

**PUBLIC COMMENTS**

None

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Melissa McDougal informed the Commission of documents distributed on the dais:

- A Packet of Additional Correspondence for Agenda Item No. 6 REF130043 – Short Term Rental Ordinances
- Staff also informed the Commission that the meeting was not being taped or broadcast due to a problem with County equipment.

**APPROVAL OF MINUTES**

None

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

Commissioner Wizard made referrals to staff.

**9:00 A.M. – SCHEDULED MATTERS**

**1. MONTEREY COUNTY PLANNING COMMISSION NOMINATION COMMITTEE**

Chair to appoint Nomination Committee to provide nominations for 2018 Planning Commission Chair and Vice-Chair.

**Vice Chair Duflock appointed an ad hoc committee consisting of Commissioner Ambriz, Commissioner Diehl and Commissioner Mendez to nominate the next Chair and Vice-Chair of the Commission.**

**2. PLN1160801 - TOP INDUSTRIES**

Public hearing to consider allowing commercial cannabis activities including mixed-light cultivation, non-volatile manufacturing, and nursery operations within existing greenhouses/buildings in the Farmlands Zoning (F/40) District.

**Project Location:** 145 Zabala Road, Salinas, Greater Salinas Area Plan

**Proposed CEQA action:** Categorically Exempt per Section 15301 of the CEQA Guidelines

**Craig Spencer, Project Planner, presented the project.**

**Applicant Representative: Chris Boggs and Joey Espinoza**

**Public Comment: Robert Weekly, Aaron Johnson**

**It was moved by Commissioner Getzelman, seconded by Commissioner Ambriz and passed by the following vote to adopt a resolution to: find that a change of use within existing greenhouse and warehouse facilities is not an expansion of use beyond that existing at the time of the lead agency's determination, which qualifies as a Class 1 Categorical Exemption per Section 15301 of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and approve a Use Permit subject to the conditions of approval:**

**AYES: Ambriz, Diehl, Duflock Getzelman, Mendez, Padilla, Wizard**

**NOES: None**

**ABSENT: Roberts, Vandevere**

**ABSTAIN: None**

**The Commission recessed at 9:45 a.m. and reconvened at 10:02 a.m.**

**3. PLN1160818 - TIN HOUSE PARTNERS, LLC./CYPRESS MANUFACTURING**

Public hearing to consider allowing commercial cannabis activities including mixed-light cultivation and nursery operations within existing greenhouses in the Farmlands Zoning (F/40) District.

**Project Location:** 139 Zabala Road, Salinas, Greater Salinas Area Plan

**Proposed CEQA action:** Categorically Exempt per Section 15301 of the CEQA

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Guidelines

Craig Spencer, Project Planner presented the project.

Applicant Representative: Robert Weekly

Public Comment: Aaron Johnson

It was moved by Commissioner Getzelman, seconded by Commissioner Padilla and passed by the following vote to adopt a resolution to: find that a change of use within existing greenhouse and warehouse facilities is not an expansion of use beyond that existing at the time of the lead agency's determination, which qualifies as a Class 1 Categorical Exemption per Section 15301 of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and approve a Use Permit subject to the conditions of approval with the changes as stated, including the addition to a Non -Standard Odor Control Condition, update of the decision section to state the project must be in "substantial conformance" rather than "general conformance" with the attached sketch, and change to the referenced number of conditions in Condition No. 2:

AYES: Ambriz, Diehl, Duflock, Getzelman, Mendez, Padilla, Vandever, Wizard

NOES: None

ABSENT: Roberts, Vandever

ABSTAIN: None

Commissioner Diehl made a request to reconsider the decision in PLN160801 – Top Industries (Agenda Item No. 2)

2.

**PLN1160801 - TOP INDUSTRIES**

Public hearing to consider allowing commercial cannabis activities including mixed-light cultivation, non-volatile manufacturing, and nursery operations within existing greenhouses/buildings in the Farmlands Zoning (F/40) District.

**Project Location:** 145 Zabala Road, Salinas, Greater Salinas Area Plan

**Proposed CEQA action:** Categorically Exempt per Section 15301 of the CEQA Guidelines

Applicant: Joey Espinoza

Public Comment: None

It was moved by Wizard, seconded by Diehl, and passed by the following vote to reconsider the earlier adoption of the resolution for PLN160801:

AYES: Ambriz, Diehl, Duflock, Getzelman, Mendez, Padilla, Wizard

NOES: None

ABSENT: Roberts, Vandever

ABSTAIN: None

It was moved by Commissioner Diehl, seconded by Commissioner Mendez and passed by the following vote to adopt a resolution to: find that a change of use within existing greenhouse and warehouse facilities is not an expansion of use beyond that existing at the time of the lead agency's determination, which

qualifies as a Class 1 Categorical Exemption per Section 15301 of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and approve a Use Permit subject to the conditions of approval with the changes as stated, including the addition to a Non -Standard Odor Control Condition, and update of finding 2 of the resolution:

**AYES:** Ambriz, Diehl, Duflock Getzelman, Mendez, Padilla, Wizard

**NOES:** None

**ABSENT:** Roberts, Vandever

**ABSTAIN:** None

**4.**

**PLN170093 - SALVATORE PALMA (HIGHER LEVEL CARE)**

Public hearing to consider allowing a commercial cannabis retailer use at 10665 Merritt Street, Castroville.

**Project Location:** 10665 Merritt Street, Castroville, Castroville Community Plan Area (APN: 030-161-008-000)

**Proposed CEQA action:** Categorically Exempt per Class 3, Section 15303 of the CEQA Guidelines

Craig Spencer, Project Planner presented the project.

**Applicant Representative:** Sal Palma

**Public Comment:** Robert Weekly, Naomi, Celia Aguirre

It was moved by Commissioner Padilla, seconded by Commissioner Getzelman and passed by the following vote to adopt a resolution to: find the project categorically exempt from CEQA pursuant to Section 15303 of the guidelines; and approve a Use Permit to allow a cannabis retailer use at 10665 Merritt Street, Castroville subject to the conditions of approval with the changes as stated, including the addition to a Non -Standard Odor Control Condition and update the decision section to state the project must be in "substantial conformance" with the attached sketch:

**AYES:** Ambriz, Diehl, Duflock, Getzelman, Mendez, Padilla, Wizard

**NOES:** None

**ABSENT:** Roberts, Vandever

**ABSTAIN:** None

The Commission recessed for lunch at 12:05 p.m. and reconvened at 1:36 p.m.

**1:30 P.M. – SCHEDULED MATTERS**

Chair Vandever arrived at 1:30 p.m. for the afternoon session. Commissioner Ambriz was absent for the afternoon session.

Commissioner Roberts arrived at 1:30 p.m. and recused herself from Agenda Item No. 5 due to potential conflict of interest

**5. PLN170145 - TOMLINSON SISTERS PARTNERSHIP/MONTEREY  
NATURALS**

Public hearing to consider allowing a cannabis retailer within an existing commercial building in a Light Commercial Zoning District.

**Project Location:** 19 San Juan Road, Pajaro/Royal Oaks Community, North County Area Plan (APN:117-362-001-000)

**Proposed CEQA action:** Categorically Exempt per Section 15303 of the CEQA Guidelines

**Craig Spencer, Project Planner presented the project.**

**Applicant Representative: Aaron Johnson**

**Public Comment: Colin Disheroon**

**It was moved by Commissioner Padilla, seconded by Commissioner Diehl and passed by the following vote to adopt a resolution to: find the project categorically exempt from CEQA pursuant to Section 15303 of the guidelines; and approve a Use Permit and General Development Plan amendment to allow a cannabis retailer use subject to the conditions of approval with the changes as stated, including the addition to a Non -Standard Odor Control Condition and update the decision section to state project must be in “substantial conformance” with the attached sketch:**

**AYES: Diehl, Duflock, Getzelman, Mendez, Padilla, Vandever, Wizard**

**NOES: None**

**ABSENT: Ambriz**

**RECUSE: Roberts**

**Commissioner Roberts returned to the dais.**

**6. REF130043 SHORT-TERM RENTAL ORDINANCES**

- a. Conduct a public workshop to obtain input on developing regulations of short-term rentals for overnight accommodations in residential areas in the unincorporated area of the Big Sur Land Use Plan Area;
- b. Provide direction to staff relative to draft regulations and process.  
(Big Sur Land Use Plan Area - Coastal)

**Proposed CEQA Action:** CEQA review to be conducted based on regulations developed.

**Melanie Beretti, Project Planner presented the item.**

**Public Comment: Coy Wear, Elle Brewer, David Smiley, Linda Marian, Gary Patten, Janine Ronald, Annie Martin, Magness Torne, Marty Morgenwrath, Marques Foster, Heidi, Janet Harveste, Ray Sanborn, Ken Right, Mary Right, Kirk Gavel**

**The Commission recessed at 3:24 p.m. and reconvened at 3:39 p.m.**

**Continued Public Comment: Mary Wright, Tim Green, Bruce, Richard Mathews,**

Susan Bradley, Sovanya White, John Nollman, C.W. Freedman, Carol Marshal

The Planning Commission provided direction to Staff.

It was moved by Commissioner Diehl, seconded by Commissioner Roberts and passed by the following vote to recommend staff develop STR regulations in Title 20 for the Big Sur Land Use Planning area:

AYES: Diehl, Duflock, Getzelman, Mendez, Padilla, Roberts, Vandever, Wizard

NOES: None

ABSENT: Ambriz

ABSTAIN: None

It was moved by Commissioner Diehl, seconded by Commissioner Wizard and passed by the following vote to continue the workshop to January 31, 2018 to allow the Commission to discuss and consider recommending to the Board of Supervisors measures to enhance short-term rental code compliance:

AYES: Diehl, Duflock, Getzelman, Mendez, Padilla, Roberts, Vandever, Wizard

NOES: None

ABSENT: Ambriz

ABSTAIN: None

Commissioner Roberts left the dais at 5:05 p.m.

### **OTHER MATTERS**

7. Discuss potential for creating a Consent Agenda for Cannabis Use Permits.

The Commission and Staff discussed potential for creating a Consent Agenda for Cannabis Use Permits and other permits where appropriate.

### **DEPARTMENT REPORT**

None

### **ADJOURNMENT**

The meeting was adjourned by Chair Vandever at 5:10 p.m.

APPROVED:

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PLANNING COMMISSION SECRETARY

ATTEST:

BY: \_\_\_\_\_

MELISSA MCDOUGAL  
PLANNING COMMISSION CLERK

APPROVED ON \_\_\_\_\_