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MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS
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May 27, 2020

Delivered via email to: tpotter@ddaplaning.com

Tyler Potter
Denise Duffy & Associates, Inc.
947 Cass St, Suite 5
Monterey, CA 93940

Subject: PLN120294-AMD1- Cal Flats BESS Modification - Determination of referral to public hearing

Dear Mr. Potter (Agent),

Pursuant to Monterey County Code Section 21.74.120.B, (see excerpt below) this project will be referred to the Monterey County Board of Supervisors at a duly noticed public hearing, the decision-making body of the original permit, as a public hearing is required. The letters of opposition, even if later withdrawn, trigger the public hearing requirement.

21.74.120 - Amendments to use permits.



Proposed amendments to any permit issued under the provisions of this Chapter shall be submitted to the Planning Department in writing and in sufficient detail to adequately assess the nature of the amendment and any potential impacts of the amendment. Proposed amendments shall be handled in the following manner:

- A. If, in the opinion of the Director of Planning, the amendment is of a minor nature: 1) with no new environmental impacts, 2) with no increase in the severity of environmental impacts already identified, 3) generally in keeping with the action of the appropriate authority, 4) that would have only an inconsequential effect on land in relation to the approved permit, and 5) would meet all relevant site development standards, then the amendment shall be considered to be a "minor amendment" and may be approved by the Director of Planning. The Director shall post notice of pending approval at the project site and by mail to all parties that the Director has reason to know may be interested in the application. If no written objections are received by the Planning Department within ten (10) days of posting such notice, the pending approval of the amendment shall be final. If objections are received, the amendment shall be considered under Section 21.74.120.B below.
- B. If, in the opinion of the Director of Planning, the proposed amendment does not qualify as a "minor amendment," the proposed amendment shall be taken to the decision making body of the original permit and processed consistent with the original permit procedures.

(Ord. No. 5232, § 3, 1-14-2014)

Staff will schedule the hearing before the Board of Supervisors as soon as possible. Nadia Garcia and Brandon Swanson will apprise you of the date of the hearing as soon as it can be scheduled.

Sincerely,

A handwritten signature in black ink, appearing to read 'John M. Dugan'.

John M. Dugan, FAICP
Deputy Director and Acting Chief of Planning

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