

Exhibit E

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MINUTES
Toro Land Use Advisory Committee
Monday, December 14, 2020



1. Meeting called to order by Michael Weaver at 4:04 **pm**

2. **Roll Call**

Members Present:

Michael Mueller, Roy Gobets, Robert Rieger, Lauren Keenan, Mike Weaver, Beverly Bean (6)

Members Absent:

Ronald Vandergrift, William Pyburn [could not access Zoom] (2)

3. **Approval of Minutes:**

A. July 27, 2020 minutes

Motion: Keenan (LUAC Member's Name)

Second: Rieger (LUAC Member's Name)

Ayes: Rieger, Mueller, Gobets, Keenan, Weaver, Bean (6)

Noes: 0

Absent: Vandergrift, Pyburn (2)

Abstain: 0

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

None

5. **Scheduled Item(s)**

6. Other Items

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

None

B) Announcements

Weaver announced that as one result of the recent Citygate report on RMA operations the department was split
into two. One will include both Public Works and Parks, the second will include all other functions. The second
will now be called Housing and Community Development (HCD)

7. Meeting Adjourned: 5:18 pm

Minutes taken by: Beverly Bean



Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County RMA Planning
1441 Schilling Place 2nd Floor
Salinas CA 93901
(831) 755-5025



Advisory Committee: Toro

1. **Project Name:** DEZZ HOLDINGS LLC
File Number: PLN190314
Project Location: 19055 PORTOLA DR SALINAS
Assessor's Parcel Number(s): 161-021-017-000
Project Planner: JAIME GUTHRIE
Area Plan: TORO AREA PLAN
Project Description: Use Permit to allow a farm produce sample safety and quality testing laboratory in an existing structure.

Was the Owner/Applicant/Representative present at meeting? YES X NO

(Please include the names of the those present)

Will Daniels and Dr. Sam Myoda of IEH Laboratories and Consulting Group which provides microbiological lab services to the produce industry. The proposed project will consolidate services now in Salinas and San Benito.

They will increase their staff to 36 employees

Was a County Staff/Representative present at meeting? Jaime Guthrie (Name)

PUBLIC COMMENT: None

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Exterior lighting		Applicant stated that it will decrease from what is currently present. Signage will not be lighted.
Sewer service (Ca Utilities) is maxed out.		Applicant stated that wastewater produced will be only from staff, nothing from lab operations
Traffic report was for 25 employees but applicant now says there will be 36 employees.		Traffic report should be updated

ADDITIONAL LUAC COMMENTS

None

RECOMMENDATION:

Motion by: Keenan (LUAC Member's Name)

Second by: Gobets (LUAC Member's Name)

☒ Support Project as proposed

☐ Support Project with changes

☐ Continue the Item

Reason for Continuance: _____

Continue to what date: _____



Ayes: Gobets, Rieger, Mueller, Keenan, Weaver, Bean (6)

Noes: 0

Absent: Vandergrift, Pyburn (2)

Abstain: 0

Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County RMA Planning
1441 Schilling Place 2nd Floor
Salinas CA 93901
(831) 755-5025



Advisory Committee: Toro

2. **Project Name:** BELL LAWRENCE J & PAMELA M
File Number: PLN190349
Project Location: 484 CORRAL DE TIERRA SALINAS
Assessor's Parcel Number(s): 416-452-035-000
Project Planner: CHERYL KU
Area Plan: TORO AREA PLAN
Project Description: Use Permit to convert an existing 3,200 square foot barn into a cottage industry (winery) that allows up a 2,500 cases of wine per year.

Was the Owner/Applicant/Representative present at meeting? YES X NO

(Please include the names of the those present)


- Applicant, Larry Bell and Mrs. Pam Bell
- Adjacent neighbor Temby Wishnak, 27807 Mesa Del Toro
- Neighbor Diane Vorweck, 27845 Mesa Del Toro

Was a County Staff/Representative present at meeting? Cheryl Ku (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Temby Wishnak	X		<ul style="list-style-type: none"> - Well water usage to grow grapes and process imported grapes is large and will impact on the aquifer which all depend on. Will more grapes be planted and where? - Noise of this commercial activity will impact her home.
Diane Vorweck	X		<ul style="list-style-type: none"> - Is on Mesa Del Toro Water Board and concerned about large amount of water to make wine. - Concerned about poor condition of Corral de Tierra Road and dangers and damage to road by trucks for this commercial operation.

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Allowing commercial for-profit activity in residential zone sets a precedent for more to follow.		Deny this Use Permit
Road is narrow with no median stripe and in poor condition, with no funds from County to improve it in spite of years of requests and even with traffic impact fees		Deny this Use Permit
Development proposals require safety improvements to inadequate road, sewage, water and that impacts are mitigated	Toro Area Plan Supplemental Policy 1.1	Deny the Use Permit

ADDITIONAL LUAC COMMENTS

1. This property shares a well with 3 other homes (Pastures of Heaven Water Co) and uses a 320 foot deep well. It is 52 acres and Mr. Bell grazes cattle. Applicant states that he is the lowest water user and neighbors do not object to his proposal although two of the three neighboring properties on the well are currently unoccupied.
2. There are underlying conditions that run with the land which have not been followed and are in violation of code. The one-acre existing vineyard is not permitted by conditions of original subdivision which allowed only drought resistant plantings. The existing barn is 3,200 square feet when it was permitted for 2,448 square feet.
3. The septic field is close to Watson Creek which used to run year round and is now seasonal at best. Increased wastewater could impact the creek. The area where the vineyard and septic field is located is outside the building envelope and is in the scenic easement. The property is a critical viewshed designated rural grazing and is not to be changed.
4. Estimates of water usage to grow one acre of grapes is 300,00 to 500,000 gallons per year. Applicant says he irrigates once a month and will import water for certain processes. Environmental Health requires that the rinsate from wine production will flow into a retention pond (located in scenic easement?)
5. Wine production will require several seasonal employees; how many are permitted with a cottage industry permit? Was a traffic report submitted? One condition for this permit is to pay traffic impact fees but this will not cause the road to be improved. Traffic impacts include importing most of the grapes for wine production and bringing several employees on site to do the work. Mr. Bell states that the grapes will be transported by his pick-up truck and trailer.
6. This is a for-profit commercial enterprise which will have a tasting room either in Carmel or Carmel Valley. Is this more than a cottage industry? Ms. Ku pointed out that Monterey County does not regulate the amount of water used for agriculture and that a cottage industry permit is for one year and then will be reviewed.

RECOMMENDATION:

This project IS NOT compatible with the residential neighborhood.

Motion by: Bean (LUAC Member's Name)

Second by: Mueller (LUAC Member's Name)

 Support Project as proposed

 Support Project with changes

 Continue the Item

Reason for Continuance: _____

Continue to what date: _____

Ayes: Rieger, Mueller, Keenan, Gobets, Weaver, Bean (6)

Noes: 0

Absent: Vandergrift, Pyburn (2)

Abstain: 0



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