

# **Monterey County**

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



## **Meeting Agenda - Final**

**Wednesday, October 13, 2021**  
**9:00 AM**

### **Monterey County Planning Commission**

*Ana Ambriz, Chair*  
*Francisco Mendoza, 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 in order to minimize the spread of the COVID-19 virus, in accordance with the State of Emergency proclaimed by Governor Newsom on March 4, 2020, Executive Order N-29-20 issued by Governor Newsom on March 17, 2020, and the Shelter in Place Order issued by the Monterey County Health Officer on March 17, 2020, as may be periodically amended.

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/99823588177?pwd=Y1d0eG1hOThGdkNEZG1vT1E0T0NqUT09>

**PARTICIPATE BY PHONE:** by dialing 1-669-900-6833 and then when prompted, entering the Meeting ID Access Code 998 2358 8177, PASSWORD: 828117

#### **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/99823588177?pwd=Y1d0eG1hOThGdkNEZG1vT1E0T0NqUT09>, or the public may listen via phone by dialing 1-669-900-6833 and then when prompted, entering the Meeting ID Access Code 998 2358 8177. Password: 828117

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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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](mailto: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, el 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/99823588177?](https://montereycty.zoom.us/j/99823588177?pwd=Y1d0eG1hOThtGdkNEZG1vT1E0T0NqUT09)

[pwd=Y1d0eG1hOThtGdkNEZG1vT1E0T0NqUT09](https://montereycty.zoom.us/j/99823588177?pwd=Y1d0eG1hOThtGdkNEZG1vT1E0T0NqUT09), 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: 998 2358 8177, Contraseña: 828117. 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 envíe 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](mailto: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 número 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 límite 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 proyecto, 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](mailto: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](mailto: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](mailto: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.us](mailto:pchearingcomments@co.monterey.ca.us) . 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](mailto: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**

Ana Ambriz	Paul C. Getzelman
Richard Coffelt	Ernesto G. Gonzalez
Francisco Javier Mendoza	Amy Roberts
Martha Diehl	Katharine Daniels
Etna Monsalve	

**PUBLIC COMMENTS**

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

**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, REQUESTS AND REFERRALS**

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

**9:00 A.M. – SCHEDULED MATTERS**

1. Conduct a public hearing to consider adopting a resolution recommending that the Board of Supervisors approve the proposed abandonment or vacation of the southerly 4.5 miles of Reliz Canyon Road, being that portion of Reliz Canyon Road lying near the south of the north line of Section 26 in Township 19 South, Range 6 East, Mount Diablo Meridian.

**Project Location:** Portion of Reliz Canyon Road in the area westerly of the City of Greenfield

**Plan Area:** Central Salinas Valley Area Plan

**Attachments:** [Continuance Memo](#)

2. Receive an update on Senate Bill (SB) No. 9, Atkins. Housing development: approvals.

**Attachments:** [HCD Memo](#)

[Attachment A - SB 9, Atkins. Housing development approvals.](#)

**APPROVAL/ACCEPTANCE OF MINUTES**

1. Acceptance of the April 12, 2017 Monterey County Planning Commission Meeting Minutes.  
**Attachments:**     [Draft Minutes 041217](#)
  
2. Acceptance of the April 26, 2017 Monterey County Planning Commission Meeting Minutes.  
**Attachments:**     [Draft Minutes 042617](#)
  
3. Acceptance of the May 10, 2017, Monterey County Planning Commission meeting minutes.  
**Attachments:**     [Draft Minutes 051017](#)
  
4. Acceptance of the May 31, 2017 Monterey County Planning Commission Meeting Minutes.  
**Attachments:**     [Draft Minutes 053117](#)
  
5. Acceptance of the June 14, 2017 Monterey County Planning Commission Meeting Minutes.  
**Attachments:**     [Draft Minutes 061417](#)
  
6. Acceptance of the June 28, 2017, Monterey County Planning Commission meeting minutes.  
**Attachments:**     [Draft Minutes - 062817](#)
  
7. Acceptance of the July 12, 2017 Monterey County Planning Commission meeting minutes.  
**Attachments:**     [Draft Minutes 071217](#)
  
8. Acceptance of the July 26, 2017, Monterey County Planning Commission meeting minutes.  
**Attachments:**     [Draft Minutes - 072617](#)
  
9. Acceptance of the August 9, 2017, Monterey County Planning Commission Meeting Minutes.  
**Attachments:**     [Draft Meeting Minutes 080917](#)
  
10. Acceptance of the September 13, 2017 Monterey County Planning Commission Meeting Minutes.  
**Attachments:**     [Draft Minutes 091317](#)

11. Acceptance of the September 27, 2017, Monterey County Planning Commission meeting minutes.

**Attachments:**     [Draft Minutes - 092717](#)

12. Acceptance of the October 25, 2017, Monterey County Planning Commission meeting minutes.

**Attachments:**     [Draft Minutes - 102517](#)

13. Acceptance of the November 15, 2017, Monterey County Planning Commission meeting minutes.

**Attachments:**     [Draft Meeting Minutes 111517](#)

14. Acceptance of the July 24, 2019, Monterey County Planning Commission meeting minutes.

**Attachments:**     [Draft Minutes - 072419](#)

15. Acceptance of the September 25, 2019 Monterey County Planning Commission Meeting Minutes.

**Attachments:**     [Draft Minutes 092519](#)

16. Acceptance of the October 30, 2019 Monterey County Planning Commission Meeting Minutes.

**Attachments:**     [Draft Minutes 103019](#)

17. Acceptance of the November 13, 2019, Monterey County Planning Commission meeting minutes.

**Attachments:**     [Draft Meeting Minutes 111319](#)

18. Acceptance of the December 4, 2019, Monterey County Planning Commission Meeting Minutes.

**Attachments:**     [Draft Meeting Minutes 120419](#)

19. Acceptance of the July 28, 2021, Monterey County Planning Commission meeting minutes.

**Attachments:**     [Draft Meeting Minutes 072821](#)

20. Acceptance of the August 25, 2021, Monterey County Planning Commission meeting minutes.

**Attachments:**     [Draft Meeting Minutes 082521](#)

21. Acceptance of the September 8, 2021, Monterey County Planning Commission meeting minutes.



**Attachments:**     [Draft Minutes 090821](#)

**OTHER MATTERS**

- 22.**     a.   Acknowledge the following resignations from the Cachagua Land Use Advisory Committee.
- Matthew Shea
  - Diane Miller
  - Sarah Haussermann
- b.   Acknowledge the following resignations from the North County Land Use Advisory Committee.
- Robert MacDonald
  - DL Grier
- c.   Acknowledge the following resignations from the Spreckels Neighborhood Design Review Committee.
- Jana Heer-Glowacki
  - Scott Henningsen
- d.   Reappoint the following members to the Cachagua Land Use Advisory Committee.
- Don Bonsper
  - Kathy Hebermann
- e.   Reappoint the following members to the Carmel Valley Land Use Advisory Committee.
- Janet Brennan
  - Charles “Charly” Franklin
  - James Kendall
  - Judy MacClelland
  - David Burbidge
  - James Anzini
- f.   Reappoint the following members to the Carmel Highlands Land Use Advisory Committee.
- John Borelli
  - Said “Jack” Meheen
  - Dan Keig
  - Holli Leon
  - Clyde Freedman
- g.   Reappoint the following members to the Big Sur Land Use Advisory Committee.
- S Richard Ravich
  - Mary Trotter
  - David Smiley
  - Steve Beck
  - Marcus Foster
- h.   Reappoint the following members to the South Coast Land Use Advisory Committee.
- John Handy
  - Constance McCoy
  - Lindsay Romanov

- Harry Harris
- i. Reappoint the following members to the North County Land Use Advisory Committee.
  - Sherry Owen
  - John Robinett
  - David Evans
  - Michael Mastroianni
  - Lesley Noble
  - Emily Tafoya
- j. Reappoint the following members to the Greater Monterey Peninsula Land Use Advisory Committee.
  - Joy Jacobs
  - Ron DeHoff
  - Linda Agrati
- k. Reappoint the following members to the Toro Land Use Advisory Committee.
  - Michael Mueller
  - Mike Weaver
  - Beverly Bean
  - Lauren Keenan
  - Robert Rieger
  - Roy Gobets
  - William Pyburn
  - Ronald Vandergrift
- l. Reappoint the following members to the South County Land Use Advisory Committee.
  - Ed Buntz
  - Caroline “Carol” Kenyon
  - Greg Michael Traynor
  - Debbie Roberson
  - Bart Bartosh
- m. Reappoint the following members to the Castroville Land Use Advisory Committee.
  - Monique Rodriguez
  - Ron Stefani
  - Grant Leonard
  - Debra Torres
  - Cosme Padilla
- n. Reappoint the following members to the Del Monte Forest Land Use Advisory Committee.
  - Bart Bruno
  - Ned Van Roekel
  - Lori Lietzke
  - Carol Church
  - Rick Verbanec
  - Maureen Lyon
  - Kamlesh Parikh

- Kim Caneer
- o. Reappoint James Riley to the Spreckels Neighborhood Design Review Committee.

## 23. PLANNING COMMISSION REFERRALS

**Attachments:**     [PC REFERRAL SPREADSHEET 10-13-2021](#)

## DEPARTMENT REPORT

## ADJOURNMENT



# Monterey County

## Item No.1

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: PC 21-086

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

Conduct a public hearing to consider adopting a resolution recommending that the Board of Supervisors approve the proposed abandonment or vacation of the southerly 4.5 miles of Reliz Canyon Road, being that portion of Reliz Canyon Road lying near the south of the north line of Section 26 in Township 19 South, Range 6 East, Mount Diablo Meridian.

**Project Location:** Portion of Reliz Canyon Road in the area westerly of the City of Greenfield

**Plan Area:** Central Salinas Valley Area Plan

#### RECOMMENDATION:

It is recommended that the Planning Commission continue the hearing regarding a report to the Board regarding any proposed abandonment or vacation of public right-of-way as to conformity with the Monterey County General Plan and the Central Salinas Valley County Area Plan to November 10, 2021.

#### SUMMARY:

The petitioners are requesting the abandonment or vacation of the southerly 4.5 miles of Reliz Canyon Road. Staff has been working with the applicant and the U.S Forest Service on the proposal and additional time is needed in order to make a complete presentation to the Planning Commission on this matter.

Prepared by: Michael K. Goetz, PLS, County Surveyor, Ext. 4940

Reviewed by: Craig Spencer, Chief of Planning

Approved by: Randy Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities & Parks  
Erik V. Lundquist, AICP, Director of Housing and Community Development

cc: Front Counter Copy; Planning Commission (10); Tony Lombardo (Anthony Lombardo & Associates); Erik Lundquist, HCD Director; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Reliz Canyon Canyon Road Abandonment File



# Monterey County Planning Commission

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Agenda Item No. 1

Legistar File Number: PC 21-086

October 13, 2021

Introduced: 10/5/2021

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

Conduct a public hearing to consider adopting a resolution recommending that the Board of Supervisors approve the proposed abandonment or vacation of the southerly 4.5 miles of Reliz Canyon Road, being that portion of Reliz Canyon Road lying near the south of the north line of Section 26 in Township 19 South, Range 6 East, Mount Diablo Meridian.

**Project Location:** Portion of Reliz Canyon Road in the area westerly of the City of Greenfield **Plan Area:** Central Salinas Valley Area Plan

### RECOMMENDATION:

It is recommended that the Planning Commission continue the hearing regarding a report to the Board regarding any proposed abandonment or vacation of public right-of-way as to conformity with the Monterey County General Plan and the Central Salinas Valley County Area Plan to November 10, 2021.

### SUMMARY:

The petitioners are requesting the abandonment or vacation of the southerly 4.5 miles of Reliz Canyon Road. Staff has been working with the applicant and the U.S Forest Service on the proposal and additional time is needed in order to make a complete presentation to the Planning Commission on this matter.

Prepared by: Michael K. Goetz, PLS, County Surveyor, Ext. 4940

Reviewed by: Craig Spencer, Chief of Planning

Approved by: Randy Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities & Parks  
Erik V. Lundquist, AICP, Director of Housing and Community Development

cc: Front Counter Copy; Planning Commission (10); Tony Lombardo (Anthony Lombardo & Associates); Erik Lundquist, HCD Director; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Reliz Canyon Canyon Road Abandonment File



# Monterey County

## Item No.2

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: PC 21-085

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

Receive an update on Senate Bill (SB) No. 9, Atkins. Housing development: approvals.

# MONTEREY COUNTY

## HOUSING AND COMMUNITY DEVELOPMENT

Erik V. Lundquist, AICP, Director

HOUSING, PLANNING, BUILDING, ENGINEERING, ENVIRONMENTAL SERVICES

1441 Schilling Place, South 2nd Floor  
Salinas, California 93901-4527



(831)755-5025  
www.co.monterey.ca.us

### PLANNING COMMISSION MEMORANDUM

**Date:** October 13, 2021

**To:** Chair Ambriz and Planning Commission Members

**From:** Erik V. Lundquist, HCD Director

**Subject:** Senate Bill (SB) No. 9, Atkins. Housing development: approvals

Governor Newsom recently signed into law SB 9. The law is effective January 1, 2022.

**SB 9** would allow homeowners to **construct up to four units** on their property in two ways: conversion of a single-family home into a duplex and subdivision of the parcel into two, which would allow an additional duplex or single-family home to be built on the new parcel. Either action is to be ministerial, without public notice or hearing, and exempt from CEQA.

**SB 9** has numerous **exceptions** and limitations, though, that are designed to preserve rental and low-income housing, deter speculators, guard against displacement and retain local governments' control over design standards, while also preventing local officials from adopting rules that undermine the law. These include:

- Only urbanized areas and urban clusters<sup>1</sup> are addressed by the law, see Figure 1.
- Farms, wetlands, lots at high risk of fire or flooding, and historic districts are exempt.
- Units reserved for low-income housing or that had been rented within the previous three years could not be altered or demolished.
- Units built under the law cannot be offered for short term rental.
- The property owner subdividing their lot must commit to living in one of the units for at least three years.
- The subdivided lots have to be at least 1,200 square feet each and comparable in size.
- The units have to be at least 800 sq. ft in size and can be adjacent or connected.

Local governments can impose safety standards and regulate the appearance of the units, and to some degree placement on the lots. The local government may not require more than one off-street parking area per unit, or any off-street parking if the units are within half a mile of public transit. Local governments still have to approve plans and issue building permits pursuant to local codes.

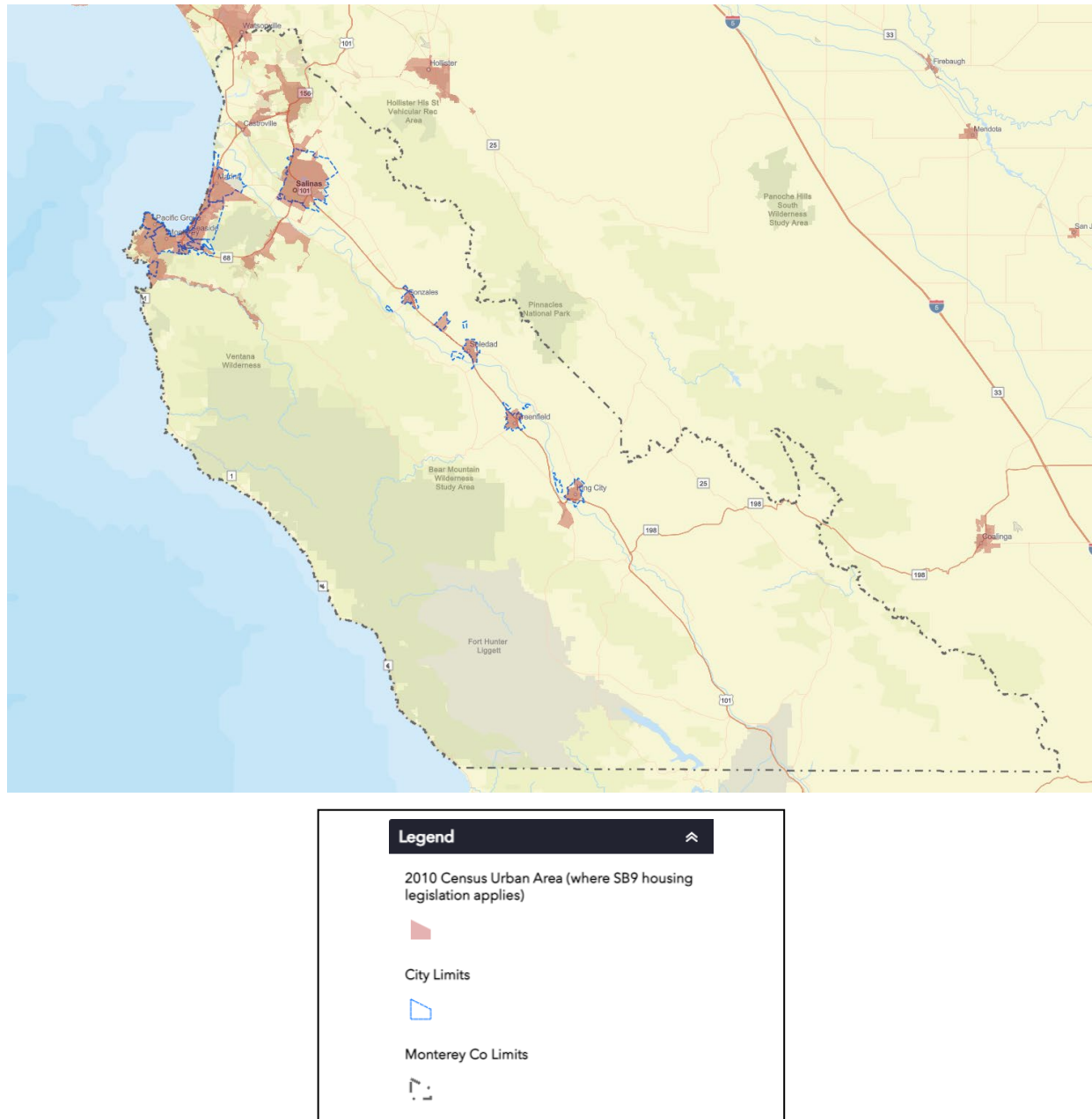
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<sup>1</sup> The definition of an "urban cluster" is a "densely settled territory that has at least 2500 people, but fewer than 50,000 persons" (US Census Bureau 2010),

A recent analysis by the Turner Center for Housing at UC Berkeley projects that only a small percentage of residential lots would see extra units as a consequence of the bill, simply because the extra construction would not make financial sense in most places. According to the center, projects would pencil out on just 5.4% of the state's 7.5 million single-family lots. Nevertheless, a small percentage of 7.5 million lots could still yield many extra homes. The center's analysis projected that the law would result in 714,000 new units being built statewide over the coming years.

**Figure 1**

*\*The map only includes the Urban Areas and does not reference other exclusions.*



**Attachment**

Attachment A - SB 9, Atkins. Housing development: approvals.



## **Senate Bill No. 9**

### **CHAPTER 162**

An act to amend Section 66452.6 of, and to add Sections 65852.21 and 66411.7 to, the Government Code, relating to land use.

[Approved by Governor September 16, 2021. Filed with  
Secretary of State September 16, 2021.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

SB 9, Atkins. Housing development: approvals.

The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions.

This bill, among other things, would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving the construction of 2 residential units, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of up to 2 units or physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances.

The Subdivision Map Act vests the authority to regulate and control the design and improvement of subdivisions in the legislative body of a local agency and sets forth procedures governing the local agency's processing, approval, conditional approval or disapproval, and filing of tentative, final, and parcel maps, and the modification of those maps. Under the Subdivision Map Act, an approved or conditionally approved tentative map expires 24

months after its approval or conditional approval or after any additional period of time as prescribed by local ordinance, not to exceed an additional 12 months, except as provided.

This bill, among other things, would require a local agency to ministerially approve a parcel map for an urban lot split that meets certain requirements, including, but not limited to, that the urban lot split would not require the demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the parcel is located within a single-family residential zone, and that the parcel is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving an urban lot split, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of 2 units, as defined, on either of the resulting parcels or physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances. The bill would require an applicant to sign an affidavit stating that they intend to occupy one of the housing units as their principal residence for a minimum of 3 years from the date of the approval of the urban lot split, unless the applicant is a community land trust or a qualified nonprofit corporation, as specified. The bill would prohibit a local agency from imposing any additional owner occupancy standards on applicants. By requiring applicants to sign affidavits, thereby expanding the crime of perjury, the bill would impose a state-mandated local program.

The bill would also extend the limit on the additional period that may be provided by ordinance, as described above, from 12 months to 24 months and would make other conforming or nonsubstantive changes.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment. CEQA does not apply to the approval of ministerial projects.

This bill, by establishing the ministerial review processes described above, would thereby exempt the approval of projects subject to those processes from CEQA.

The California Coastal Act of 1976 provides for the planning and regulation of development, under a coastal development permit process, within the coastal zone, as defined, that shall be based on various coastal resources planning and management policies set forth in the act.

This bill would exempt a local agency from being required to hold public hearings for coastal development permit applications for housing developments and urban lot splits pursuant to the above provisions.

By increasing the duties of local agencies with respect to land use regulations, the bill would impose a state-mandated local program.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

*The people of the State of California do enact as follows:*

SECTION 1. Section 65852.21 is added to the Government Code, to read:

65852.21. (a) A proposed housing development containing no more than two residential units within a single-family residential zone shall be considered ministerially, without discretionary review or a hearing, if the proposed housing development meets all of the following requirements:

(1) The parcel subject to the proposed housing development is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(2) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(3) Notwithstanding any provision of this section or any local law, the proposed housing development would not require demolition or alteration of any of the following types of housing:

(A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(B) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(C) Housing that has been occupied by a tenant in the last three years.

(4) The parcel subject to the proposed housing development is not a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(5) The proposed housing development does not allow the demolition of more than 25 percent of the existing exterior structural walls, unless the housing development meets at least one of the following conditions:

(A) If a local ordinance so allows.

(B) The site has not been occupied by a tenant in the last three years.

(6) The development is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(b) (1) Notwithstanding any local law and except as provided in paragraph (2), a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards that do not conflict with this section.

(2) (A) The local agency shall not impose objective zoning standards, objective subdivision standards, and objective design standards that would have the effect of physically precluding the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area.

(B) (i) Notwithstanding subparagraph (A), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(ii) Notwithstanding subparagraph (A), in all other circumstances not described in clause (i), a local agency may require a setback of up to four feet from the side and rear lot lines.

(c) In addition to any conditions established in accordance with subdivision (b), a local agency may require any of the following conditions when considering an application for two residential units as provided for in this section:

(1) Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(2) For residential units connected to an onsite wastewater treatment system, a percolation test completed within the last 5 years, or, if the percolation test has been recertified, within the last 10 years.

(d) Notwithstanding subdivision (a), a local agency may deny a proposed housing development project if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is

no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(f) Notwithstanding Section 65852.2 or 65852.22, a local agency shall not be required to permit an accessory dwelling unit or a junior accessory dwelling unit on parcels that use both the authority contained within this section and the authority contained in Section 66411.7.

(g) Notwithstanding subparagraph (B) of paragraph (2) of subdivision (b), an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(h) Local agencies shall include units constructed pursuant to this section in the annual housing element report as required by subparagraph (I) of paragraph (2) of subdivision (a) of Section 65400.

(i) For purposes of this section, all of the following apply:

(1) A housing development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing unit.

(2) The terms “objective zoning standards,” “objective subdivision standards,” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(3) “Local agency” means a city, county, or city and county, whether general law or chartered.

(j) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(k) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for a housing development pursuant to this section.

SEC. 2. Section 66411.7 is added to the Government Code, to read:

66411.7. (a) Notwithstanding any other provision of this division and any local law, a local agency shall ministerially approve, as set forth in this section, a parcel map for an urban lot split only if the local agency determines that the parcel map for the urban lot split meets all the following requirements:

(1) The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.

(2) (A) Except as provided in subparagraph (B), both newly created parcels are no smaller than 1,200 square feet.

(B) A local agency may by ordinance adopt a smaller minimum lot size subject to ministerial approval under this subdivision.

(3) The parcel being subdivided meets all the following requirements:

(A) The parcel is located within a single-family residential zone.

(B) The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(C) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(D) The proposed urban lot split would not require demolition or alteration of any of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(iv) Housing that has been occupied by a tenant in the last three years.

(E) The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(F) The parcel has not been established through prior exercise of an urban lot split as provided for in this section.

(G) Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split as provided for in this section.

(b) An application for a parcel map for an urban lot split shall be approved in accordance with the following requirements:

(1) A local agency shall approve or deny an application for a parcel map for an urban lot split ministerially without discretionary review.

(2) A local agency shall approve an urban lot split only if it conforms to all applicable objective requirements of the Subdivision Map Act (Division

2 (commencing with Section 66410)), except as otherwise expressly provided in this section.

(3) Notwithstanding Section 66411.1, a local agency shall not impose regulations that require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map for an urban lot split pursuant to this section.

(c) (1) Except as provided in paragraph (2), notwithstanding any local law, a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards applicable to a parcel created by an urban lot split that do not conflict with this section.

(2) A local agency shall not impose objective zoning standards, objective subdivision standards, and objective design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.

(3) (A) Notwithstanding paragraph (2), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(B) Notwithstanding paragraph (2), in all other circumstances not described in subparagraph (A), a local agency may require a setback of up to four feet from the side and rear lot lines.

(d) Notwithstanding subdivision (a), a local agency may deny an urban lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) In addition to any conditions established in accordance with this section, a local agency may require any of the following conditions when considering an application for a parcel map for an urban lot split:

(1) Easements required for the provision of public services and facilities.

(2) A requirement that the parcels have access to, provide access to, or adjoin the public right-of-way.

(3) Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(f) A local agency shall require that the uses allowed on a lot created by this section be limited to residential uses.

(g) (1) A local agency shall require an applicant for an urban lot split to sign an affidavit stating that the applicant intends to occupy one of the

housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.

(2) This subdivision shall not apply to an applicant that is a “community land trust,” as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code.

(3) A local agency shall not impose additional owner occupancy standards, other than provided for in this subdivision, on an urban lot split pursuant to this section.

(h) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(i) A local agency shall not require, as a condition for ministerial approval of a parcel map application for the creation of an urban lot split, the correction of nonconforming zoning conditions.

(j) (1) Notwithstanding any provision of Section 65852.2, 65852.21, 65852.22, 65915, or this section, a local agency shall not be required to permit more than two units on a parcel created through the exercise of the authority contained within this section.

(2) For the purposes of this section, “unit” means any dwelling unit, including, but not limited to, a unit or units created pursuant to Section 65852.21, a primary dwelling, an accessory dwelling unit as defined in Section 65852.2, or a junior accessory dwelling unit as defined in Section 65852.22.

(k) Notwithstanding paragraph (3) of subdivision (c), an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(l) Local agencies shall include the number of applications for parcel maps for urban lot splits pursuant to this section in the annual housing element report as required by subparagraph (I) of paragraph (2) of subdivision (a) of Section 65400.

(m) For purposes of this section, both of the following shall apply:

(1) “Objective zoning standards,” “objective subdivision standards,” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(2) “Local agency” means a city, county, or city and county, whether general law or chartered.

(n) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be



considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(o) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for urban lot splits pursuant to this section.

SEC. 3. Section 66452.6 of the Government Code is amended to read:

66452.6. (a) (1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 24 months. However, if the subdivider is required to expend two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way that abut the boundary of the property to be subdivided and that are reasonably related to the development of that property, each filing of a final map authorized by Section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 48 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

(2) Commencing January 1, 2012, and each calendar year thereafter, the amount of two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) shall be annually increased by operation of law according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The effective date of each annual adjustment shall be March 1. The adjusted amount shall apply to tentative and vesting tentative maps whose applications were received after the effective date of the adjustment.

(3) "Public improvements," as used in this subdivision, include traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities, and lighting facilities.

(b) (1) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.

(2) The length of time specified in paragraph (1) shall be extended for up to three years, but in no event beyond January 1, 1992, during the pendency of any lawsuit in which the subdivider asserts, and the local agency that approved or conditionally approved the tentative map denies, the existence or application of a development moratorium to the tentative map.

(3) Once a development moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

(c) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the local agency pursuant to this section. After service of the initial petition or complaint in the lawsuit upon the local agency, the subdivider may apply to the local agency for a stay pursuant to the local agency's adopted procedures. Within 40 days after receiving the application, the local agency shall either stay the time period for up to five years or deny the requested stay. The local agency may, by ordinance, establish procedures for reviewing the requests, including, but not limited to, notice and hearing requirements, appeal procedures, and other administrative requirements.

(d) The expiration of the approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed with the legislative body without first processing a new tentative map. Once a timely filing is made, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording, may lawfully occur after the date of expiration of the tentative map. Delivery to the county surveyor or city engineer shall be deemed a timely filing for purposes of this section.

(e) Upon application of the subdivider filed before the expiration of the approved or conditionally approved tentative map, the time at which the map expires pursuant to subdivision (a) may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years. The period of extension specified in this subdivision shall be in addition to the period of time provided by subdivision (a). Before the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

(f) For purposes of this section, a development moratorium includes a water or sewer moratorium, or a water and sewer moratorium, as well as other actions of public agencies that regulate land use, development, or the provision of services to the land, including the public agency with the authority to approve or conditionally approve the tentative map, which thereafter prevents, prohibits, or delays the approval of a final or parcel map. A development moratorium shall also be deemed to exist for purposes of this section for any period of time during which a condition imposed by the city or county could not be satisfied because of either of the following:

(1) The condition was one that, by its nature, necessitated action by the city or county, and the city or county either did not take the necessary action or by its own action or inaction was prevented or delayed in taking the necessary action before expiration of the tentative map.

(2) The condition necessitates acquisition of real property or any interest in real property from a public agency, other than the city or county that approved or conditionally approved the tentative map, and that other public agency fails or refuses to convey the property interest necessary to satisfy the condition. However, nothing in this subdivision shall be construed to require any public agency to convey any interest in real property owned by it. A development moratorium specified in this paragraph shall be deemed to have been imposed either on the date of approval or conditional approval of the tentative map, if evidence was included in the public record that the public agency that owns or controls the real property or any interest therein may refuse to convey that property or interest, or on the date that the public agency that owns or controls the real property or any interest therein receives an offer by the subdivider to purchase that property or interest for fair market value, whichever is later. A development moratorium specified in this paragraph shall extend the tentative map up to the maximum period as set forth in subdivision (b), but not later than January 1, 1992, so long as the public agency that owns or controls the real property or any interest therein fails or refuses to convey the necessary property interest, regardless of the reason for the failure or refusal, except that the development moratorium shall be deemed to terminate 60 days after the public agency has officially made, and communicated to the subdivider, a written offer or commitment binding on the agency to convey the necessary property interest for a fair market value, paid in a reasonable time and manner.

SEC. 4. The Legislature finds and declares that ensuring access to affordable housing is a matter of statewide concern and not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Sections 1 and 2 of this act adding Sections 65852.21 and 66411.7 to the Government Code and Section 3 of this act amending Section 66452.6 of the Government Code apply to all cities, including charter cities.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act or

because costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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# Monterey County

## Item No.1

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-051

October 13, 2021

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**Introduced:** 9/29/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the April 12, 2017 Monterey County Planning Commission Meeting Minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, April 12, 2017**

**9:00 AM**

**Monterey County Planning Commission**

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Padilla at 9:02 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Hert.

**ROLL CALL****Present:**

Ana Ambriz

Cosme Padilla

Martha Diehl

Jose Mendez (arrived at 9:07 a.m.)

Melissa Duflock

Don Rochester

Paul C .Getzelman

Keith Vandevere

Luther Hert

**Absent:**

Amy Roberts

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Secretary, Jacqueline Onciano, informed Commissioners of a correction on Item No. 5 project's location it should read North County Land Use Plan, not North Carmel.

Commission Clerk, Jacquelyn Nickerson, informed the Commissioners of the following documents on dais; Memorandum for agenda Item No. 4 for PLN140624 - Martignoni, and two exhibits distributed for Item No. 7 under Department update.

**PUBLIC COMMENT**

The following comments were made regarding Short-Term Rentals (STR):

- 1.) Richard Matthews
- 2.) Sylvia Savage
- 3.) Jan Leasure
- 4.) Lydia Marin

Secretary Onciano advised that the Short-Term Rentals Item was set for the last hearing. Supervisor requested that the item not move forward to the Commission. STR's has been continued the hearing to a date uncertain, when Big Sur and residence have a way to come to the hearing or a way to access the meeting.

Commissioner Mendez arrived at the dais at 9:07 a.m.

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**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

None.

**APPROVAL OF MINUTES**

- 1 Acceptance of the January 11, 2017 Planning Commission Meeting Minutes.

**It was moved by Commissioner Diehl, seconded by Commissioner Padilla and passed by the following vote to accept the January 11, 2017 Planning Commission Minutes.**

**AYES: Diehl, Duflock, Mendez, Padilla, Getzelman, Hert, Rochester, Duflock**

**NOES: None**

**ABSENT: Roberts**

**ABSTAIN: Ambriz, Vandever**

- 2 Acceptance of the January 25, 2017 Planning Commission minutes.

**It was moved by Commissioner Diehl, seconded by Commissioner Padilla and passed by the following vote to accept the January 25, 2017 Planning Commission Minutes.**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Padilla, Roberts, Rochester**

**NOES: None**

**ABSENT: Roberts**

**ABSTAIN: Mendez, Vandever**

**9:00 A.M. - SCHEDULED MATTERS**

- 3 **PLN160233 - HILL**

**Hearing continued from August 31, October 26, and November 9, 2016, and January 25, 2017. Public hearing to consider action on an Administrative Permit to allow transient use (short-term rental) of an existing single-family dwelling.**

**Project Location:** 3097 Sloat Road, Pebble Beach, Greater Monterey Peninsula Area Plan

**Proposed CEQA Action:** Action to deny a project is Statutorily Exempt from per Section 15270 of the CEQA Guidelines.

**Project Planner, Joe Sidor, along with Brandon Swanson, Project Manager, presented the project.**

**Staff received a request from applicant for another continuance to a date certain. To date, the applicant or Pebble Beach Company have not come to an agreement. Therefore, Staff recommends denial of the Administrative Permit and find that the denial is exempt from CEQA pursuant to Section 15270 of the CEQA Guidelines.**



**Applicant's Representative: None**

**Public Comment: None**

**It was moved by Commissioner Diehl to deny the project, seconded by Commissioner Ambriz and passed by the following vote:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Rochester, Vandever**

**NOES: None**

**ABSENT: Roberts**

**ABSTAIN: None**

- 4 PLN140624 - MARTIGNONI ROCCI TRUSTEES, ET AL (AGRO THRIVE, INC)**  
Public hearing to consider a Use Permit to expand an existing liquid fertilizer manufacturing/processing plant, to add digester, homogenizing, liquid storage, mixer tanks, and an additional grinder.  
**Project Location:** 26775 Old Stage Road, Gonzales, Central Salinas Valley Area Plan  
**Proposed CEQA Action:** Approve the Amplification and Clarifications on the draft Negative Declaration.

**Project Planner Dee Van Donselaar accompanied by Senior Planner David Mack and RMA Services Manager Brandon Swanson, presented the project. Staff indicated suggested corrections for Commission consideration have been provided on an errata memorandum distributed on the dais.**

**Applicant: Dragan Macera**

**Public Comment: John Tessaker, David Spaur**

**It was moved by Commissioner Duflock to approve staff's recommendation, seconded by Commissioner Vandever and passed by the following vote with the revisions as recommended:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Rochester, Vandever**

**NOES: None**

**ABSENT: Roberts**

**ABSTAIN: None**

**5 PLN160754 - MITANI**

Public hearing to consider a Lot Line Adjustment between two (2) contiguous legal lots of record of approximately 0.47 acres (APN:119-152-013-000, Parcel A) and 0.5 acres (APN:119-152-014-000, Parcel B), resulting in two (2) parcels of 0.72 acres (Parcel A) and 0.25 acres (Parcel B), respectively.

**Project Location:** 56 Sill Road, Royal Oaks, North Carmel Land Use Plan.

**Proposed CEQA Action:** Categorically Exempt per Section 15305(a) of the CEQA Guidelines.

**Project Planner, Dee Van Donselaar, accompanied by RMA Services Manager, Brandon Swanson, presented the project.**

**Applicant's Representative: Kathy Mitani**

**Public Comment: None**

**Chad Alinio of Public Works requested a revision to condition of approval number 4. The Applicant agreed with revised condition by Public Works**

**It was moved by Commissioner Padilla to approve staff's recommendation, seconded by Commissioner Vandever passed by the following vote to with the revisions as recommended:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Rochester, Vandever**

**NOES: None**

**ABSENT: Roberts**

**ABSTAIN: None**

**OTHER MATTERS**

- 6** Appoint Grant Leonard to the Castroville Land Use Advisory Committee.

**It was moved by Commissioner Padilla to appoint Grant Leonard, seconded by Commissioner Diehl passed by the following vote:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Rochester, Vandever**

**NOES: None**

**ABSENT: Roberts**

**ABSTAIN: None**

**DEPARTMENT REPORT**

- 7 Status of Cannabis regulations and Permitting update.

**Project Planner, Craig Spencer, accompanied by Brandon Swanson, RMA Services Manager, presented the information regarding the Cannabis applications received by the Development Review Committee.**

**Currently there are 76 Cannabis applications of which 2 to 3 are being reviewed by the Development Review Committee on a weekly basis.**

**Staff recommends the creation of a permitting policy so the process is fair, and update the ordinance to remove the setback required for dispensaries.**

**ADJOURNMENT**

**The meeting was adjourned by Chair Padilla at 11:35 a.m.**

**APPROVED:**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY: \_\_\_\_\_**  
**JACQUELYN NICKERSON**  
**PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.2

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-060

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the April 26, 2017 Monterey County Planning Commission Meeting Minutes.



**Monterey County**  
**Monterey County Planning**  
**Commission**  
**Meeting Minutes - Draft**

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

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**Wednesday, April 26, 2017**

**9:00 AM**

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**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Rochester at 9:01 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Mendez.

**ROLL CALL**

**Present:**

**Martha Diehl**

**Cosme Padilla**

**Melissa Duflock**

**Amy Roberts**

**Paul Getzelman**

**Don Rochester**

**Luther Hert**

**Keith Vandever**

**Jose Mendez**

**Absent:**

**Ana Ambriz**

**PUBLIC COMMENT**

**None.**

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

The Commission Clerk informed the Commission of the deletion of its Approval/Acceptance of Minutes; and a memorandum and four public comments for Agenda Item No. 5 – PLN140715-AMD1 – Bardis.

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

Secretary Onciano requested for Item No. 5 - PLN140715-AMD 1 - Bardis to be considered first due to the fact that staff presenting the project has a conflicting meeting with the Coastal Commission relative to the Moss Landing Community Plan (MLCP). Chair Rochester granted the requested.

**9:00 A.M. SCHEDULED MATTERS**

**5. PLN140715 - AMD1 - BARDIS****PC 17-020**

Public hearing to consider driveway (grading) improvements on slopes in excess of 30%,

**Project Location:** 1525 Riata Road, Pebble Beach, Del Monte Forest Land Use Plan

**Proposed CEQA Action:** Categorically Exempt per Section 15304 of the CEQA Guidelines

**Project Planner, David Mack, along with RMA Services Manager, Brandon Swanson, presented the project.**

**Staff received a request from the applicant for another continuance to a date certain. To date, the applicant and Pebble Beach Company have not come to a resolution. Therefore, staff recommended to deny the Administrative Permit.**

**Applicant's Representative: Chris Bardis**

**Public Comment: John Bridges, representing Tracy Alford.**

**It was moved by Commissioner Roberts, seconded by Commissioner Duflock and approved by the following vote to deny the project:**

**AYES: Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester, Vandever**

**NOES: None**

**ABSENT: Ambriz**

**ABSTAIN: None**

**2. PLN150636 - CARMEL HOLDINGS LLC****PC 17-019**

Public hearing to consider installation of a 48-foot long and 16 to 20 foot high bluff stabilization wall within 50 feet of a coastal bluff, on slopes in excess of 30%, and within 100-feet of an environmentally sensitive habitat.

**Project Location:** 30590 Aurora Del Mar, Carmel, Big Sur Coast Land Use Plan

**Proposed CEQA Action:** Consider adoption of a Mitigated Negative Declaration

**Project Planner, Anna Quenga, along with RMA Services Manager, Brandon Swanson, presented the project.**

**Applicant's Representative: Bud Carney, Agent to Steve Flannery**

**Public Comment: None.**

**Senior Deputy County Counsel Wendy Strimling made a correction to Condition No. 2 to reflect today's date.**

**It was moved by Commissioner Diehl, seconded by Commissioner Getzelman and approved by the following vote to approve the project as amended:**

**AYES: Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts,**

**Rochester, Vandever**

**NOES: None**

**ABSENT: Ambriz**

**ABSTAIN: None**

**3. PLN170123 - MORISOLI (AMARAL)**

**PC 17-022**

Public hearing to consider: a one year extension to February 14, 2018 of a previously approved Combined Development Permit/Vesting Tentative Map (Morisoli [Amaral]/PLN020016)

**Project Location:** Westerly of the intersection of Pine Canyon and Jolon Roads, King City, Central Salinas Valley Area Plan

**CEQA Action:** Consider previously certified Environmental Impact Report (SCH No. 97041029)

**Project Planner, Cheryl Ku, along with RMA Services Manager, Brandon Swanson, presented the project.**

**Applicant's Representative: Anthony Lombardo**

**Public Comment: None**

**It was moved by Commissioner Duflock, seconded by Commissioner Getzelman and passed by the following vote to approve the project:**

**AYES: Duflock, Getzelman, Hert, Padilla, Roberts, Rochester**

**NOES: Diehl, Mendez, Vandever**

**ABSENT: Ambriz**

**ABSTAIN: None**

**4. PLN140223 - SLAMA KENNETH EUGENE TR**

**PC 17-021**

Public hearing to consider a General Development Plan for a Mini -storage facility, conversion of an existing two-story office building, and administrative permit for a small water system.

**Project Location:** 14 Spreckels Lane, Salinas, Greater Salinas Area Plan

**Proposed CEQA Action:** Adopt Negative Declaration (REVISED EXHIBIT C ADDED VIA SUPPLEMENTAL)

**Project Planner, Jaime Guthrie, along with RMA Services Manager, Brandon Swanson, presented the project.**

**Commissioner Getzelman requested if there was a General Development Plan and staff provided copies electronically along with the Conditions of Approval and Site Plans.**

**Item 4 trailed until after item 6.**

**OTHER MATTERS**

**None.**

**DEPARTMENT REPORT**

6. Receive a verbal update on the transportation accommodation for Big Sur residents to attend the Planning Commission hearing on Short Term Rentals.

[PC 17-023](#)

Secretary Jacqueline R. Onciano explained the avenues that were being discussed for making accommodations. The STR item will be coming back to the Planning Commission on May 10th 2017.

Commissioner Diehl suggested that to possibly modify directive from the Board of Supervisors to remove Big Sur until the bridge is fixed.

Ms. Beretti stated that the bridge may not be fixed until September 2017.

Deliberation occurred between the Commissioners and staff regarding the inland and coastal portion of the STR Ordinance.

4. PLN140223 - SLAMA KENNETH EUGENE TR

Commissioner Vandevere motioned to continue the hearing of this item to the date certain of May 10, 2017, with a second by Commissioner Roberts and passed by the following vote:

AYES: Duflock, Getzelman, Hert, Padilla, Roberts, Rochester, Diehl, Mendez, Vandevere

NOES: None

ABSENT: Ambriz

ABSTAIN: None

ADJOURNMENT

The meeting was adjourned at 11:09 a.m.

APPROVED:

JACQUELINE R. ONCIANO  
PLANNING COMMISSION SECRETARY

ATTEST:



**BY: JACQUELYN NICKERSON PLANNING COMMISSION CLERK**

**APPROVED ON**

**APPROVED:**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY: \_\_\_\_\_**  
**JACQUELYN NICKERSON**  
**PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.3

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-056

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the May 10, 2017, Monterey County Planning Commission meeting minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, May 10, 2017**

**9:00 AM**

**Monterey County Planning Commission**

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Rochester at 9:00 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Duflock.

**ROLL CALL**

Present:

Ana Ambriz

Jose Mendez (arrived at 9:10 a.m.)

Martha Diehl

Amy Roberts

Melissa Duflock

Don Rochester

Paul C. Getzelman

Keith Vandever

Luther Hert

Absent:

Cosme Padilla

**PUBLIC COMMENT**

None.

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Jacquelyn Nickerson informed the Commission of the following documents distributed on the dais:

Packet of additional correspondence and correspondence submitted by the public on Agenda Item No. 1 (PLN140089 – Carmel Rio Road);

Packet of additional correspondence for Agenda Item No. 2 (PLN140233 – Slama);

Packet of additional correspondence and an Errata Memorandum for Agenda Item No. 4 (PLN130516 – Big Sur Preservation);

Errata Memorandum for Agenda Item No. 5 (Portuguese Canyon Road Abandonment);

Errata Memorandum for Agenda Item No. 7 (PLN160059 – Salinas Self Storage); and;

Packet of additional correspondence for Agenda Item No. 8 (REF100042/REF130043 – Short Term Rentals Ordinances).

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

Commissioner Getzelman requested an agenda item for a discussion on a creation of an Ad Hoc Committee to work with the Planning Department on policy issues due to the amount of time that these items take.

**9:00 A.M. SCHEDULED MATTERS**

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**1. PLN140089 - CARMEL RIO ROAD LLC (CLARK)**

Public hearing to consider an Environmental Impact Report, zoning amendments, and an application to subdivide three existing lots totaling approximately 7.92 acres into 25 lots and related Use Permit; adopt a motion of intent; and continue the hearing to May 31 to adopt a recommendation to the Board of Supervisors.

**Project Location:** 26500 Val Verde Drive, Carmel Valley Master Plan

**Proposed CEQA action:** Certification of an Environmental Impact Report (SCH#2015071046)

**Project Planner, Bob Shubert, and RMA Services Manager, Brandon Swanson, presented the project.**

**Applicant's Representative: Bryan Clark**

**Public Comment: Molly Erickson, Leeman D., Eric Sand, Michael Galapa, Priscilla Walton, Rick Manning, Margaret Robinson, Dick Scott, Tim Brodman, Maxine King.**

**It was moved by Commissioner Vandever to recommend denial of the project, the EIR not be certified, and the Zoning Ordinance not be adopted to the Board of Supervisors, seconded by Commissioner Diehl and approved by the following vote:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Roberts, Rochester, Vandever**

**NOES: Mendez**

**ABSENT: Padilla**

**ABSTAIN: None**

**2. PLN140223 - SLAMA KENNETH EUGENE TR (CONTINUED FROM APRIL 26, 2017)**

Public hearing to consider a General Development Plan for a Mini -storage facility, conversion of an existing two-story office building, and administrative permit for a small water system.

**Project Location:** 14 Spreckels Lane, Salinas, Greater Salinas Area Plan

**Proposed CEQA Action:** Adopt Negative Declaration

**Project Planner, Jaime Guthrie, and RMA Services Manager, Brandon Swanson, presented the project**

**Applicant's Representative: Belinda Taluban**

**Public Comment: Michael Harrington**

**Staff made additional edits to the resolution and conditions.**

**It was moved by Commissioner Vandevere, seconded by Commissioner Diehl and approved by the following vote to approve the project as amended:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: Padilla**

**ABSTAIN: None**

**3. PLN020398-AMD1 - MONTEREY HOLDINGS, LLP**

Amendment to Combined Development Permit (PLN020398/Bay Laurel, LLC) and Design Approval (PLN150244 and PLN150661) to allow the replacement and reconfiguration of previously approved office and maintenance buildings.

**Project Location:** 415 Carmel Valley Road, Carmel CA, Carmel Valley Master Plan

**Proposed CEQA Action:** Consider the previously adopted Mitigated Negative Declaration.

**Project Planner Son Pham Gallardo, along with RMA Services Manager, Brandon Swanson, presented the project.**

**Applicant's Representative: Anthony Lombardo, Lombardo & Associates.**

**Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Ambriz and the project approved by the following vote:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: Padilla**

**ABSTAIN: None**

**4. PLN130516 - BIG SUR PRESERVATION ALLIANCE LLC**

Public hearing to consider action on constructing a new two-story single family dwelling and detached Accessory Dwelling Unit; installing roof and ground-mounted photovoltaic systems, and converting an existing test well (PLN130057) to a permanent well. Proposed development would be located within area identified as positive archaeology and within 100 feet of Environmentally Sensitive Habitat Area (ESHA);

**Project Location:** 62200 Highway 1, Big Sur, (APN: 422-011-029-000)] Big Sur Coast Land Use Plan

**Proposed CEQA action:** Adopt a Mitigated Negative Declaration

**Project Planner, Liz Gonzales, along with RMA Services Manager, Brandon Swanson, presented the project.**

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**Applicant's Representative: Laura Lawrence, Aengus Jeffers.**

**Public Comment: None.**

**It was moved by Commissioner Diehl, seconded by Commissioner Getzelman and approved by the following vote:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Roberts, Rochester, Vandever**

**NOES: None**

**ABSENT: Padilla**

**ABSTAIN: None**

**The Commission recessed for lunch at 11:15 a.m. and reconvened at 1:30 p.m.**

**1:30 P.M. – SCHEDULED MATTERS**

**Lunch at 11:15 a.m. to Reconvene at 1:30 p.m.**

**5. GENERAL PLAN CONSISTENCY DETERMINATION FOR VACATION OF PORTUGUESE CANYON ROAD**

Report to the Board of Supervisors whether the vacation of Portuguese Canyon Road (from the intersection of Cross Country Road to the terminus of the County maintained portion of the road, 3.95± miles) conforms to the policies contained within the Monterey County General Plan and the South County Area Plan, a part of the General Plan.

**Project Location:** Portuguese Canyon Road, San Miguel Area, South County Area Plan

**Proposed CEQA Action:** Categorically Exempt per Sections 15061 (b)(3); 15301; and 15304

**County Surveyor, Michael Goetz, along with RMA Services Manager presented the project.**

**Public Comment: Anthony Lombardo, Lombardo & Associates.**

**It was moved by Commissioner Getzelman, seconded by Commissioner Duflock and approved by the following vote:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Roberts, Rochester, Vandever**

**NOES: None**

**ABSENT: Padilla**

**ABSTAIN: None**

**6. REF170011 - GENERAL PLAN CONSISTENCY DETERMINATION FOR THE COUNTY OF MONTEREY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEAR 2017/2018**

Review and report to the Board of Supervisors on the conformity of major public improvement

projects for Fiscal Year (FY) 2016/2017 with the 2010 General Plan or the Local Coastal Program and 1982 General Plan, as applicable.

**Proposed CEQA Action:** Not a project per Section 15378(b) (4) of the CEQA Guidelines (Governmental fiscal activities; no commitment to a specific project)

**Project Planner, Craig Spencer, along with Project Manager, John Snively, presented the report.**

**Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Vandevere and approved the project as amended by the following vote:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: Padilla**

**ABSTAIN: None**

**7. PLN160059 - SALINAS SELF STORAGE**

Public hearing to consider a Combined Development Permit consisting of a lot line adjustment between two legal lots of record, a Use Permit to allow the expansion of a mini-storage facility, and a General Development Plan.

**Project Location:** 175 and 201 Harrison Road, Salinas, Greater Salinas Area Plan

**Proposed CEQA Action:** Consider Addendum to previously adopted Negative Declaration

**Project Planner, Anna Quenga, along with RMA Services Manager, Brandon Swanson, presented the project. Staff informed the Commission of the Errata Memo that was distributed on the dais.**

**Commissioner Roberts inquired about what are the existing uses versus the proposed uses. Staff will clarify and address more specifically.**

**Applicant's Representative: Christine Kemp, agrees with the conditions, additions and deletions.**

**Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Vandevere and approved the project as amended by the following vote:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Roberts, Rochester, Vandevere**

**NOES: None**



**ABSENT: Padilla**

**ABSTAIN: None**

**8. REF100042/REF130043 - SHORT-TERM RENTAL ORDINANCES**

- a. Consider separating the process for developing inland and coastal Short-Term Rental ordinances;
- b. Conduct a public hearing to obtain input on preliminary draft regulations of Short-Term Rentals for overnight accommodations in residential areas in the unincorporated area of Monterey County; and
- c. Provide direction to staff relative to the draft regulations and process.

(Countywide, coastal and non-coastal)

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

**Commissioner Diehl suggested for staff to discuss the process prior to going into the substance of the ordinance.**

**Special Programs Manager, Melanie Beretti, and Project Planner, Craig Spencer, presented the project.**

**Break at 3:10 p.m. to Reconvene at 3:22 p.m.**

**Public Comment:**

**1.) Ken Wright; 2.) Kurt Gaphel; 3.) Coy Wear; 4.) Tim Greene; 5.) David Smiely; 6.) CW Friedman; 7.) Beth Griffin; 8.)**

**OTHER MATTERS**

**Commissioner Getzelman made a revision to his request from the morning to planning procedures and rather than policy procedures.**

**DEPARTMENT REPORT**

**Secretary Onciano informed the Commission that the RMA was relocating the end of this month/beginning of June. There may be a possibility of moving the PC/ZA to the new building.**

**ADJOURNMENT**

**The meeting was adjourned by Chair Rochester at 4:59 p.m.**

**APPROVED:**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY:** \_\_\_\_\_  
**JACQUELYN NICKERSON**  
**PLANNING COMMISSION CLERK**

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

**The meeting was adjourned by Chair Rochester at 4:59 p.m.**

**APPROVED:**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY:** \_\_\_\_\_  
**JACQUELYN NICKERSON**



# Monterey County

## Item No.4

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-055

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the May 31, 2017 Monterey County Planning Commission Meeting Minutes.



**Monterey County**  
**Monterey County Planning**  
**Commission**  
**Meeting Minutes - Draft**

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

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Wednesday, May 31, 2017

9:00 AM

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**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Rochester at 9:02 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Diehl.

**ROLL CALL**

**Present:**

Martha Diehl

Amy Roberts

Melissa Duflock

Don Rochester

Paul C. Getzelman

Keith Vandevere

**Absent:**

Ana Ambriz

Luther Hert

Jose Mendez

Cosme Padilla

**PUBLIC COMMENT**

None.

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk, Jacquelyn Nickerson, informed the Commission of the following documents distributed on the dais:

- Correspondence for Agenda Item No. 2 – PLN160108 (Orosco); and
- Packet of additional correspondence for Agenda Item No. 3 – REF100042/REF130043 (Short-Term Rentals).

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

Commissioner Getzelman requested for staff to agendize an item to discuss the possibility of an Ad Hoc Planning Commission Committee for planning procedures.

**Commission Diehl requested for a report or update on the new rule for consumptive water use from Monterey Peninsula Water Management District.**

**APPROVAL OF MINUTES**

**None.**

**9:00 A.M. - SCHEDULED MATTERS**

**1. PLN140863 - FIRST BAPTIST CHURCH (CONTINUED FROM FEBRUARY 22, 2017)**

**[PC 17-034](#)**

Continue the hearing on the project (PLN140863) to June 28, 2017, for consideration of converting a single-family dwelling into a church.

**Project Location:** 19345 Cachagua Road, Carmel Valley, Cachagua Area Plan

**Project Planner Joe Sidor requested continuance due to recent communication with the applicant. Staff requested continuance to July 26, 2017 to allow time for the applicant to submit any necessary information for the project.**

**Applicant's Representative: Dale Ellis, Anthony Lombardo and Associates**

**Public Comment: Don Bonsper**

**It was moved by Commissioner Diehl, seconded by Commissioner Duflock and passed by the following vote to continue the public hearing on the project to the July 26, 2017 Planning Commission hearing:**

**AYES: Diehl, Duflock, Getzelman, Roberts, Rochester, Vandever**

**NOES: None**

**ABSENT: Ambriz, Hert, Mendez, Padilla**

**ABSTAIN: None**

**2. PLN160108 - OROSCO (BROOKS)**

**[PC 17-035](#)**

Public hearing to consider action on a request for after-the-fact permits to allow development on slopes exceeding 30%, including construction of retaining walls and additions to an existing single family dwelling (Code Enforcement Case 14CE00255).

**Project Location:** 47070 Highway 1, Big Sur, Big Sur Coast Land Use Plan

**Proposed CEQA action:** Statutorily Exempt per Section 15270(a) of the CEQA Guidelines.

**Project Planner David Mack with RMA Services Manager Brandon Swanson requested a continuance on the project.**

**The Commission deliberated regarding the reasoning for the continuance.**

**Applicant's Representative: Aengus Jeffers provided reasoning for their request for continuance.**

**Public Comment: None**

**Staff recommended continuance to a date uncertain.**

It was moved by Commissioner Diehl, seconded by Commissioner Getzelman and passed by the following vote to continue the hearing on the project to a date uncertain:

**AYES:** Diehl, Duflock, Getzelman, Roberts, Rochester, Vandevere

**NOES:** None

**ABSENT:** Ambriz, Hert, Mendez, Padilla

**ABSTAIN:** None

**3. REF100042/REF130043 SHORT-TERM RENTAL ORDINANCES  
(CONTINUED FROM MAY 10, 2017)**

[PC 17-033](#)

- a. Conduct a public hearing to obtain input on preliminary draft regulations of short-term rentals for overnight accommodations in residential areas in the unincorporated area of Monterey County except the Big Sur Coast Land Use Planning Area; and
- b. Provide direction to staff.

(Countywide, coastal and non-coastal)

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

Special Programs Manager Melanie Beretti presented the project. Staff provided an overview of the ordinance and passed out a memorandum from Environmental Health Bureau.

Deliberation occurred between staff and the Commission regarding the types of Short-Term Rentals (STR) and if a business license and/or permit should be required.

**Public Comment:**

1.) Robert Davis; 2.) Adrienne Berry; 3.) Lynne Boyd; 4.) Michelle Alway; 5.) Lynda Marin; 6.) Chuck Stein; 7.) Richard Matthews; 8.) Justin Violoni; 9.) Alka Owens; 10.) Sylvia Savage; 11.) Cundy Thatcher; 12.) Chris Cronander; 13.) Eric Sand; 14.) Gentleman, Name Unknown; and 15.) Bruce Williams.

Break at 11:06 a.m. to Reconvene at 11:16 a.m.

Commissioner Getzelman submitted a letter to the Commission and made copies available for the public.

**Continued Public Comment:**

15.) Gentleman, Name Unknown; 16.) Greg Linder; and 17.) Bruce Britton.

The Commission and staff deliberated on the effect of STR on affordable housing and how to move forward with the ordinance.

**The Commission provided some level of direction for staff to move forward. Senior Deputy County Counsel and Secretary Jacqueline Onciano suggested a continuance for staff to come back with the direction that has been provided.**

**It was moved by Commissioner Vandevere, seconded by Commissioner Diehl and passed by the following vote to continue the hearing on the project to the June 28, 2017 Planning Commission:**

**AYES: Diehl, Duflock, Getzelman, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: Ambriz, Hert, Mendez, Padilla**

**ABSTAIN: None**

**OTHER MATTERS**

- 4.**      a. Appoint Linda Agrati to the Greater Monterey Peninsula Land Use Advisory Committee. [PC 17-036](#)
- b. Appoint Debra Torres to the Castroville Land Use Advisory Committee.
- c. Appoint Monique Rodriguez to the Castroville Land Use Advisory Committee.
- d. Appoint Reynado Garcia to the Castroville Land Use Advisory Committee.

**It was moved by Commissioner Vandevere, seconded by Commissioner Diehl and passed by the following vote to appoint Linda Agrati to the Greater Monterey Peninsula Land Use Advisory Committee:**

**AYES: Diehl, Duflock, Getzelman, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: Ambriz, Hert, Mendez, Padilla**

**ABSTAIN: None**

**It was moved by Commissioner Rochester, seconded by Commissioner Diehl and passed by the following vote to appoint Debra Torres to the Castroville Land Use Advisory Committee:**

**AYES: Diehl, Duflock, Getzelman, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: Ambriz, Hert, Mendez, Padilla**

**ABSTAIN: None**

**It was moved by Commissioner Vandevere, seconded by Commissioner Diehl and passed by the following vote to appoint Monique Rodriguez to the Castroville Land Use Advisory Committee:**

**AYES: Diehl, Duflock, Getzelman, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: Ambriz, Hert, Mendez, Padilla**

**ABSTAIN: None**

**It was moved by Commissioner Getzelman, seconded by Commissioner Diehl and passed by the following vote to appoint Reynado Garcia to the Castroville Land Use Advisory Committee:**

**AYES: Diehl, Duflock, Getzelman, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: Ambriz, Hert, Mendez, Padilla**

**ABSTAIN: None**

#### **DEPARTMENT REPORT**

Secretary Jacqueline R. Onciano informed the Commission that the RMA will be moving the new Schilling location on Friday and Planning Commission, Board of Supervisors, and Zoning Administrator may soon be at the Schilling building in the future.

#### **ADJOURNMENT**

The meeting was adjourned by Chair Rochester at 12:00 p.m.

**APPROVED:**

**JACQUELINE R. ONCIANO  
PLANNING COMMISSION SECRETARY**

**ATTEST:**



**BY: JACQUELYN NICKERSON  
PLANNING COMMISSION CLERK**

**APPROVED ON**

**APPROVED:**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO  
PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY: \_\_\_\_\_  
JACQUELYN NICKERSON  
PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.5

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-073

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the June 14, 2017 Monterey County Planning Commission Meeting Minutes.



# **Monterey County**

## **Monterey County Planning Commission**

### **Meeting Minutes - Draft**

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

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**Wednesday, June 14, 2017**

**9:00 AM**

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#### **9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Rochester at 9:02 a.m.

#### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was Commissioner Diehl.

#### **ROLL CALL**

**Present:**

**Martha Diehl**

**Jose Mendez**

**Melissa Duflock**

**Cosme Padilla**

**Paul C. Getzelman**

**Amy Roberts**

**Luther Hert**

**Don Rochester**

**Absent:**

**Ana Ambriz**

**Keith Vandevere**

#### **PUBLIC COMMENT**

**None.**

#### **AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Jacquelyn Nickerson informed the Commission of the following documents distributed on the dais:

- Correspondence for Agenda Item No. 2 – PLN150133 (Larsen); and
- Packet of additional correspondence for Agenda Item No. 3 – PLN160803 (Big Sur Cannabotanicals).

#### **COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

**None.**

#### **9:00 A.M. - SCHEDULED MATTERS**

- 1. PLN170064 - SMYTHE**

**[PC 17-039](#)**

Public hearing to consider the construction of a single family dwelling, garage, guesthouse and removal of 26 Oak trees. The property is located at 8 Goodrich Trail, Carmel (Assessor's Parcel Number 239-102-021-000), Carmel Valley Master Plan.

**Project Location:** 8 Goodrich Trail, Carmel, Carmel Valley Master Plan.

**Proposed CEQA action:** Consider an Addendum to the Potrero Subdivision Supplemental Environmental Impact Report

**Project Planner Cheryl Ku and RMA Services Manager Brandon Swanson presented the project with corrections to the resolution.**

**Applicant's Representative: Richard Beard, Architect. Public Comment: None**  
**Secretary Jacqueline R. Onciano requested for the indemnification agreement condition to be added to the Conditions of Approval.**

**It was moved by Commissioner Diehl, seconded by Commissioner Duflock and passed by the following vote to approve the project as amended:**

**YES: Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester**

**NOES: None**

**ABSENT: Ambriz, Vandever**

**ABSTAIN: None**

**2. PLN150133 - LARSEN 2007 TRUST**

**[PC 17-037](#)**

Public hearing to consider allowing rehabilitation/remodel of an existing historically eligible 3,020 square foot single family dwelling and construction of a new 3,173 square foot single family dwelling within 750 feet of an archaeological resource

**Project Location:** 55A Riley Ranch Rd, Carmel, Carmel Area Land Use Plan

**Proposed CEQA action:** Categorically Exempt per Sections 15303(b) and 15331 of the CEQA Guidelines.

**Project Planner Dee Van Donseelar indicated that the applicant would like a continuance on the public hearing to July 12th to address project concerns.**

**Applicant's Representative: Anthony Lombardo, Lombardo & Associates.**

**Public Comment: Nancy Runyon**

**It was moved by Commissioner Diehl, seconded by Commissioner Padilla and passed by the following vote to continue the public hearing on the project to the July 12, 2017 Planning Commission meeting:**

**AYES: Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester**

**NOES: None**

**ABSENT: Ambriz, Vandever**

**ABSTAIN: None**

**3. PLN160803 - CATLIN/BIG SUR CANNABOTANICALS**

**[PC 17-038](#)**

Public hearing to consider allowing a medical cannabis dispensary use within a Light Commercial Zoning District.

**Project Location:** 26352 Carmel Rancho Lane, Suite 100, Carmel, Carmel Rancho Shopping Center, Carmel Valley Master Plan area

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

**Project Planner Craig Spencer and RMA Services Manager Brandon Swanson presented the project.**

**Applicant's Representative: Jennifer Rosenthal Public Comment:**

**1.) Dr. Debra Malka; 2.) Paul Lots; 3.) Karen Maykins; 4.) Nick Villareal; 5.) Catherine Boutique; 6.) Alexandra Alvin; 7.) Seth Parker; 8.) Jason Retterer; 9.) Richard Catlin; 10.) Aram Stoney, Co-Owner; 11.) Andrew Verosco; 12.) Anthony Lombardo; 13.) Peter Noto; 14.) Yoko Witteker; 15.) Gentleman, Name Unknown; 16.) Gentleman, Name Unknown; 17.) Gentleman, Name Unknown; and 18.) Hilary Hamilton.**

**It was moved by Commissioner Diehl, seconded by Commissioner Padilla and passed by the following vote to approve the project:**

**AYES: Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester**

**NOES: None**

**ABSENT: Ambriz, Vandevere**

**ABSTAIN: None**

**OTHER MATTERS**

**None.**

**DEPARTMENT REPORT**

- 4. Verbal discussion regarding the creation of a Planning Commission ad hoc committee to address planning procedures and policies.**

**[PC 17-040](#)**

- 5. Verbal report on the new rules adopted by the Monterey Peninsula Water Management District that involve evaluating consumptive use.**

**[PC 17-041](#)**

**Secretary Jacqueline R. Onciano stated that there is no response for this item at the moment. Staff will bring this back to the Commission in writing once the information is obtained.**

**ADJOURNMENT**

**The meeting was adjourned by Chair Rochester at 11: 23 a.m.**

**APPROVED:**

**JACQUELINE R. ONCIANO  
PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY: JACQUELYN NICKERSON PLANNING COMMISSION CLERK**

**APPROVED ON**

**APPROVED:**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO  
PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY: \_\_\_\_\_  
JACQUELYN NICKERSON  
PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.6

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-064

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the June 28, 2017, Monterey County Planning Commission meeting minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, June 28, 2017**

**9:00 AM**

**Monterey County Planning Commission**



**9:00 A.M. - CALL TO ORDER**

The meeting was called to order at 9:02 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Roberts.

**ROLL CALL****Present:**

Ana Ambriz	Cosme Padilla
Martha Diehl	Amy Roberts
Melissa Duflock	Don Rochester
Paul C. Getzelman	Keith Vandevere

**Absent:**

Luther Hert  
Jose Mendez

**PUBLIC COMMENT**

Nina Beety

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Jacquelyn Nickerson informed the Commission of the following documents distributed on the dais:

- Correspondence for Agenda Item No. 2 – PLN150082 (Indian Springs); and
- Errata Memorandum for Revised Exhibit A for Agenda Item No. 4 – Short Term Rentals.

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

None.

**9:00 A.M. - SCHEDULED MATTERS****1. PLN170126 - PATTERSON**

Public hearing to consider permits for the construction of a single-family dwelling with amenities and removal of six Monterey Pine trees.

**Project Location:** 3078 Forest Way, Pebble Beach, Greater Monterey Peninsula Area Plan

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

**Project Planner Son Pham-Gallardo and RMA Services Manager Brandon Swanson presented the project with recommended changes to the resolution.**

**Applicant: Richard Patterson, owner.**

**Public Comment: None**

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**It was moved by Commissioner Diehl, seconded by Commissioner Vandever and passed by the following vote to approve the project as amended:**

**AYES:** Ambriz, Diehl, Duflock, Getzelman, Padilla, Roberts, Rochester, Vandever

**NOES:** None

**ABSENT:** Hert, Mendez

**ABSTAIN:** None

**2. PLN150082 - INDIAN SPRINGS**

Public hearing to consider a wireless communication facility, pending amendment of the Conservation and Scenic Easement Deed and consider recommendation to the Board of Supervisors to amend the Conservation and Scenic Easement.

**Project Location:** 22400 Indian Springs Road, Salinas, Toro Area Plan

**Proposed CEQA Action:** Adopt a Negative Declaration

**Project Planner Anna Quenga with RMA Services Manager Brandon Swanson presented the project.**

**Senior Deputy County Counsel Wendy Strimling recommended a technical change to the resolution.**

**Applicant's Representative: Tricia Knight.**

**Public Comment: Nina Beety and Eric Sacanda**

**Deliberation occurred between the Commission and staff regarding the need for an amendment to a Conservation and Scenic Easement Deed and what is the need for the cell tower at this specific location.**

**It was moved by Commissioner Diehl, seconded by Commissioner Getzelman and passed by the following vote to continue the public hearing on the project to the September 13, 2017 Planning Commission meeting:**

**AYES:** Ambriz, Diehl, Duflock, Getzelman, Padilla, Roberts, Rochester, Vandever

**NOES:** None

**ABSENT:** Hert, Mendez

**ABSTAIN:** None

**3. PLN160859 - S&S LAND DEVELOPMENT CO.  
PLN160860 - PICK-N-PULL AUTO DISMANTLERS  
PLN160861 - GERALD & DEBORAH CUTLER**

Public hearing to consider amendments to three previously approved Combined Development Permits, consisting of Coastal Development Permits (PLN030510; PLN030498; and PLN030501) and associated General Development Plan to allow improvements to an existing storm water treatment system.

**Project Location:** 516A, 516B, and 516C Dolan Road, Moss Landing, North County Coastal Land Use Plan

**Proposed CEQA action:** Addendum to a previously adopted Mitigated Negative Declaration

**Project Planner Rudy Luquin with RMA Services Manager Brandon Swanson presented the project. Staff supplied supplemental information that includes the correct formatting to the conditions.**

**Senior Deputy County Counsel discussed incorporating the initial 33 conditions for each permit, totaling 47 conditions for each project.**

**Deliberation occurred between the Commission and staff on the project.**

**Applicant's representative: Luis Osorio and Jason Retterre, L+G Attorneys, LLC.**

**Public Comment: Eric Barbick**

**Secretary Jacqueline R. Onciano and Senior Deputy County Counsel discussed incorporating the initial 33 conditions for each permit, totaling 47 conditions for each project. In addition, it was recommended for staff to remove any duplicative conditions.**

**It was moved by Commissioner Padilla, seconded by Commissioner Ambriz and passed by the following vote to approve the project as amended:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Padilla, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: Hert, Mendez**

**ABSTAIN: None**

**Break 10:36 a.m. to Reconvene 10:51 a.m.**

#### **10:30 A.M. - SCHEDULED MATTERS**

**4. REF100042/REF130043 SHORT-TERM RENTAL ORDINANCES (CONTINUED FROM MAY 31, 2017)**

- a. Conduct a public hearing to obtain input on preliminary draft regulations of short-term rentals for overnight accommodations in residential areas in the unincorporated area of Monterey County except the Big Sur Coast Land Use Planning Area; and

- b. Provide direction to staff.  
(Countywide, coastal and non-coastal)

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

**Special Programs Manager Melanie Beretti presented the topics of the project. Staff recommended to go through each area that staff is needing direction on and then receive public comment. The Commission agreed and indicated it would further direct depending on public comment.**

**Ms. Beretti presented the different Short-Term Rental (STR) Types to the Commission and provided examples.**

**The Commission deliberated and agreed that a more simple version is needed.**

**Public Comment:**

- 1.) Jan Leasure
- 2.) Richard Matthews
- 3.) Justin Vialeeny
- 4.) Gentleman, Name Unknown
- 5.) Woman, Name Unknown
- 6.) Woman, Name Unknown
- 7.) Gentleman, Name Unknown
- 8.) Why Pacque

**12:00 P.M. - BREAK FOR LUNCH**

**1:30 P.M - RECONVENE MONTEREY COUNTY PLANNING COMMISSION**

**The meeting was called back to order by Chair Padilla at 1:30p.m. All Commissioners from the morning session are present.**

**Agenda Item No. 4 - REF10042/REF130043 Short Term Rental**

**Special Programs Manager Melanie Beretti continued the project presentation identifying the four main categories: STR Types, Intensification Use, STR Standards, and STR Water System Permit.**

**The Commission deliberated on the types of licenses for STR and the recommendations a Use Permit would be needed. The Commission agreed to make the ordinance simple in order to make enforcement achievable.**

**Janna Faulk from the Environmental Health Bureau provided an overview of the water system requirements and asked for direction from the Commission.**

**Public Comment:**

1.) Linda Marin, Director of MCVRA; 2.) Eric Sand, BOD of CVA; 3.) Jeff Linder; 4.) Richard Matthews; 5.) Bonnie Gillooly; 6.) Gentleman, Name Unknown; 7.) Michele Alway; 8.) Greg Linder; 9.) David Hughes; 10.) Johan Pacque; 11.) Jan Leasure; and 12.) Rick Manning

The Commission provided direction on the four categories that staff presented and suggested for staff to bring back options for a limited version of STRs per year. Staff indicated it would bring the discussion before the Commission in the next three months.

#### **NO ACTION TAKEN**

#### **OTHER MATTERS**

5. Appoint Bart J. Bruno to the Del Monte Forest Land Use Advisory Committee.

It was moved by Commissioner Diehl, seconded by Commissioner Vandever and passed by the following vote to Appoint Bart J. Bruno to the Del Monte Forest Land Use Advisory Committee:

**AYES:** Ambriz, Diehl, Duflock, Getzelman, Padilla, Roberts, Rochester, Vandever

**NOES:** None

**ABSENT:** Hert, Mendez

**ABSTAIN:** None

6. Accept the Resignation of Doug Renick from the Del Monte Forest Land Use Advisory Committee.

It was moved by Commissioner Diehl, seconded by Commissioner Vandever and passed by the following vote to accept the Resignation of Doug Renick from the Del Monte Forest Land Use Advisory Committee:

**AYES:** Ambriz, Diehl, Duflock, Getzelman, Padilla, Roberts, Rochester, Vandever

**NOES:** None

**ABSENT:** Hert, Mendez

**ABSTAIN:** None

#### **DEPARTMENT REPORT**

Secretary Jacqueline R. Onciano informed the Commission of the Sexual Harassment Prevention training link would be sent via e-mail. The Commission could take the training online and may also provide mileage to the Commission Clerk if one attended the live training on June 23, 2017.

**Secretary Onciano stated that the item on the consumptive water use is pending and would bring it forth once information is received from the Monterey Peninsula Water Management District.**

**ADJOURNMENT**

**The meeting was adjourned by Chair Rochester at 2:55 p.m.**



# Monterey County

## Item No.7

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-059

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the July 12, 2017 Monterey County Planning Commission meeting minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, July 12, 2017**

**9:00 AM**

**Monterey County Planning Commission**



**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Rochester at 9:10 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Duflock.

**ROLL CALL****Present:**

<b>Martha Diehl</b>	<b>Cosme Padilla</b>
<b>Melissa Duflock</b>	<b>Amy Roberts</b>
<b>Paul C. Getzelman</b>	<b>Don Rochester</b>

**Absent:**

**Ana Ambriz**  
**Luther Hert**  
**Jose Mendez**  
**Keith Vandevere**

**PUBLIC COMMENT**

None.

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Jacquelyn Nickerson informed the Commission of the packet of additional correspondence for Agenda Item No. 1 (PLN150133 – Larsen) distributed on the dais.

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

None.

**9:00 A.M. SCHEDULED MATTERS****1 PLN150133 - LARSEN 2007 TRUST**

Public hearing to consider allowing rehabilitation/remodel of an existing 3,020 square foot single family dwelling and construction of a new 3,173 square foot single family dwelling within 750 feet of an archaeological resource.

**Project Location:** 55A Riley Ranch Rd, Carmel, Carmel Area Land Use Plan

**Proposed CEQA action:** Categorically Exempt per Sections 15303(b) and 15331 of the CEQA Guidelines.

**Project Planner Dee Van Donselaar and RMA Services Manager Brandon Swanson presented the project.**

**Commissioner Diehl explained to staff the need for drawings, addition language for the special treatment area, the settlement agreement and more analysis in the staff report.**

**Applicant's Representative: Anthony Lombardo.**

**Mr. Lombardo provided a brief overview of the project.**

**Public Comment: Doug McKinsey, Nancy Raegan, Dosha K.**

**Applicant Rebuttal: Anthony Lombardo**

**Commissioner Diehl raised concerns for the need of more stringent conditions. Amendments were recommended to Finding 1d of the Resolution to provide more evidence, modify the landscape condition, and add a condition regarding the archaeological monitoring.**

**Deliberation occurred with Senior Deputy County Counsel, staff and the Commission regarding the water credits and the landscaping.**

**Commissioner Roberts inquired about the remaining entitlements and zoning for the area and Secretary Jacqueline R. Onciano clarified that the project was not addressing the entitlements and does not reference entitlements in the resolution.**

**It was moved by Commissioner Getzelman, seconded by Commissioner Padilla and passed by the following vote to approve the project as amended:**

**AYES: Duflock, Getzelman, Padilla, Rochester**

**NOES: Diehl, Roberts**

**ABSENT: Ambriz, Hert, Mendez, Vandever**

**ABSTAIN: None**

**Break at 10:41 a.m. to Reconvene at 10:56 a.m.**

**2 PLN160527 - DUARTE & BAMBACE**

Public hearing to consider a lot line adjustment to merge three legal lots of record into one 14,829 square foot lot, remodel of an existing single-family dwelling with attached garage and construction of a new detached guesthouse.

**Project Location:** 3367 7th Avenue, Carmel, Carmel Area Land Use Plan

**Proposed CEQA Action:** Exempt per 15305 and 15301

**Project Planner Anna Quenga and RMA Services Manager Brandon Swanson presented the project. Staff recommended approval of the project with changes to the Conditions of Approval to add the Indemnification Agreement condition.**

**Applicant's Representative: Merritt Palminteri, Architect Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Duflock and passed by the following vote to approve the project as amended:**

**AYES:** Diehl, Duflock, Getzelman, Padilla, Roberts, Rochester

**NOES:** None

**ABSENT:** Ambriz, Hert, Mendez, Vandever

**ABSTAIN:** None

**OTHER MATTERS**

**None.**

**DEPARTMENT REPORT**

Secretary Jacqueline Onciano informed the Commission that the Planning Division has two vacant planning positions. Recruitment for these positions will not occur until the next month. Secretary Onciano also informed the Commission that the report on water consumptive use will be brought before the Commission in October, in addition to an analysis of the special treatment area in the Carmel Highlands.

Senior Deputy County Counsel informed the Commission that a notice for Public Workshop on Measure Z exemption procedures will be provided today or tomorrow for the July 25, 2017 Board of Supervisors.

**ADJOURNMENT**

The meeting was adjourned by Chair Rochester at 11:08 a.m.

**APPROVED:**

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**JACQUELINE R. ONCIANO**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY:**

---

**JACQUELYN NICKERSON**  
**PLANNING COMMISSION CLERK**

**APPROVED ON**



# Monterey County

## Item No.8

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-067

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the July 26, 2017, Monterey County Planning Commission meeting minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, July 26, 2017**

**9:00 AM**

**Monterey County Planning Commission**

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Rochester at 9:02 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Padilla.

**ROLL CALL****Present:**

Ana Ambriz	Cosme Padilla
Martha Diehl	Amy Roberts
Melissa Duflock	Don Rochester
Paul C. Getzelman	Keith Vandever

**Absent:**

Luther Hert

Jose Mendez

**PUBLIC COMMENT**

The following people spoke on the topic of Short-Term Rentals:

- 1.) Greg Linder
- 2.) Jan Leasure
- 3.) Richard Matthews
- 4.) Jeff Linder

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Jacquelyn Nickerson informed the Commission of the following documents distributed on the dais:

- Packet of additional correspondence and correspondence submitted by the public on Agenda Item No. 3 (PLN170488/PLN170489); and
- Correspondence submitted during General Public Comment relative to Short-Term Rentals

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

None.

**9:00 A.M. - SCHEDULED MATTERS**

**1. PLN140863 - FIRST BAPTIST CHURCH (CONTINUED FROM MAY 31, 2017)**

Continue the public hearing on the project to August 9, 2017, for consideration of a Use Permit to convert a single-family dwelling into a church.

**Project Location:** 19345 Cachagua Road, Carmel Valley, Cachagua Area Plan

**Proposed CEQA Action:** Negative Declaration prepared

**Project Planner, Joe Sidor, recommended a continuance of the public hearing.**

**The Applicant submitted the requested information by the Environmental Health Bureau. However, not in time for the report to be written. Staff requested continuance on the hearing of the project to August 9th, 2017.**

**Applicant's Representative: Anthony Lombardo, Anthony Lombardo & Associates, LLC.**

**Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Ambriz and passed by the following vote to continue the hearing on the project to the August 9, 2017 Planning Commission meeting:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Padilla, Roberts, Rochester, Vandever**

**NOES: None**

**ABSENT: Hert, Mendez**

**ABSTAIN: None**

**2. PLN170256 - POSTHUMA**

Public hearing to consider: the remodel of an existing single family residence including installation of a fence, removal and re-location of retaining walls, removal and replacement of concrete patios, and grading; and development within 750 feet of a known archaeological resource.

**Project Location:** 26348 Rio Road, Carmel, Carmel Area Land Use Plan

**Proposed CEQA action:** Categorically exempt per Sections 15301(a) and (e)(1) of the CEQA Guidelines.

**Project Planner, Dee Van Donselaar, and RMA Services Manager, Brandon Swanson, presented the project.**

**Commissioner Vandever stated the project states it is on Rio Avenue, but there are places within the report and plans that state Rio Road that warrant correction.**

**Discussion occurred between the Commission and staff regarding the high archaeological resource area.**

**Applicant's Representative: Gretchen Fletcher, architect.**

**Public Comment: None**

**It was moved by Commissioner Vandever, seconded by Commissioner Diehl and passed by the following vote to approve the project as amended:**



**AYES:** Ambriz, Diehl, Duflock, Getzelman, Padilla, Roberts, Rochester, Vandever

**NOES:** None

**ABSENT:** Hert, Mendez

**ABSTAIN:** None

**3. PLN170488/PLN170489 - APPEAL OF ADMINISTRATIVE INTERPRETATION - PRINCIPALLY PERMITTED VITICULTURE USE**

Consider:

- a. Appeal of the Administrative Interpretation dated May 16, 2017 relative to uses allowed as part of a commercial vineyard located in a residential zone filed by Anthony Lombard representing Dean Hatfield and Karolyn Stone on behalf of Nancy Burnett, Bryan Jaeger, Dock and Lynda Williams, David Berta, Liana Olson, Edward and Peggy Dickson, Edward Mellinger, and Pamela Hopkins;
- b. Appeal of the Administrative Interpretation dated May 16, 2017 relative to uses allowed as part of a commercial vineyard located in a residential zone filed by Molly Erickson representing Carmel Valley Association (CVA); and
- c. Fee waiver request by CVA.

**Commissioner Getzelman recused himself due to a potential financial conflict of interest.**

**RMA Director, Carl P. Holm, presented the appeal of an administrative interpretation. The Commission can uphold or deny the appeal, affirm, reverse or modify the interpretation, and grant/deny the fee waiver request. However, staff recommends for the Commission to deny the appeals, and affirm the administrative interpretation.**

**The Commission and staff deliberated on the option of continuing the hearing to post the notice on the property. It was determined and clarified by Counsel that there was sufficient notice, and the Commission was able to proceed if desired.**

**Appellant: Anthony Lombardo, Anthony Lombardo & Associates LLC**

**Appellant: Molly Erickson, representation of Carmel Valley Association**

**Break at 10:10 a.m. to Reconvene at 10:23 a.m.**

**Ms. Erickson requested from the Commission that the appellants have time for rebuttal.**

**Applicant's Representative: John S. Bridges, Fenton & Keller, representing Hilltop Ranch**

**Public Comment:**

1.) Nancy Cardinet; 2.) Sandra Schachter; 3.) Kim Hopkins; 4.) Julia Batchev; 5.) Christine Williams; 6.) Kim Willims; 7.) Robert Korstanje; 8.) Susanna Gamble; 9.) Kreg Payner; 10.) Karolyn Stone; 11.) Dean Hatfield; 12.) Frank Hennessy; 13.) Kim Stemler; 14.) Carol Shadwell; 15.) Doyle Moses; 16.) Eric Sand; 17.) Jorie Clark; 18.) Dale Agron; 19.) Matt Shea; 20.) Eric Coburn; 21.) Paola Berthoin; 22.) Katie Coburn; and 23.) Richard Rosenthal

Chair Rochester provided a two minute rebuttal for the appellants and representative.

John Bridges, Representing Hilltop Ranch Anthony Lombardo, Representing Neighbors Molly Erickson, Representing CVA

Mr. Holm informed the Commission that there is not a permit nor is this a project. Based on the Commission's recommendation, staff will provide a resolution.

Commission Vandevere disagreed with the interpretation and the Commission deliberated on the reversal of the interpretation and needing a permit for such events.

It was moved by Commissioner Vandevere, seconded by Commissioner Diehl and passed by the following vote to uphold the appeals, reverse the Administrative Interpretation and grant the fee waiver request:

**AYES:** Ambriz, Diehl, Duflock, Padilla, Roberts, Rochester, Vandevere

**NOES:** None

**ABSENT:** Hert, Mendez

**ABSTAIN:** Getzelman

#### **OTHER MATTERS**

None.

#### **DEPARTMENT UPDATE**

Secretary Jacqueline R. Onciano informed the Commission that the division went before the Board of Supervisors regarding the 2016 General Plan Implementation including the housing element. This report will be sent out the Commission and listed under Department Update at the next meeting. In addition, staff will be working with the Land Use Advisory Committees to have the yearly joint meeting.

#### **ADJOURNMENT**

The meeting was adjourned by Chair Rochester at 11:56 a.m.

**APPROVED:**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY:** \_\_\_\_\_  
**JACQUELYN NICKERSON**  
**PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.9

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-069

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the August 9, 2017, Monterey County Planning Commission Meeting Minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, August 9, 2017**

**9:00 AM**

**Monterey County Planning Commission**

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Rochester at 9:01 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Vandever.

**ROLL CALL**

Present:

Ana Ambriz	Jose Mendez (arrived at 9:04 am)
Martha Diehl	Cosme Padilla
Melissa Duflock	Amy Roberts
Paul C. Getzelman (arrived at 9:02 am)	Don Rochester
Luther Hert (arrived at 9:02 am)	Keith Vandever

**PUBLIC COMMENT**

The following people spoke on the topic of Short-Term Rentals:

- 1.) Lynda Maria
- 2.) Jan Leasure
- 3.) Annee Martin
- 4.) Jung Ho Pak

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

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

- Correspondence submitted by the public on Agenda Item No. 1 (PLN140863); and
- Correspondence submitted by the public on Agenda Item No. 3 (PLN160117)

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

Commissioner Getzelman requested an update on the AdHoc Committee to update the Wireless Telecommunications Ordinance.

Secretary Jacqueline Onciano will provide the update at a later date.

**9:00 A.M. - SCHEDULED MATTERS**

**1. PLN140863 - FIRST BAPTIST CHURCH**

**(CONTINUED FROM JANUARY 11, FEBRUARY 22, MAY 31, AND JULY 26, 2017)**

Public hearing to consider action on a Use Permit to convert a single-family dwelling into a church.

**Project Location:** 19345 Cachagua Road, Carmel Valley, Cachagua Area Plan

**Proposed CEQA Action:** Adopt Negative Declaration per Section 15074 of the CEQA Guidelines.

**Project Planner, Joe Sidor and RMA Services Manager Brandon Swanson presented the project.**

**Applicant's Representative: Anthony Lombardo, Anthony Lombardo & Associates, LLC.**

**Public Comment: Orville Myers, Applicant; Derek Bonsper, Don Bonsper,**

**Ron McMahan, Greg Martin, Mary Martin, Jeff Benson and Marj Ingram Viales**

**The Commission and staff deliberated on the water supply concerns and the ability to have a 2-year expiration date or a 2-year renewal of the Use Permit. Staff informed the Commissioners on the new State regulations regarding water supply and the different options regarding the 2-year expiration or renewal of a Use Permit.**

**It was moved by Commissioner Getzelman, seconded by Commissioner Mendez and passed by the following vote to approve the project as amended:**

**AYES: Ambriz, Diehl, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester, Vandever**

**NOES: Duflock**

**ABSENT: None**

**ABSTAIN: None**

**Break at 10:43 a.m. to Reconvene at 10:54 a.m.**

**2. PLN160695 - CRUZ**

Public hearing to consider action on a Lot Line Adjustment between two legal lots of record: Assessor's Parcel Number 181-061-035-000 (Parcel A, 3.42 acres) and Assessor's Parcel Number 181-061-036-000 (Parcel B, 21.82 acres) resulting in Lot 1 (13.78 acres) and Lot 2 (11.46 acres) respectively.

Proposed Location: 1084 B, F, H & 1084 J San Miguel Canyon Road, Royal Oaks

**Proposed CEQA Action:** Categorically Exempt per Section 15305(a) of the CEQA Guidelines  
1084 B, F, H & 1084 J San Miguel Canyon Road, Royal Oaks

**Project Planner, Son Pham-Gallardo presented the project.**

**Applicant's Representative: Jeff Nielsen**

**It was moved by Commissioner Padilla, seconded by Commissioner Vandervere and passed by the following vote to approve the project:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester, Vandever**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**3. PLN160117 - EL WHY SQUARE LLC**

Public hearing to consider the demolition/construction of a new single-family dwelling and restoration of Monterey cypress habitat within 100 feet of ESHA and within 750 feet of a known archaeological resource.

**Project Location:** 3168 Seventeen Mile Drive, Pebble Beach

**Proposed CEQA Action:** Adopt a Mitigated Negative Declaration

**Project Planner Anna Quenga and RMA Services Manager Brandon Swanson presented the project.**

**The Commission and staff deliberated on the difference between drip line, critical root zone and the reduction in hardscape on this project site. It was determined that clarification of Policy 20 of Finding 5 Evidence H of the resolution was needed.**

**Applicant Representative: Angus Jeffers**

**Public Comment: None**

**It was moved by Commissioner Vandevere, seconded by Commissioner Diehl and passed by the following vote to approve the project as amended:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester, Vandevere**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

#### **OTHER MATTERS**

**None**

#### **DEPARTMENT REPORT**

- 4. 2017 Annual Joint-Meeting of the Land Use Advisory Committees and the Planning Commission Selection Date.**

**Secretary Jacqueline R. Onciano informed the Planning Commission of the upcoming 2017 Annual Joint-Meeting and requested input on what dates that would work best for the Commission. The Planning Commissioners deliberated and decided it would be best to hold the Joint-Meeting on a September 13 or September 27th, leaving it up to Staff's discretion.**

- 5. Provide an update on the 2016 Annual Progress Report on the Monterey County 2010 General Plan Implementation & 2016 Annual Housing Progress Report (REF170007)**

**Secretary Jacqueline R. Onciano provided an update on the 2016 Annual Progress Report on the Monterey County 2010 General Plan Implementation and 2016 Annual Housing Progress Report.**

#### **ADJOURNMENT**

**The meeting was adjourned by Chair Rochester at 12:02 p.m.**



**APPROVED:**

**JACQUELINE R. ONCIANO  
PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY: MELISSA MCDOUGAL  
PLANNING COMMISSION CLERK**

**APPROVED ON**



# Monterey County

## Item No.10

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-072

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the September 13, 2017 Monterey County Planning Commission Meeting Minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, September 13, 2017**

**9:00 AM**

**Board Chamber**

**Monterey County Planning Commission**

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Rochester at 9:01 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Mendez.

**ROLL CALL**

Present:

Ana Ambriz  
Cosme Padilla  
Martha Diehl  
Paul C. Getzelman  
Luther Hert  
Jose Mendez  
Amy Roberts  
Don Rochester

Absent:

Melissa Duflock  
Keith Vandevere

**PUBLIC COMMENTS**

Nina Beety – Matters before the legislature. SB649 allows cell towers on community poles like street lights. SB35 Housing development.

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Melissa McDougal informed the Commission of the correspondence submitted by the public for Agenda Item No. 1 (PLN150082 – Indian Springs);  
and Correspondence submitted by the public for Agenda Item No. 3 (PLN160746 - Lewis)

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

None

**APPROVAL/ACCEPTANCE OF MINUTES**

None

**9:00 A.M. - SCHEDULED MATTERS**

1. PLN150082 - INDIAN SPRINGS RANCH PROP OWNERS (VERIZON WIRELESS)  
(CONTINUED FROM JUNE 28, 2017)

Public hearing to consider recommending the Board of Supervisors amend the Conservation and Scenic Easement and approve construction of a wireless communication facility, pending amendment

of the Conservation and Scenic Easement Deed.

**Project Location:** 22400 Indian Springs Road, Salinas, Toro Area Plan (Assessor's Parcel Number 139-111-011-000)

**Proposed CEQA Action:** Adopt a Negative Declaration

**Project Planner, Anna Quenga and RMA Services Manager Brandon Swanson presented the project.**

**Applicant's Representative: Tricia Knight, Tech Consulting Inc. (Verizon Wireless)**

**Public Comment: Nina Betty**

**It was moved by Commissioner Diehl, seconded by Commissioner Mendez and passed by the following vote to continue the project to the October 11, 2017 Planning Commission with a motion of intent to deny the project:**

**AYES: Ambriz, Diehl, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester**

**NOES: None**

**ABSENT: Duflock, Vandever**

**ABSTAIN: None**

**2. PLN170160 - WALDROUP**

Continue the public hearing on the Waldroup application (PLN170160) to a date uncertain, for consideration of an after-the-fact Use Permit and Restoration Plan for unpermitted removal of 7 oak trees. (Code Enforcement 15CE00085).

**Project Location:** 32 Miramonte Road, Carmel Valley, Carmel Valley Master Plan

**Proposed CEQA Action:** Negative Declaration

**Project Planner Son Pham Gallardo recommended that the public hearing be continued to a date certain of October 11, 2017.**

**It was moved by Commissioner Diehl, seconded by Commissioner Ambriz and passed by the following vote to continue the hearing on this project to October 11, 2017 as requested by staff.**

**Planning Commission:**

**AYES: Ambriz, Diehl, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester**

**NOES: None**

**ABSENT: Duflock, Vandever**

**ABSTAIN: None**

**Break at 9:46 a.m. to allow RMA Director, Carl P. Holm to sit in as the**

**Planning**

**Commission Secretary, in order to allow RMA Chief of Planning, Jacqueline R.**

**Onciano to present the following project. Reconvene at 9:58 a.m.**

**3. PLN160746 - LEWIS WILLIAM R MD & DUNCAN B LEWIS TRS**

Public hearing to consider a Short Term Rental as an *other residential uses of a similar character, density and intensity* to a Bed and Breakfast in the coastal zone.

**Project Location:** 3384 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-393-006-000), Del Monte Forest Land Use Plan, Coastal Zone.

**CEQA Action:** Action to deny a project is Statutorily Exempt from per Section 15270 of CEQA Guidelines

**RMA Chief of Planning, Jacqueline R. Onciano presented the project.**

**Applicant Representative: Mark O'Conner**

**Public Comment: Doctor Lewis, Applicant; Thomas Jameson, and Tony Lombardo**

**The Commission and Staff deliberated on Staffs recommended motion and on how to evaluate the request for change of use.**

**It was moved by Commissioner Diehl, seconded by Commissioner Padilla To move Staff's recommendation as revised by Staff with the modifications that have been suggested by Commission discussion:**

**AYES: Ambriz, Diehl, Padilla, Roberts, Getzelman**

**NOES: Hert, Mendez, Getzelman, Rochester**

**ABSENT: Duflock, Vandever**

**ABSTAIN: None**

**Motion failed.**

**It was moved by Commissioner Diehl, seconded by Commissioner Roberts to deny with amendments to the findings expressing the grounds for denial including revisions to the reasoning to add that the particular application is not similar in character to those other uses outlined in the zoning code. The Planning Commission would authorize Staff to revise the Resolution and bring further evidence to support that finding. Also, changing the language in regard to the similarity to bed and breakfast, that it's not similar in character to residential use or other uses of similar residential character.**

**AYES: Ambriz, Diehl, Padilla, Roberts, Getzelman**

**NOES: Hert, Mendez, Rochester**

**ABSENT: Duflock, Vandever**

**ABSTAIN: None**

**Motion passes.**

**OTHER MATTERS**

**None**

**DEPARTMENT REPORT**

**Secretary, Jacqueline R. Onciano informed the Planning Commissioners that John Dugan will be starting with the County on November 7th as the Deputy Director of Land Use and Community Development.**

**Jacqueline R. Onciano informed the Planning Commissioners of the Joint Planning Commission and Land Use Advisory Committee meeting the meeting on October 25, 2017.**

**ADJOURNMENT**

**The meeting was adjourned by Chair Rochester at 11:46 A.M.**

**APPROVED:**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

\_\_\_\_\_  
**BY: MELISSA MCDOUGAL**  
**PLANNING COMMISSION CLERK**

**APPROVED ON**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY: MELISSA MCDOUGAL**  
**PLANNING COMMISSION CLERK**

**APPROVED ON**





# Monterey County

## Item No.11

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-071

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the September 27, 2017, Monterey County Planning Commission meeting minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, September 27, 2017**

**9:00 AM**

**Board Chamber**

**Monterey County Planning Commission**

**9:00 A.M. – CALL TO ORDER**

The meeting was called to order by Chair Rochester at 9:01 a.m.

**PLEDGE OF ALLEGIANCE**

The meeting was called to order by Chair Rochester at 9:01 a.m.

**ROLL CALL**

Present:

Ana Ambriz	Cosme Padilla
Martha Diehl	Amy Roberts
Melissa Duflock	Don Rochester
Paul C. Getzelman	Keith Vandevere
Luther Hert	Jose Mendez – Arrived at 9:06 a.m.

**PUBLIC COMMENTS**

Justin Violini, Steve Bellavance

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Melissa McDougal informed the Commissioners of the Staff Report and Draft Resolutions submitted by Staff for Agenda Item No. 4 (PLN160859, PLN160860 and PLN160861)

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

Commissioner Padilla would like to acknowledge Warren Church's passing.

Commissioner Ambriz would like Staff to push forward the draft Short Term Rental Ordinance.

**APPROVAL/ACCEPTANCE OF MINUTES**

None

**9:00 A.M. SCHEDULED MATTERS**

- 1. PLN120587 - HUGO, H AND LINDA TRS (CONTINUED FROM AUGUST 30, 2017)**  
Public hearing to deny the application for an Administrative Permit for the Transient Use of an existing two-story, 8 bedroom/8 bathroom single family residential property for remuneration (aka Short Term Rental).  
**Project Location:** 583 Viejo Road, Carmel (Assessor's Parcel Number 103-031-004-000), Greater Monterey Peninsula Area Plan.  
**CEQA Action:** Statutorily Exempt per Section 15270 of CEQA Guidelines  
**Project Planner, Anna Quenga presented the project.**

**Applicant's Representative: Michael Herrington**

**Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Duflock and moved by the following vote to deny the project:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Padilla, Roberts, Vandever**

**NOES: Mendez**

**ABSENT: None**

**ABSTAIN: Rochester**

**2. PLN130339 - COLLINS**

Public hearing, continued from August 30, 2017, to: adopt a resolution recommending the Board of Supervisors not adopt the Mitigated Negative Declaration and not adopt an ordinance to rezone; and adopt a resolution to continue the hearing on the Combined Development Permit to a date uncertain, after the determination of the rezoning request.

**Project Location:** 83 Mt. Devon Road, Carmel (APN: 241-021-007-000)

**Proposed CEQA Action:** Mitigated Negative Declaration Prepared

**Project Planner, Anna Quenga presented the project.**

**Applicant Representative: Michael Herrington**

**Public Comment: Marc Davidian; Garry Fontana, Gwyn De Amaral, unnamed speaker, Jimmy C. King**

**It was moved by Commissioner Vandever, seconded by Commissioner Diehl to recommend denial to the Board of Supervisors for the mitigated negative declaration and also the ordinance to rezone the property and moved by the following vote to deny the project:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts, Rochester, Vandever**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**It was moved by Commissioner Vandever, seconded by Commissioner Diehl to continue the hearing to a date uncertain, but which would be after the determination by the Board of Supervisors. Including the Resolution contained in Exhibit B and moved by the following vote:**

**AYES: Diehl, Duflock, Getzelman, Hert, Mendez, Vandever**

**NOES: None**

**ABSENT: None**

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**ABSTAIN: Ambriz, Padilla, Roberts, Rochester**

**Commission recessed for a break at 10:43 a.m.**

**3. REF150048 - CANNABIS ORDINANCES UPDATE WORKSHOP**

Public workshop to:

- a. Receive a presentation regarding changes in state law for licensing commercial cannabis activities;
- b. Receive a presentation of draft ordinances amending Monterey County code including: 1) the inland Zoning Ordinance (Title 21); 2) the coastal Zoning Ordinance (Title 20); the Commercial Medical Cannabis Business Licenses regulations (Chapter 7.90); 3) the Business License requirements (Chapter 7.02); and a text amendment to the North County Land Use Plan to update regulations for permitting commercial cannabis activities including both medicinal and adult-use/recreational cannabis activities and other changes based on state law; and
- c. Provide direction to staff.

**Location:** County-wide

**Proposed CEQA action:** Workshop is Statutorily Exempt per Section 15262

**Commissioner Roberts recused herself from Item No. 3**

**Project Planner, Craig Spencer, Deputy County Counsel, Kelly Donlon and RMA Services Manager, Brandon Swanson presented the project**

**Public Comment: Adam Kirchner, Joey Espinoza, Sofia Haynes, Jared Ficker, Gregory Veiga, Parker, Heidi Park, Corad Gregory, Jack Nichols, Nara Dahlbacka, Paul Hart**

**Deliberation occurred between staff and the Commission regarding the following items:**

- **Creating spot zoning at the former Kaiser National Refractories site**
- **Transportation and self distribution concerns**
- **Small family owned business**
- **Ban on firearms and security**
- **Request for a complete revised ordinance in 2018**

**4. PLN160859 - S&S Land Development Co.**

**PLN160860 - Pick-N-Pull Auto Dismantlers**

**PLN160861 - Gerald & Deborah Cutler**

Confirm approval of resolutions incorporating the complete list of conditions for amendments to three previously approved Combined Development Permits (PLN030510 & PLN140713; PLN030498 & PLN140677; and PLN030501 & PLN140714) and associated General Development Plan to allow improvements to an existing storm water treatment system.

**Project Location: 516A, 516B, and 516C Dolan Road, Moss Landing, North County Coastal Land Use Plan**

**Proposed CEQA action:** Organizational activity not a project per Section 15378(b)(5) of the California Environmental Quality Act Guidelines (CEQA).

**Secretary, Jacqueline Onciano, presented the current resolutions with the correct complete list of conditions.**

**Counsel informed the Commissioners that they already made a motion and gave approval on the complete project on June 28, 2017. Counsel recommended that Staff adds a note on the resolution that states the Planning Commission conformed approval of the resolution incorporating the complete list of conditions on September 27, 2017.**

**Applicant Representative: Jason Retterer**

**It was moved by Commissioner Padilla, seconded by Commissioner Vandever to approve the corrections to the resolutions and moved by the following vote:**

**AYES: Ambriz, Diehl, Duflock, Getzelman, Hert, Mendez, Padilla, Roberts Rochester, Vandever**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

#### **OTHER MATTERS**

**None**

#### **DEPARTMENT REPORT**

**Planning Commission Secretary, Jacqueline R. Onciano, informed the Commission that the Annual Joint Planning Commission and LUAC meeting will take place on October 25, 2017.**

#### **ADJOURNMENT**

**The meeting was adjourned by Chair Rochester at 11:50 A.M.**

**APPROVED:**

\_\_\_\_\_  
**JACQUELINE R. ONCIANO**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

\_\_\_\_\_  
**BY: MELISSA MCDOUGAL**  
**PLANNING COMMISSION CLERK**

**APPROVED ON**



# Monterey County

## Item No.12

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-068

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the October 25, 2017, Monterey County Planning Commission meeting minutes.



# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, October 25, 2017**

**9:00 AM**

**Monterey County Planning Commission**

**9:00 A.M. – CALL TO ORDER**

The meeting was called to order at 9:09 a.m. by Vice Chair Vandevere.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Diehl.

**ROLL CALL****Present:**

Commissioner Diehl	Commissioner Padilla
Commissioner Duflock	Commissioner Roberts
Commissioner Getzelman	Commissioner Vandevere

**Absent:**

Commissioner Ambriz  
Commissioner Mendez

**PUBLIC COMMENTS**

None

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

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

Memorandum from staff for Agenda Item No. 1 (PLN160608 Bailey)

Additional Correspondance from the public for Agenda Item No. 3 (PLN150149 Policy 20)

Secretary to Planning Commission Jacqueline Onciano informed the Commission of Commissioner Rochester's resignation to the Planning Commission. An election of the Chair and Vice Chair will be added to the next Planning Commission meeting to complete the term through February 2018.

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

Commissioner Padilla requested status on short term rentals.

**APPROVAL/ACCEPTANCE OF MINUTES**

None

**9:00 A.M. – SCHEDULED MATTERS****1. PLN160608 - BAILEY**

Public hearing to consider the remodel of an existing one-story, single family dwelling adding 3,852 total square feet and 5,928 square feet of new and re-paved areas within 100 feet of environmentally sensitive habitat area (ESHA)

**Project Location:** 3257 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan

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**Proposed CEQA action:** Categorically Exempt per Sections 15331 and 15301 of the CEQA Guidelines

**Project Planner Maira Blanco and RMA Services Manager Brandon Swanson presented the project.**

**Deliberation occurred between the Commission and Staff regarding the CEQA status, relation to Policy 20 and why staff is asking the Commissioners to make policy determinations. The Commission concluded that this project does not fall under Policy 20 and that the project does not meeting the requirements for the proposed CEQA status.**

**Applicant's Representative: Tony Lombardo**

**Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Padilla and passed by the following vote to continue the public hearing to the December 13, 2017 Planning Commission meeting:**

**AYES: Diehl, Duflock, Getzelman, Padilla, Roberts, Vandever**

**NOES: None**

**ABSENT: Ambriz, Mendez**

**ABSTAIN: None**

**2. PLN120553 - MONTEREY BAY AQUARIUM RESEARCH INSTITUTE (MBARI)**

Public hearing to consider the construction of a metal storage building with covered entry and associated site improvements within 100-feet of an environmentally sensitive habitat area.

**Project Location:** 7500 Sandholdt Road, Moss Landing, North County Land Use Plan (Assessor's Parcel Number 133-252-011-000)

**Proposed CEQA action:** Adopt a Mitigated Negative Declaration

**Project Planner Anna Quenga and RMA Service Manager Brandon Swanson presented the project.**

**Applicant's Representative: Wayne Iversen, Facilio Martinez**

**Public Comment: Asilio Martinez**

**It was moved by Commissioner Padilla, seconded by Commissioner Diehl and passed by the following vote to approve the project:**

**AYES: Diehl, Duflock, Getzelman, Padilla, Roberts, Vandever**

**NOES: None**

**ABSENT: Ambriz, Mendez**

**ABSTAIN: None**

**Break at 10:19 a.m. Reconvened at 10:45 a.m.**

**3. PLN150149 - DEL MONTE FOREST AREA LOCAL COASTAL PROGRAM AMENDMENT (POLICY 20)**

Public hearing to consider amendments to the County's Local Coastal Program (LCP) including:

- a. Amendments to Policy 20 of the Del Monte Forest Area Land Use Plan to modify standards of development within the indigenous Monterey cypress habitat; and
- b. Corresponding amendments to the text of Section 20.147.040.D.2 of the Coastal Implementation Plan (Title 20 of the Monterey County Code), Part 5, regulating development within the indigenous Monterey cypress habitat.

**Project Location:** Del Monte Forest Indigenous Monterey Cypress Habitat Area, Pebble Beach, Del Monte Forest

**Proposed CEQA Action:** Statutorily Exempt per Section 15265 of the CEQA Guidelines

**Project Planner Joe Sidor and RMA Service Manager Brandon Swanson presented the project.**

**Public Comment: Angus Jeffers**

**Deliberations occurred between the Commission, Staff and County Counsel discussed the requested changes to modify paragraph A and B of the Cypress Habitat Development Standards for CIP section 20.147.040.D.**

**It was moved by Commissioner Diehl, seconded by Commissioner Padilla and passed by the following vote to recommend to the Board of Supervisors with the requested changes: New paragraph B would now read: "Construction use and maintenance of the new and/or modified development shall significantly reduce existing hardscape." The old paragraph B, which would now become a new paragraph, would say "all development on the site shall be cited..."**

**AYES: Diehl, Duflock, Getzelman, Padilla, Roberts, Vandever**

**NOES: None**

**ABSENT: Ambriz, Mendez**

**ABSTAIN: None**

**Break at 10:19 a.m. Reconvened at 10:45 a.m.**

**4. REF150048 - CANNABIS REGULATION UPDATES**

Public hearing to consider amendments to Monterey County's land use and permitting regulations for commercial medicinal and adult-use cannabis activities including: an ordinance amending Title 21 (non-coastal zoning ordinance); an ordinance amending the Monterey County Coastal Implementation Plan, Part 1 and Part 2 (Title 20, coastal zoning ordinance); and a text amendment to the North

County Land Use Plan.

**Proposed CEQA Action: Statutorily Exempt pursuant to Business and Professions Code Section 26055(h)**

**Vice Chair Vandever informed the public that we do not have a quorum for this item. The Commissioners agreed to a Special Meeting on November 15, 2017.**

**OTHER MATTERS**

**Vice Chair Vandever informed the public that we will not have a quorum for the November 8th meeting and the items on this November 8th calendar will be moved to the Special Meeting on November 15th.**

**County Counsel Wendy Strimling reminded the Commission and the Public of the Planning Commission and Land Use Advisory Committees Joint Annual Meeting at 1:30 p.m. at 1441 Schilling Place, Cayenne Room.**

**DEPARTMENT REPORT**

None

**ADJOURNMENT**

**The meeting was adjourned at 11:41 a.m.**



# Monterey County

## Item No.13

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-058

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the November 15, 2017, Monterey County Planning Commission meeting minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, November 15, 2017**

**9:00 AM**

**Special Meeting**

**Monterey County Planning Commission**

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order at 9:00 a.m. by Vice Chair Vandevere.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Mendez.

**ROLL CALL****Present:**

<b>Martha Diehl</b>	<b>Cosme Padilla</b>
<b>Melissa Duflock</b>	<b>Amy Roberts</b>
<b>Paul C Getzelman</b>	<b>Keith Vandevere</b>
<b>Jose Mendez</b>	

**Absent:**

**Ana Ambriz**

**PUBLIC COMMENTS**

None

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk, Jacquelyn Nickerson, informed the Commission of the following documents distributed on the dais and more to be distributed during the meeting:

**Agenda Item No. 2 – REF150048 (Cannabis Regulations)**

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

None

**9:00 A.M. - SCHEDULED MATTERS****3. MONTEREY COUNTY PLANNING COMMISSION**

Planning Commission accepts to elect for new Chair and Vice-Chair.

**It was moved by Commissioner Padilla, seconded by Commissioner Diehl and passed by the following vote to nominate Commissioner Vandervere as Chair and Commissioner Duflock as Vice Chair until the end of the current term in February 2018:**

**AYES: Diehl, Getzelman, Mendez, Padilla, Roberts, Vandevere**

**NOES: None**

**ABSENT: Ambriz**

**ABSTAIN: None**

- 1. PLN170662 - COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY (RMA) PUBLIC WORKS (PALO COLORADO ROAD REPAIR) Continued from November 8, 2017.**



Public hearing to consider the construction of three replacement culverts and reconstruction of approximately 1,000 linear feet of Palo Colorado Road and associated tree removal (22 redwoods) within 100 feet of environmentally sensitive habitat, and on slopes exceeding 30 percent. This project is related to RMA-Planning File No. PLN170133 (Emergency Coastal Development Permit)

**Project Location:** Mile-post 3.0 - 3.5, Palo Colorado Road, Big Sur, Big Sur Coast Land Use Plan, Coastal Zone

**Proposed CEQA Action:** Statutorily exempt per Section 15269(b) of the CEQA Guidelines.

**Project Planner Joseph Sidor presented the project.**

**Applicant's Representative: None**

**Public Comment: None**

**Deliberation occurred between the Commission and Staff regarding adding a condition, raised by Commissioner Diehl, seeking recognition that the Redwood trees that are in the public right of way that belong to the four property owners and that it's the intention of the County to negotiate with the property owners to their satisfaction about what is going to happen to those trees.**

**Item No. 1 was trailed to the end of the agenda to allow Staff to write a new condition.**

**2. REF150048 - CANNABIS REGULATION UPDATES**

Public hearing to consider amendments to Monterey County's land use and permitting regulations for commercial medicinal and adult-use cannabis activities including:

- a. An ordinance amending Title 21 (non-coastal zoning ordinance);
- b. An ordinance amending the Monterey County Coastal Implementation Plan, Part 1 and Part 2 (Title 20, coastal zoning ordinance); and
- c. A text amendment to the North County Land Use Plan.

**Proposed CEQA Action: Statutorily Exempt pursuant to Section 15282 of CEQA Guidelines**

**Commissioner Roberts recused herself from Item No. 2**

**Project Planner Craig Spencer and RMA Planning Manager Brandon Swanson presented the project.**

**Public Comment: Mike Linder, Hansen Reed**

**It was moved by Commissioner Diehl, seconded by Commissioner Getzelman and passed by the following vote to recommend Staff's recommendation to the Board of Supervisors as set out in the Resolution with the removal of the**

setback from parks in order to be consistent with any language of State law:

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

**NOES:** None

**ABSENT:** Ambriz

**ABSTAIN:** Roberts

**1. PLN170662 - COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY (RMA) PUBLIC WORKS (PALO COLORADO ROAD REPAIR) Continued from November 8, 2017.**

Public hearing to consider the construction of three replacement culverts and reconstruction of approximately 1,000 linear feet of Palo Colorado Road and associated tree removal (22 redwoods) within 100 feet of environmentally sensitive habitat, and on slopes exceeding 30 percent. This project is related to RMA-Planning File No. PLN170133 (Emergency Coastal Development Permit)

**Project Location:** Mile-post 3.0 - 3.5, Palo Colorado Road, Big Sur, Big Sur Coast Land Use Plan, Coastal Zone

**Proposed CEQA Action:** Statutorily exempt per Section 15269(b) of the CEQA Guidelines.

**Project Planner Joseph Sidor presented the project.**

**Applicant's Representative:** None

**Public Comment:** Et al (Penzel)

**Deliberation occurred between the Commission and Staff regarding adding a condition discussed by Commissioner Diehl seeking recognition that the Redwood trees that are in the public right of way that belong to four property owners and that it is the intention of the County to negotiate with these property owners to their satisfaction about what's going to happen to the trees once removed.**

**It was moved by Commissioner Diehl, seconded by Commissioner Padilla and passed by the following vote to approve the project with the amendment made on the dais:**

**AYES:** Diehl, Duflock, Getzelman, Padilla, Roberts, Vandever

**NOES:** Mendez

**ABSENT:** Ambriz

**ABSTAIN:** None

**OTHER MATTERS**

**Director of RMA, Carl Holm, introduced the County's new Deputy Director of Land Use and Community Development, John Dugan.**

**County Counsel reminded Commission of the special meeting on November 29, 2017**

**DEPARTMENT REPORT**

None

**ADJOURNMENT**

The meeting was adjourned at 10:19 a.m. by Chair Vandever.

**APPROVED:**

**JACQUELINE R. ONCIANO  
PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY: JACQUELYN NICKERSON  
PLANNING COMMISSION CLERK**

**APPROVED ON**



# Monterey County

## Item No.14

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-066

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the July 24, 2019, Monterey County Planning Commission meeting minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

### **Special Meeting**

**Wednesday, July 24, 2019**

**9:00 AM**

**Monterey County Planning Commission**

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Getzelman at 9:00 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Monsalve.

**ROLL CALL**

Present:

Martha Diehl

Paul C. Getzelman

Ernesto G. Gonzalez

Rich Coffelt

Etna Monsalve

Amy Roberts

Francisco Javier Mendoza

Keith Vandevere

Absent:

Ana Ambriz

Melissa Duflock

**PUBLIC COMMENTS**

None.

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Melissa McDougal informed the Commission of multiple letters from the public that were distributed through email and more distributed on the dais that were just handed in for the STR item.

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

None.

**9:00 A.M. – SCHEDULED MATTERS**

1. Public hearing to consider making recommendations to the Board of Supervisors for vacation (short-term) rental regulations.

**Project:** REF100042/REF130043 SHORT-TERM RENTAL ORDINANCES

**Proposed CEQA Action:** To be determined based on final draft ordinances

**For the record, Commissioner Ambriz has joined the Commission.**

**Presenter: Melanie Beretti, Special Programs Manager**

**Public Comment: David Stibers, Mary Wright, Kirk Gaffel, Janet Hardesty, Tim Green, Anna Russell, Jack Galante, Steve Beck, Barbara Sexton, Bill**

**Ostradick on behalf of Bill Connors, Thyme Lewis, Joel C.H., Adrienne Berry, Kevin Krehbiel, Mary Brinton, Lynda Marin, Annee Martin, Richard Matthews, Jacei Rustigan, Kyle Morrison, Bruce Britton, Shelley Parks**

**The Commission recessed for a break at 10:35 a.m. and reconvened at 10:45 a.m.**

**Public Comment continued: Terry Ryan, Gary Bjorklund, Pris Walton, Jeffrey Wood, Eric Sand, Rick Manning, Paola Berthoin, Dr. Kay Austen, Glen Berry, Gwyn De Amaral on behalf of Kelly Williams, Lorraine Oshea, Larry Daniels, Cheryl Thompson, John Borelli, Michelle Always, David Smiley, Karolyn Stone, Dean Hatfield, Colleen Carroll, Dan Clark, Amy White, Rick Aldinger, Lucas Wehner, Guillermo Ortiz, Bruce Smith.**

**The Commission recessed for lunch at 12:00 p.m. and resumed at 12:30 p.m.**

**Roll call after break: All Commissioners present.**

**The Commission recessed for a break at 3:00 p.m. and resumed at 3:10 p.m.**

**Rollcall after break: All Commissioners present except for Commissioner Mendoza.**

**It was moved by Commissioner Vandervere, seconded by Commissioner Diehl by the following vote to continue this project to a date uncertain.**

**AYES: Getzelman, Roberts, Diehl, Gonzalez, Coffelt, Monsalve, Ambriz, Vandvere**

**NOES: None**

**ABSENT: Duflock, Mendoza**

**ABSTAIN: None**

#### **OTHER MATTERS**

- 2. Appoint John Borelli to the Carmel Unincorporated/Highlands Land Use Advisory Committee.**

**Commissioner Diehl nominated to appoint John Borelli to the Carmel Unincorporated/Highlands Land Use Advisory Committee, seconded by Commissioner Vandervere.**

**AYES: Getzelman, Roberts, Diehl, Gonzalez, Coffelt, Monsalve, Ambriz, Vandvere**

**NOES: None**

**ABSENT: Duflock, Mendoza**

**ABSTAIN: None**

**DEPARTMENT REPORT**

**None.**

**ADJOURNMENT**

**The meeting was adjourned at 4:16 p.m. by Chair Getzelman.**





# Monterey County

## Item No.15

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-053

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the September 25, 2019 Monterey County Planning Commission Meeting Minutes.



**Monterey County**  
**Monterey County Planning**  
**Commission**  
**Meeting Minutes - Draft**

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

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**Wednesday, September 25, 2019**

**9:00 AM**

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**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Getzelman at 9:01 a.m

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Ambriz.

**ROLL CALL**

**Present:**

**Martha Diehl**

**Rich Coffelt**

**Paul C. Getzelman**

**Ernesto G. Gonzalez**

**Etna Monsalve**

**Amy Roberts**

**Ana Ambriz**

**Francisco Javier Mendoza**

**Absent:**

**Melissa Duflock**

**Keith Vandevere**

**PUBLIC COMMENTS**

**None**

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Melissa McDougal informed the Commission of documents distributed on the dais: Additional correspondence for Agenda Item No. 2 (PLN180390 – Rodgers; Two memos from Staff and a letter from the public for Agenda Item No. 3 (GPZ090005 – Moss Landing Community Plan Update).

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

**None**

Commissioner Roberts recused herself from Agenda Item No. 1 PLN180466 – T&B Sprague LLC, due to possible conflict.

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**9:00 A.M. – SCHEDULED MATTERS****1. PLN180466 - T&B SPRAGUE LLC (COMPLIANCE PARK, INC)****[PC 19-070](#)**

(Continued from September 11, 2019)

Public hearing to consider allowing commercial cannabis distribution, volatile manufacturing, processing, and testing within an existing industrial building in the Castroville industrial park.

**Project Location:** 11065 Commercial Parkway, Castroville, Castroville Community Plan, North County Area Plan (133-492-090-000)

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

**Son Pham-Gallardo, Project Planner presented the project.**

**Joel Mendoza, Fire Chief of North County Fire Protection District**

**Commissioner Duflock joined the Meeting.**

**Applicant Representative: Peter Brazil – JRG attorney, Billy Morrison – applicant consultant**

**Public Comment: Linda Grier, Nick Franchoni**

**It was moved by Commissioner Mendoza, seconded by Commissioner Diehl and passed by the following vote to find the project categorically exempt per Section 15303 of the CEQA Guidelines; and approve a General Development Plan to allow the conversion of an existing industrial building:**

**AYES: Duflock, Getzelman, Gonzalez, Monsalve, Ambriz, Mendoza, Diehl**

**NOES: Coffelt**

**ABSENT: Vandever**

**ABSTAIN: Roberts**

**2. PLN180390 - JOHN K RODGERS TR****[19-0740](#)**

Continued from June 12, 2019 - Public hearing to consider a permit to operate a 4-unit Bed and Breakfast facility within a 5 bedroom single family dwelling.

**Project Location:** 29152 Highway 1, Carmel (Assessor's Parcel Number

241-061-015-000), Carmel Land Use Plan, Coastal Zone.

**CEQA Action:** Categorically Exempt per Section 15301

**Yasmeen Hussain, Project Planner presented the project.**

**Randy Ishii - Chief of Public Works**

**Applicant Representative: John Rodgers and a second speaker who did not**

provide his name

**Public Comment: Michelle Allway, Gwen D. Amaral, Adrienne Berry, Mark O'Shae, Molly Erickson**

**It was moved by Commissioner Diel, seconded by Commissioner Roberts and passed by the following vote to continue the hearing on this project to a date uncertain and direct staff to prepare an initial study:**

**AYES: Coffelt, Duflock, Getzelman, Gonzalez, Monsalve, Roberts, Ambriz, Diehl, Mendoza**

**NOES: None**

**ABSENT: Vandever**

**ABSTAIN: None**

**The Commission recessed for break at 11:02 a.m. and reconvened at 11:12 a.m.**

**After break Chair Getzelman informed the Commission that Commissioner Duflock will return after lunch and Commissioner Roberts recused herself from Item No. 3 GPZ090005 – Moss Landing Community Plan Update due to conflicts with her former occupation.**

**3. GPZ090005 - MOSS LANDING COMMUNITY PLAN UPDATE**

**[PC 19-071](#)**

Public workshop to discuss proposed Harbor-related Land Use Policies, two Moss Landing Business Park Policies, two new special treatment area overlay policies, and Policies NCLUP ML-2.3 and 2.25 for the Moss Landing Community Plan Update. The special treatment areas pertain to the Harbor District property on Potrero Road and to the area known as the Island.

**Project Location:** Moss Landing Community (Coastal Zone, North County Land Use Plan)

**Proposed CEQA action:** Statutorily Exempt per CEQA Guidelines section 15262

**Anna Quenga, Project Planner presented the project.**

**Public Comment: Mark Del Pierro, Molly Erickson, Charlie Eady, Maurie Kloppel**

**The Commission recessed for lunch at 12:30 p.m. and reconvened at 1:30 p.m.**

**It was moved by Commissioner Diel, seconded by Commissioner Mendoza and passed by the following vote to direct staff to complete a draft of the Moss Landing Community Plan based on the Commissions direction and bring the complete plan back to the Commission along with the existing policies with a**

comprehensive presentation from Staff regarding sea level rise.

**AYES:** Ambriz, Coffelt, Getzelman, Gonzalez, Monsalve, Mendoza, Diehl

**NOES:** None

**ABSENT:** Vandever, Duflock

**ABSTAIN:** Roberts

**OTHER MATTERS**

Brandon Swanson, Planning Commission Secretary introduced the Commission to Mary Israel, a new Planner with the County of Monterey.

Brandon Swanson, Planning Commission Secretary informed the Commission that the Riverview FEIR will be delivered to the Commissioners by the end of the week, which is a month in advance of the scheduled hearing.

Wendy Strimling, County Counsel informed the Commission she will not be attending the October 9th meeting and that Deputy County Counsel, Brian Briggs will sit in as Counsel during her absences.

**DEPARTMENT REPORT**

None

**ADJOURNMENT**

The meeting was adjourned at 2:06 p.m. by Chair Getzelman.

**APPROVED:**

\_\_\_\_\_  
**BRANDON SWANSON**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY:** \_\_\_\_\_  
**MELISSA MCDOUGAL**  
**PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.16

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-054

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the October 30, 2019 Monterey County Planning Commission Meeting Minutes.



# **Monterey County**

## **Monterey County Planning Commission**

### **Meeting Minutes - Draft**

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

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**Wednesday, October 30, 2019**

**9:00 AM**

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#### **9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Getzelman at 9:04 a.m.

#### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner, Richard Coffelt

#### **ROLL CALL**

##### **Present:**

**Martha Diehl**

**Melissa Duflock**

**Rich Coffelt**

**Paul C. Getzelman**

**Ernesto G. Gonzalez**

**Etna Monsalve**

**Amy Roberts**

**Ana Ambriz**

**Francisco Javier Mendoza**

##### **Absent:**

**Keith Vandevere**

#### **PUBLIC COMMENTS**

**None**

#### **AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Sophia Magana informed the Commission of documents distributed on the dais: A packet of additional correspondence from the public and a memo from Staff for Agenda Item No. 2 (PLN040183 – Paraiso Hot Springs Resort).

#### **COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

**None**

**9:00 A.M. – SCHEDULED MATTERS****1. PLN170765 - MCINTOSH LEONARD H TR (LAGUNA SECA OFFICE PARK - LOT 5) [PC 19-078](#)**

Public hearing to consider a General Development Plan for the Laguna Seca Office Park (LSOP) which would allow residential uses or commercial use on Lots 2 through 7, not to exceed the gross square footage of commercial use within the entire LSOP, in exchange for eliminating residential potential on other individual lots within the office park (Lots 1 and 8-19), and Amendment to the previously approved Combined Development Permit (PLN020332) to change the previously approved permit from construction of an approximately 20,000 square foot office building to construction of an approximately 22,000 square foot two-story 15-unit apartment building on Lot 5 of the office park.

**Project Location:** The General Development Plan includes all of the Laguna Seca Office Park (Lots 1-19) and the amendment would be for development at 24491 Citation Court (Lot 5), Monterey, all within the Greater Monterey Peninsula Area Plan.

**Proposed CEQA Action:** Addendum together with the Laguna Seca Office Park FEIR (File No. 80-109, Resolution No. PC-3734)

**Jaime Guthrie, Project Planner presented a request to continue the matter to January 8, 2020.**

**Applicants Representative: Anthony Lombardo**

**Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Gonzalez and passed by the following vote to continue the public hearing to January 8, 2020:**

**AYES: Ambriz, Coffelt, Diehl, Duflock, Getzelman, Gonzalez, Mendoza Monsalve, Roberts**

**NOES: None**

**ABSENT: Vandever**

**ABSTAIN: None**

**2. PLN040183 - PARAISO HOT SPRINGS RESORT [PC 19-077](#)**

Public hearing to consider the reconstruction of a resort (Paraiso Hot Springs Resort). The proposed project would demolish the former resort structures and construct a resort with 103 hotel rooms, 77 timeshare units, and a wide variety of amenities. Most amenities will be available only for resort guests, but the resort includes a public use area with spa, visitor center, and commercial uses.

**Project Location:** 34358 Paraiso Springs Road, Soledad, Central Salinas Valley



Area Plan (Assessor's Parcel Numbers 418-381-021-000, 418-361-004-000, and 418-381-022-000)

**Proposed CEQA Action:** Certify an Environmental Impact Report; Adopt a Statement of Overriding Considerations; Adopt a Mitigation Monitoring and Reporting Program

**Mike Novo, Project Planner presented the project.**

**Applicants Representative: Anthony Lombardo**

**Applicant: John Thompson**

**Public Comment: Michael Huff**

**The commission recessed from 10:51 a.m. – 11:05 a.m.**

**Continued Public Comment:**

**Chief David Fulcher; Jefferey Beccum; Nancy Runyon; Tom Ward; Michael DeLapa; Alex Lorca; Steve McIntyre; Kim Stemler, Peter Garren; Keran Martin; Honey Williams; Luciano Reyes.**

**The Commission recessed for lunch at 11:56 a.m. and reconvened at 1:33 p.m.**

**It was moved by Commissioner Duflock, seconded by Commissioner Mendoza and passed by the following vote to adopt a resolution certifying an Environmental Impact Report; adopt a Statement of Overriding Considerations; approve a Combined Development Permit; approve a Use Permit for removal of 185 protected oaks trees; a Use Permit for development on slopes in excess of thirty percent; grading of approximately 16,073 cubic yards; and off-site road improvements to Paraiso Springs Road; and adopt a Mitigation Monitoring and Reporting Plan:**

**AYES: Coffelt, Duflock, Getzelman, Gonzalez, Monsalve, Roberts, NOES: Ambriz, Duflock, Mendoza**

**ABSENT: Vandever**

**ABSTAIN: None**

#### **OTHER MATTERS**

**None**

#### **DEPARTMENT REPORT**

**None**

**ADJOURNMENT**

The meeting was adjourned at 2:17 p.m. by Chair Getzelman.

**APPROVED:**

\_\_\_\_\_  
**BRANDON SWANSON**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY:** \_\_\_\_\_  
**SOPHIA MAGANA**  
**PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.17

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-063

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the November 13, 2019, Monterey County Planning Commission meeting minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, November 13, 2019**

**9:00 AM**

**Monterey County Planning Commission**

**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 Chair Getzelman at 9:07 a.m.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner, Ana Ambriz.

**ROLL CALL**

**Present:**

**Martha Diehl**

**Rich Coffelt**

**Paul C. Getzelman**

**Ernesto G. Gonzalez**

**Etna Monsalve**

**Amy Roberts**

**Ana Ambriz**

**Francisco Javier Mendoza**

**Absent:**

**Melissa Duflock**

**Keith Vandever**

**PUBLIC COMMENTS**

**None.**

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

**None.**

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

**None.**

**9:00 A.M. – SCHEDULED MATTERS**

**1. PLN190131 - FULL GOSPEL CHURCH OF LAS LOMAS**

Public hearing to consider a Lot Line Adjustment between two legal lots of record of approximately 0.4 acres (Assessor's Parcel Number 119-122-007-000, Parcel A) and 2.451 acres (Assessor's Parcel Number 119-122-020-000, Parcel B), resulting in two lots consisting of 0.5 acres (Adjusted Parcel A) and 2.351 acres (Adjusted Parcel B).

**Project Location:** 202 Hall Road and 21 & 29 Willow Road, Royal Oaks, North County Land Use Plan, Coastal Zone

**Proposed CEQA action:** Categorically Exempt Per Section 15305 (a) of the CEQA Guidelines

**Commissioner Richard Coffelt recused himself due to potential conflict of**

interest.

**Jackie Nickerson, Project Planner and Craig Spencer, RMA Services Manager presented the project.**

**Applicants Representative: Christina Gutierrez**

**Public Comment: None**

**It was moved by Commissioner Mendoza, seconded by Commissioner Gonzalez and passed by the following vote to find that the project involves a minor lot line adjustment not changing land use densities or building sites on slopes greater than 20% which qualifies as a Class 5 Categorical Exemption pursuant to Section 15305 (a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and approve a Coastal Development Permit to allow a Lot Line Adjustment between two legal lots of record:**

**AYES: Coffelt, Getzelman, Gonzalez, Monsalve, Roberts,**

**NOES: None**

**ABSENT: Vandever, Duflock**

**ABSTAIN: Coffelt**

**2. PLN190059 - HOEKSTRA**

Public hearing to consider the construction of a two-story single family dwelling with a detached garage and Accessory Dwelling Unit. The project also includes other site improvements including patio/retaining walls, pool/pool terrace, and removal of three (3) Coast Live Oak trees in addition to thirty tree (33) trees which were previously approved for removal on this property.

**Project Location:** 92 Chamisal Pass, Carmel - Santa Lucia Preserve (Assessor's Parcel Number 239-102-027-000), Carmel Valley Master Plan.

**Proposed CEQA action:** Addendum to the Santa Lucia Preserve Environmental Impact Report.

**Son Pham-Gallardo, Project Planner and Craig Spencer, RMA Services Manager presented the project.**

**Applicants Representative: Greg Klein**

**Public Comment: Brian Escamilla with the Monterey County Environment Health Bureau**

**The Commission recessed for break at 9:43 a.m. and reconvened at 9:56 a.m.**

**Commissioner Diehl requested the following language to be added to Finding 5, Evidence c, "Two landmark trees are located within the building footprint and two are located within the septic area. Movement of the house was**

considered but would result in impacts to other adjacent landmark trees and 2 is the minimum needed for the residential development. Alternatives locations and septic treatment systems were considered to avoid and minimize impacts to landmark trees from the septic system. The alternative septic site would impact more trees and require pumping of waste uphill. Deeper, alternative treatment systems were considered but would not reduce treatment area sufficiently to avoid impacts to landmark trees within the septic area.”

It was moved by Commissioner Diehl, seconded by Commissioner Ambriz and passed by the following vote to certify that an Addendum has been considered together with the Potrero Subdivision Supplemental Environmental Impact Report (SEIR); approve a Combined Development Permit; and adopt a Mitigation Monitoring and Reporting Program: with the changes as stated:

**AYES:** Coffelt, Getzelman, Gonzalez, Monsalve, Roberts, Ambriz, Mendoza

**NOES:** None

**ABSENT:** Vandevere, Duflock

**ABSTAIN:** None

#### **OTHER MATTERS**

Commissioner Diehl reminded Staff that the Planning Commission still needs to receive a report on the fire rebuild properties, and requested a state report on the Carmel Point archeological resources and requested to add a quarterly status report regarding any applications within the County for workforce or affordable housing.

#### **DEPARTMENT REPORT**

None

#### **ADJOURNMENT**

The meeting was adjourned at 10:01 a.m. by Chair Getzelman.

**APPROVED:**

\_\_\_\_\_  
**BRANDON SWANSON**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

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

**SOPHIA MAGANA**  
**PLANNING COMMISSION CLERK**

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





# Monterey County

## Item No.18

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-070

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the December 4, 2019, Monterey County Planning Commission Meeting Minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, December 4, 2019**

**9:00 AM**

**Monterey County Planning Commission**

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Getzelman at 9:07 a.m

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner, Etna Monsalve.

**ROLL CALL**

Present:

Martha Diehl

Rich Coffelt

Paul C. Getzelman

Ernesto G. Gonzalez

Etna Monsalve

Francisco Javier Mendoza

Melissa Duflock

Absent:

Amy Roberts

Ana Ambriz

**PUBLIC COMMENTS**

None

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Sophia Magana informed the Commission of a document distributed on the dais: A letter from the Public for Agenda Item No. 3 (REF –120030 Development Evaluation System)

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

None

**9:00 A.M. – SCHEDULED MATTERS****1. PLN180217 - TRINGALI SALVATORE JOSEPH & BRIANA SUZANNE**

Public hearing to consider an after-the-fact permit to construct a 2,924 square foot basketball court and a ten foot tall black metal fence enclosure in the rear yard of a single family residence, two 2-foot tall landscape retaining walls, an 856 square foot concrete patio, an 81 square foot chicken coop, a 38 square foot storage shed addition and a 351 square foot gazebo. The permit includes installation of after-the-fact drainage improvements and the removal of a batting cage in the side yard of an existing single family residence, removal of light fixtures installed at the basketball court, demolition of three sheds, and restoration of planted cypress trees along the side property line.

**Project Location:** 25710 Rio Vista Drive, Carmel, Carmel Valley Master Plan

**Proposed CEQA action:** Categorically Exempt Per Section 15301 (l) and 15303 (e) of the CEQA Guideline

**Jackie Nickerson, Project Planner presented the continuance request to a date uncertain.**

**Applicants Representative: Anthony Lombardo**

**Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Gonzalez and passed by the following vote to continue the project to a date uncertain:**

**AYES: Coffelt, Getzelman, Gonzalez, Monsalve, Mendoza, Diehl, Duflock**

**NOES: None**

**ABSENT: Ambriz, Roberts**

**ABSTAIN: None**

**2. PLN190036 - TOTTINO TRUST ET AL AND ELKHORN SLOUGH FOUNDATION**

Public hearing to consider a Lot Line Adjustment between two legal lots of record transferring 33.6 acres from a 255.4 acre parcel (Parcel A - Tottino) to a 41.2 acre parcel (Parcel B- Elkhorn Slough Foundation) resulting in a 221.8 acre parcel (reconfigured Parcel A) and a 74.8 acre parcel (reconfigured Parcel B).

**Project Location:** Parcels involved in the Lot Line Adjustment are **generally** located on the south bank of Moro Cojo Slough, east of Watsonville Road and north of Highway 156, north and east of the town of Castroville.

**Proposed CEQA action:** Categorically Exempt per Section 15305 of the CEQA Guidelines

**Yasmeen Hussain, Project Planner and Craig Spencer, RMA Services Manager presented the project.**

**Wendy Strimling, Senior County Counsel requested updates to the address in condition of approval number 1 and updates to condition of approval 2 making it clear that the owners are responsible for the recordation of the permit approval notice.**

**Applicant: Camille Armstrong**

**Public Comment: None**

**It was moved by Commissioner Coffelt, seconded by Commissioner Mendoza and passed by the following vote to find the project is a Lot Line Adjustment that does not result in the creation of any new parcel, and is categorically exempt pursuant to Section 15305 (a) of the CEQA Guidelines, and none of the exceptions under Section 15300.2 apply; and approve a Coastal Development Permit to allow a Lot Line Adjustment between two legal lots of records with the changes as stated:**

**AYES: Coffelt, Getzelman, Gonzalez, Monsalve, Mendoza, Diehl, Duflock**

**NOES: None**

**ABSET: Ambriz, Roberts**

**ABSTAIN: None**

**3. REF120030 - DEVELOPMENT EVALUATION SYSTEM**

- a. Conduct a public workshop to review the draft Development Evaluation System (DES) Procedure Manual and implementing Ordinance
- b. Forward comments on the DES program to the Board of Supervisors before final consideration by the Planning Commission.

**Project Location:** County Wide (Inland Only)

**Proposed CEQA action:** Statutorily Exempt per CEQA Guidelines section 15262

**Anna Quenga, Project Planner presented the project.**

**Public Comment: Janet Brennon, Dale Ellis**

**No motion required.**

#### **OTHER MATTERS**

4. a. Appoint Don Bonsper to the Cachagua Land Use Advisory Committee.
- b. Appoint Carol Church and Kamlesh Parikh to the Del Monte Forest Land Use Advisory Committee.
- c. Accept the resignation of Kemay Eoyang from the Greater Monterey Peninsula Land Use Advisory Committee.
- d. Accept the resignation of Cheryl Lambert from the North County Land Use Advisory Committee.

**a. Appoint Don Bonsper to the Cachagua Land Use Advisory Committee.**

**It was moved by Commissioner Diehl, Seconded by Commissioner Gonzalez and passed by the following vote to appoint Don Bonsper to the Cachagua Land Use Advisory Committee.**

**AYES: Coffelt, Getzelman, Gonzalez, Monsalve, Mendoza, Diehl, Duflock**

**NOES: None**

**ABSENT: Ambriz, Roberts**

**ABSTAIN: None**

**b. Appoint Carol Church and Kamlesh Parikh to the Del Monte Forest Land Use Advisory Committee.**

**It was moved by Commissioner Diehl, Seconded by Commissioner Gonzalez and passed by the following vote to appoint Carol Church and Kamlesh Parikh to the Del Monte Forest Land Use Advisory Committee.**

**AYES: Coffelt, Getzelman, Gonzalez, Monsalve, Mendoza, Diehl, Duflock**

**NOES: None**

**ABSENT: Ambriz, Roberts**

**ABSTAIN: None**

**c. Accept the resignation of Kemay Eoyang from the Greater Monterey Peninsula Land Use Advisory Committee.**

**It was moved by Commissioner Diehl, seconded by Commissioner Gonzalez**

and passed by the following vote to accept the resignation of Kemay Eoyang from the Greater Monterey Peninsula Land Use Advisory Committee.

**AYES:** Coffelt, Getzelman, Gonzalez, Monsalve, Mendoza, Diehl, Duflock

**NOES:** None

**ABSENT:** Ambriz, Roberts

**ABSTAIN:** None

d. Accept the resignation of Cheryl Lambert from the North County Land Use Advisory Committee.

It was moved by Commissioner Mendoza, seconded by Commissioner Coffelt and passed by the following vote to accept the resignation of Cheryl Lambert from the North County Land Use Advisory Committee.

**AYES:** Coffelt, Getzelman, Gonzalez, Monsalve, Mendoza, Diehl, Duflock

**NOES:** None

**ABSENT:** Ambriz, Roberts

**ABSTAIN:** None

**DEPARTMENT REPORT**

None

**ADJOURNMENT**

The meeting was adjourned at 10:52 a.m. by Chair Getzelman.

**APPROVED:**

\_\_\_\_\_  
**BRANDON SWANSON**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY:** \_\_\_\_\_  
**SOPHIA MAGANA**  
**PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.19

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-062

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the July 28, 2021, Monterey County Planning Commission meeting minutes.



# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, July 28, 2021**

**9:00 AM**

### **Monterey County Planning Commission**

*Ana Ambriz, Chair*

*Francisco Mendoza, Vice Chair*

*Craig Spencer, Secretary*

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Ambriz at 9:06 a.m.

This meeting was conducted via teleconference using Zoom and in person in the Board Chambers.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Getzelman.

**ROLL CALL****Present:**

Martha Diehl via Zoom

Paul C. Getzelman in Person

Etna Monsalve Via Zoom

Ana Ambriz in Person

Amy Roberts In Person

Ernesto Gonzalez Via Zoom

**Absent:**

Rich Coffelt

Francisco Javier Mendoza

Katharine Daniels

Planning Commission Secretary Erik Lundquist went over the procedures for the Zoom hearing.

**PUBLIC COMMENTS**

None

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Felicia Silveira informed the Commission of additional correspondence for Agenda Item No. 2 – PLN040103 – Hansen and an Errata Memo from Staff for Agenda Item No. 4 – PLN160047 – Post Ranch Inn & One Simo Parcel C LLC.

**APPROVAL/ACCEPTANCE OF MINUTES**

- A. Acceptance of the March 31, 2021, April 28, 2021 and June 9, 2021 Monterey County Planning Commission Meeting Minutes.

**Acceptance of the March 31, 2021 Meeting Minutes**

**It was moved by Commissioner Gonzales and seconded by Commissioner Getzelman and passed by the following vote to accept the March 31, 2021**

**meeting minutes:****AYES: Ambriz, Diehl, Getzelman, Gonzales, Monsalve, Roberts****NOES: None****ABSENT: Coffelt, Mendoza, Daniels****ABSTAIN: None****Acceptance of the April 28, 2021 Meeting Minutes:**

**It was moved by Commissioner Getzelman and seconded by Commissioner Gonzalez and passed by the following vote to accept the April 28, 2021 meeting minutes:**

**AYES: Ambriz, Diehl, Getzelman, Gonzales, Monsalve, Roberts****NOES: None****ABSENT: Coffelt, Mendoza, Daniels****ABSTAIN: None****Acceptance of the June 9, 2021 Meeting Minutes:**

**It was moved by Commissioner Gonzalez and seconded by Commissioner Monsalve and passed by the following vote to accept the June 9, 2021 meeting minutes:**

**AYES: Ambriz, Diehl, Getzelman, Gonzales, Monsalve****NOES: None****ABSENT: Coffelt, Mendoza, Daniels****ABSTAIN: Roberts****COMMISSIONER COMMENTS, REQUESTS AND REFERRALS****None****9:00 A.M. – SCHEDULED MATTERS****1. PLN200189 - UCHIDA WATARU & NORIKO TRS**

Public hearing to consider use permits allowing replacement of greenhouses of 59,145 square feet of greenhouses that historically existed on the property while maintaining a non-conforming lot coverage (68%) and approximately 275,000 square feet commercial cannabis cultivation and cannabis nursery area within greenhouses, self-distribution of cannabis products produced onsite, non-volatile cannabis manufacturing, and cannabis processing within existing agricultural support facilities.

**Project Location:** 2338 Alisal Road, Salinas, Greater Salinas Area Plan

**Proposed CEQA action:** Consider the previously adopted Multi-Site Cannabis Initial Study/Mitigated Negative Declaration pursuant to section 15164 of the CEQA Guidelines.

**Sandra Villatoro, project planner presented the item.**

**Applicant Representative: Jennifer Rosenthal**

**Public Comment: None**

**It was moved by Commissioner Roberts and seconded by Commissioner Getzelman to approve the project with the addition of the Indemnification Agreement condition and to adopt the Mitigation Monitoring and Reporting Program and passed by the following vote:**

**AYES: Ambriz, Diehl, Getzelman, Gonzales, Monsalve, Roberts**

**NOES: None**

**ABSENT: Coffelt, Mendoza, Daniels**

**ABSTAIN: None**

**2. PLN040103 EXT 1 - HANSEN JAMES AND PLISKA ALAN T (COUNTRY LAKE ESTATES)**

Public hearing to consider a six-year extension to a previously approved Vesting Tentative Map (PLN040103) and a request to waive the permit application fees of \$6,790 associated with the extension request.

**Project Location:** 70850 and 70970 New Pleyto Road, Bradley

**CEQA Action:** A Mitigated Negative Declaration (adopted June 23, 2006) was prepared for the original subdivision approval (PLN040103). Subsequent review is not required for this extension pursuant to CEQA Guidelines Section 15162. The decision on the fees is not a “project” under CEQA.

**Michelle Huang, project planner presented the item.**

**Applicant Representative: Jim Hansen**

**Public Comment: None**

**It was moved by Commissioner Getzelman and seconded by Commissioner Roberts to deny the fee waiver and continue the extension public hearing to August 11, 2021 and passed by the following vote:**

**AYES: Ambriz, Diehl, Getzelman, Gonzales, Monsalve, Roberts**

**NOES: None**

**ABSENT: Coffelt, Mendoza, Daniels**

**ABSTAIN: None**

**3. PLN180305-AMD1 - GUNN LEZLIE**

Public hearing to consider an Amendment to a previously approved Combined Development Permit (PLN180305) to include the addition of 114 square feet to an attached two-car garage, a new spa, a revised layout of the master bathroom, a revised roof slope from 4.5:12 to 4:12 creating a larger flat roof section, and removal of three (3) additional Monterey Pine trees adding to the thirteen (13) trees

previously permitted for removal, for a new total of sixteen (16) trees removed.

**Project Location:** 4127 Crest Road, Pebble Beach in the Huckleberry Hill planning area of the Del Monte Forest Land Use Plan

**Proposed CEQA action:** Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines

**Phil Angelo, project planner presented the item.**

**Applicant Representative: Jun Sillano**

**Public Comment: None**

**It was moved by Commissioner Diehl and seconded by Commissioner Getzelman to approve the project with revisions adding the project language in condition 1 and updating the number of conditions listed under condition 2 and passed by the following vote:**

**AYES:** Ambriz, Diehl, Getzelman, Gonzales, Monsalve, Roberts

**NOES:** None

**ABSENT:** Coffelt, Mendoza, Daniels

**ABSTAIN:** None

**4. PLN160047 - POST RANCH INN & ONE SIMO PARCEL C LLC**

Public hearing to consider an amendment to an approved General Development Plan and a Combined Development Permit (PLN970492) allowing the relocation of existing and approved resort and supportive facilities at the Post Ranch Inn, including conversion of existing guest units to spa rooms, conversion of employee housing units to visitor serving units, and construction of new visitor serving units without increasing the number of units overall (40 visitor serving units and 44 employee housing units). Improvements to water and fire suppression supply systems, wastewater treatment systems and stormwater systems are also proposed. The proposed development will require removal of 6 California bay laurel trees and 1 Coast redwood and is located within 100 feet of Environmentally Sensitive Habitat Areas (ESHA) and within 750 feet of a positive archaeological site.

**Project Location:** The properties are located at 47900 & 47998 Highway 1, Big Sur, Big Sur Coast Land Use Plan

**Proposed CEQA Action:** Mitigated Negative Declaration

**Anna Quenga, Planning Manager and Phil Angelo, project planner presented the item.**

**Applicant Representative: Laura Lawrence, Mike Higgins**

**Staff: Darby Marshall**

**Public Comment: None**

**It was moved by Commissioner Roberts and seconded by Commissioner Monsalve and passed by the following vote to continue the public hearing to August 25, 2021:**

**AYES: Ambriz, Diehl, Getzelman, Gonzales, Monsalve, Roberts**

**NOES: None**

**ABSENT: Coffelt, Mendoza, Daniels**

**ABSTAIN: None**

#### **OTHER MATTERS**

- 5.** Accept the Resolution of Commendation and Appreciation for Barbara Rainer for her service on the Land Use Advisory Committee.

**Erik V Lundquist read the resolution into record.**

**The resolution was accepted by the following Commissioners:**

**AYES: Ambriz, Diehl, Getzelman, Gonzales, Monsalve, Roberts**

**NOES: None**

**ABSENT: Coffelt, Mendoza, Daniels**

**ABSTAIN: None**

- 6. MONTEREY COUNTY PLANNING COMMISSION NOMINATION COMMITTEE**  
Appointment of a new Vice Chair position

**Commissioner Getzelman requested the item to be delayed to the next Planning Commission Meeting.**

#### **DEPARTMENT REPORT**

**Planning Commission Secretary, Erik Lundquist went over items for upcoming Planning Commission hearings.**

#### **ADJOURNMENT**

**Chair Ambriz adjourned this meeting at 11:03 am**

**APPROVED:**

\_\_\_\_\_  
**ERIK LUNDQUIST**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

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

**FELICIA SILVEIRA**

**PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.20

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-061

October 13, 2021

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**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the August 25, 2021, Monterey County Planning Commission meeting minutes.



# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, August 25, 2021**

**9:00 AM**

### **Monterey County Planning Commission**

*Ana Ambriz, Chair*

*Francisco Mendoza, Vice Chair*

*Craig Spencer, Secretary*

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order by Chair Ambriz at 9:00 a.m.

This meeting was conducted via teleconference using Zoom

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Getzelman.

**ROLL CALL****Present:**

Amy Roberts

Martha Diehl

Rich Coffelt

Paul C. Getzelman

Etna Monsalve

Katharine Daniels

Francisco Javier Mendoza

Ernesto Gonzalez

Ana Ambriz

**Absent:**

None

Planning Commission Secretary Erik Lundquist went over the procedures for the Zoom hearing.

**PUBLIC COMMENTS**

None.

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Melissa McDougal informed the Commission of additional correspondence received from the public for Agenda Item No. 1 – PLN170647 – Smith Eco Site and additional correspondence received from the public for Agenda Item No. 3 – PLN160047 – Post Ranch Inn.

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

Commissioner Diehl requested that the Planning Commission Referral sheet be distributed with the hearing packets for future meetings.

**APPROVAL/ACCEPTANCE OF MINUTES**

- A. Acceptance of the August 14, 2019 and June 30, 2021 Monterey County Planning Commission Meeting Minutes.

**It was moved by Commissioner Gonzales and seconded by Commissioner**

**Diehl and passed by the following vote to accept the August 14, 2019, Planning Commission Meeting Minutes with an update to correct the spelling of Commissioner Diehl's name on page three:**

**AYES: Getzelman, Mendoza, Diehl, Roberts, Gonzales, Ambriz, Daniels**

**NOES: None**

**ABSENT: None**

**ABSTAIN: Monsalve, Coffelt**

**It was moved by Commissioner Diehl and seconded by Commissioner Monsalve and passed by the following vote to accept the June 30, 2021, Planning Commission Meeting Minutes with the request to add more detail to the updated provided by Erik Lundquist under other matters regarding properties impacted by recent wildfires.**

**AYES: Coffelt, Getzelman, Mendoza, Monsalve, Diehl, Roberts, Gonzales, Ambriz, Daniels**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**9:00 A.M. – SCHEDULED MATTERS**

**1. PLN170647 - SMITH RICHARD C & SUSAN BOONE SMITH TRUST (ECO-SITE /T-MOBILE CELL TOWER)**

Public hearing to consider a Use Permit to allow the installation of a new 65-foot-tall wireless communication facility with at-ground equipment shelter and fenced enclosure. The pole and antenna will have a faux oak tree appearance.

**Project Location:** 515 Coker Road, Salinas

**CEQA Action:** Mitigated Negative Declaration

**Mary Israel, Project Planner recommended a continuance of the public hearing to October 27, 2021.**

**Applicant: Stephen Lanini on behalf of Eco Site**

**Public Comment: Don Chesterman and Jennifer Salinas**

**Commissioner Daniels requested accurate coverage maps for the purposed site and alternative sites to be brought before the Commission when the item returns on October 27, 2021.**

**It was moved by Commissioner Gonzales and seconded by Commissioner Daniels and passed by the following vote to continue the public hearing on this**

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item to a date certain of October 27, 2021.

**AYES:** Coffelt, Getzelman, Mendoza, Roberts, Daniels, Monsalve, Diehl, Gonzales, Ambriz

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**2. PLN050722-AMD1 - DOUD JOHN P TR ET AL**

Public hearing to consider an Amendment to a previously approved Lot Line Adjustment (PLN050722, Resolution No. 07002) between four legal lots of record.

**Project Location:** East of Highway 1 between Soberanes Point and Kasler Point, Big Sur

**Proposed CEQA Action:** Categorically exempt per Section 15305 of the CEQA Guidelines

**Jaime Guthrie, Senior Project Planner presented this item.**

**Applicant's Agent:** Aengus Jeffers

**Public Comment:** None

**It was moved by Commissioner Daniels and seconded by Commissioner Diehl and passed by the following vote to find the project categorically exempt per Section 15305 of the CEQA Guidelines as a minor lot line adjustment that does not result in new parcels and there are no exceptions pursuant to Section 15300.2 of the CEQA Guidelines; and approve an amendment to a Lot Line Adjustment between four lots containing a total of 1,375 acres with the correction to the language in finding 1 evidence d, finding 2 evidence c and the deletion of the Lot Line Adjustment condition and the Record of Survey condition resulting in a total of six conditions:**

**AYES:** Coffelt, Getzelman, Mendoza, Roberts, Daniels, Monsalve, Diehl, Gonzales, Ambriz

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**3. PLN160047 - POST RANCH INN & ONESIMO PARCEL C LLC**

**Continued from the July 28, 2021.** Public hearing to consider an amendment to an approved General Development Plan and a Combined Development Permit (PLN970492) allowing the relocation of existing and approved resort and supportive facilities at the Post Ranch Inn, including conversion of existing guest units to spa rooms, conversion of employee housing units to visitor serving units, and construction of new visitor serving units without increasing the number of units overall (40 visitor serving units and 44 employee housing units). Improvements to water and fire suppression supply systems, wastewater treatment systems and stormwater systems are also proposed. The proposed development will require removal of 6 California bay laurel trees and 1 Coast redwood and

is located within 100 feet of Environmentally Sensitive Habitat Areas (ESHA) and within 750 feet of a positive archaeological site.

**Project Location:** The properties are located at 47900 & 47998 Highway 1, Big Sur, Big Sur Coast Land Use Plan

**Proposed CEQA Action:** Mitigated Negative Declaration

**Anna Quenga, project planner presented this item.**

**Applicant's Agent: Laura Lawrence**

**Public Comment: None**

**It was moved by Commissioner Diehl, seconded by Commissioner Daniels and passed by the following vote to adopt a Mitigation Negative Declaration pursuant to Section 15074 of the CEQA Guidelines; and amend an approved General Development Plan (PLN970492) for “current phase” and “future phase” development of the Post Ranch Inn Resort reconfiguring the resort facilities while maintaining the approved buildout of 40 visitor serving units and 44 employee housing units; and approve a Combined Development Permit for the current phase of development with the addition of a non-standard condition for Employee Housing Units, which states prior to, or concurrent with, submittal of the required entitlements for the Sierra Mar restaurant addition detached spa room and detached ADA compliant restroom, the owner/applicant shall submit an application for the necessary entitlement(s) required for the 3 Employee Housing Unites identified in the “Future Uses” section of the Post Ranch Inn General Development Plan and modify finding 1, evidence j to include the reference to the new non-standard condition:**

**AYES: Coffelt, Getzelman, Mendoza, Roberts, Daniels, Monsalve, Diehl, Ambriz, Gonzales**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**OTHER MATTERS**

4.
  - a. Appoint Kathleen Novoa to the South Coast Land Use Advisory Committee
  - b. Appoint Susan Newton to the Cachagua Land Use Advisory Committee
  - c. Appoint Orville Myers to the Cachagua Land Use Advisory Committee
  - d. Appoint Tom Gano to the Cachagua Land Use Advisory Committee
  - e. Appoint Janis Dickinson to the Cachagua Land Use Advisory Committee

**a. Appoint Kathleen Novoa**

**It was moved by Commissioner Diehl, seconded by Commissioner Daniels and passed by the following vote to appoint Kathleen Novoa to the South Coast Land Use Advisory Committee:**

**AYES: Coffelt, Getzelman, Mendoza, Roberts, Monsalve, Diehl, Gonzales, Ambriz, Daniels**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**b. Appoint Susan Newton**

**It was moved by Commissioner Diehl and seconded by Commissioner Daniels and passed by the following vote to appoint Susan Newton to the Cachagua Land Use Advisory Committee:**

**AYES: Coffelt, Getzelman, Mendoza, Roberts, Monsalve, Diehl, Gonzales, Ambriz, Daniels**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**c. Appoint Orville Myers**

**It was moved by Commissioner Daniels to approve, seconded by Commissioner Diehl, and passed by the following vote to appoint Orville Myers to the Cachagua Land Use Advisory Committee:**

**AYES: Coffelt, Getzelman, Mendoza, Roberts, Monsalve, Diehl, Gonzales, Ambriz, Daniels**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**d. Appoint Tom Gano**

**It was moved by Commissioner Daniels to approve, seconded by Commissioner Diehl, and passed by the following vote to appoint Tom Gano to the Cachagua Land Use Advisory Committee**

**AYES: Coffelt, Getzelman, Mendoza, Roberts, Monsalve, Diehl, Gonzales, Ambriz, Daniels**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**e.Appoint Janis Dickson**

**It was moved by Commissioner Daniels to approve, seconded by Commissioner Diehl, and passed by the following vote to appoint Janis Dickinson to the Cachagua Land Use Advisory Committee:**

**AYES: Coffelt, Getzelman, Mendoza, Roberts, Monsalve, Diehl, Gonzales, Ambriz, Daniels**

**NOES: None**

**ABSENT: None**

**ABSTAIN: None**

**DEPARTMENT REPORT**

**Secretary Erik informed the Commission of the Boards approval of the Isabella project.**

**Secretary Erik Lundquist provided an update on the agenda items coming before the Planning Commission in September.**

**Secretary Erik Lundquist provided the Commission with an update on the Planning Commission vacancy.**

**Secretary Erik Lundquist informed the Commission that he extended the 2016 Soberanes/Chimney Fire Recovery Guidelines until March 1, 2024, as authorized by Board of Supervisors Resolution 16-047,**

**Commissioner Daniels requested an update on the Short-Term Rentals Ordinance.**

Secretary Erik Lundquist provided an update.

Assistant County Counsel, Wendy Strimling informed the Commission that she will be unavailable at the September 8th Planning Commission meeting and that Deputy County Counsel Kelly Donlon will be sitting in as County Counsel.

**ADJOURNMENT**

The meeting was adjourned at 10:19a.m. by Chair Ambriz

**APPROVED:**

\_\_\_\_\_  
**ERIK LUNDQUIST**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

**BY: \_\_\_\_\_**  
**MELISSA MCDOUGAL**  
**PLANNING COMMISSION CLERK**

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





# Monterey County

## Item No.21

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: MIN 21-065

October 13, 2021

**Introduced:** 10/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Acceptance of the September 8, 2021, Monterey County Planning Commission meeting minutes.

# **Monterey County**

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



## **Meeting Minutes - Draft**

**Wednesday, September 8, 2021**

**9:00 AM**

### **Monterey County Planning Commission**

*Ana Ambriz, Chair*

*Francisco Mendoza, Vice Chair*

*Craig Spencer, Secretary*

**9:00 A.M. - CALL TO ORDER**

The meeting was called to order at 9:04 a.m.

This meeting was conducted via teleconference using the Microsoft Zoom program

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Diehl.

Secretary Lundquist read the Zoom meeting procedures.

**ROLL CALL****Present:**

Amy Roberts

Martha Diehl

Rich Coffelt

Etna Monsalve

Katharine Daniels

Francisco Javier Mendoza

Ernesto Gonzalez

**Absent:**

Ana Ambriz

Paul C. Getzelman

**PUBLIC COMMENTS**

None.

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

Commission Clerk Felicia Silveira informed the Commission of additional correspondence received from the public for Agenda Item No. 2 – PLN180428 – O P Murphy Produce.

Secretary Lundquist requested that Agenda Item No. 3 be heard before Agenda Item No. 2.

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

None.

**9:00 A.M. – SCHEDULED MATTERS**

1. Public hearing to consider recommending that the Board of Supervisors adopt a resolution determining that abandoning or vacating the public right-of-way of the southerly 4.5 miles of Reliz Canyon Road, approximately being that portion of Reliz Canyon Road lying south of the north line of Section 26 in Township 19 South, Range 6 East, Mount Diablo Meridian, is consistent with the 2010

Monterey County General Plan and Central Salinas Valley Land Use Plan, and abandon or vacate said portions.

**Project Location:** Portion of Reliz Canyon Road in the area westerly of the City of Greenfield,

**Michael Goetz, Chief of Surveys recommended the public hearing be continued to October 13, 2021.**

**Public Comment: None**

**It was moved by Commissioner Daniels to continue the public hearing to October 13, 2021, seconded by Commissioner Coffelt and passed by the following vote:**

**AYES: Coffelt, Mendoza, Roberts, Daniels, Monsalve, Diehl, Gonzales**

**NOES: None**

**ABSENT: Ambriz, Getzelman**

**ABSTAIN: None**

**2. PLN180428 - O P MURPHY PRODUCE CO INC AND GILL DAVID L & SUSAN TRS ET AL**

Public hearing to consider recommendation to the Board of Supervisors on request for a Lot Line Adjustment between two legal lots and a Variance on Lot 1 resulting from the Lot Line Adjustment to allow a 14.45% lot coverage as a result of existing development on the reduced lot size.

**Project Location:** 31450 Highway 101, Gonzalez

**Proposed CEQA Action:** Find the project categorically exempt per Section 15305 of the CEQA Guidelines

**Jaime Guthrie, Senior Planner project planner presented this item.**

**Applicant's Agent: Christine Kemp**

**Public Comment: None**

**It was moved by Commissioner Diehl to recommend Staff's summary with modifications, seconded by Commissioner Daniels, and passed by the following vote:**

**AYES: Coffelt, Mendoza, Roberts, Daniels, Monsalve, Diehl, Gonzales**

**NOES: None**

**ABSENT: Ambriz, Getzelman**

**ABSTAIN: None**

**3. PLN190252 - KOSTIGEN GREGORY A & DONNA STARKS TRS**

Public hearing to consider recommending that the Board of Supervisors approve after-the-fact construction of three retaining walls on slopes exceeding 30% and the installation of drainage culvert

improvements and an amendment to a Conservation and Scenic Easement Deed recorded along the drainage easement that would authorize repair and maintenance for drainage in the easement. Find the project categorically exempt per Section 15317 of the CEQA Guidelines.

**Fionna Jensen, Assistant Planner recommended the public hearing be continued to a date uncertain.**

**Applicant: Donna Kostigen**

**Public Comment: Thomas Rettenwender**

**It was moved by Commissioner Monsalve to continue this item to a date uncertain, seconded by Commissioner Daniels, and passed by the following vote:**

**AYES: Coffelt, Mendoza, Roberts, Daniels, Monsalve, Diehl, Gonzales**

**NOES: None**

**ABSENT: Ambriz, Getzelman**

**ABSTAIN: None**

#### **OTHER MATTERS**

- 4. Planning Commission Referrals**

**Secretary Lundquist presented current Planning Commission referrals.**

- 5. Telecommunication Ad Hoc Committee Report.**

**Secretary Lundquist provided an update on this item.**

#### **DEPARTMENT REPORT**

**Secretary Lundquist advised that Craig Spencer was promoted to the Chief of Planning and will eventually become the Planning Commission Secretary.**

**Commissioner Daniels left the meeting at 9:58 a.m.**

#### **ADJOURNMENT**

**The meeting was adjourned at 10:00 a.m. by Chair Mendoza**

**APPROVED:**

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**ERIK V. LUNDQUIST**  
**PLANNING COMMISSION SECRETARY**

**ATTEST:**

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

**FELICIA SILVEIRA**

**PLANNING COMMISSION CLERK**

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



# Monterey County

## Item No.22

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: PC 21-084

October 13, 2021

Introduced: 10/4/2021

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

- a. Acknowledge the following resignations from the Cachagua Land Use Advisory Committee.
  - Matthew Shea
  - Diane Miller
  - Sarah Haussermann
- b. Acknowledge the following resignations from the North County Land Use Advisory Committee.
  - Robert MacDonald
  - DL Grier
- c. Acknowledge the following resignations from the Spreckels Neighborhood Design Review Committee.
  - Jana Heer-Glowacki
  - Scott Henningsen
- d. Reappoint the following members to the Cachagua Land Use Advisory Committee.
  - Don Bonsper
  - Kathy Hebermann
- e. Reappoint the following members to the Carmel Valley Land Use Advisory Committee.
  - Janet Brennan
  - Charles "Charly" Franklin
  - James Kendall
  - Judy MacClelland
  - David Burbidge
  - James Anzini
- f. Reappoint the following members to the Carmel Highlands Land Use Advisory Committee.
  - John Borelli
  - Said "Jack" Meheen
  - Dan Keig
  - Holli Leon
  - Clyde Freedman
- g. Reappoint the following members to the Big Sur Land Use Advisory Committee.
  - S Richard Ravich
  - Mary Trotter
  - David Smiley
  - Steve Beck
  - Marcus Foster

- h. Reappoint the following members to the South Coast Land Use Advisory Committee.
  - John Handy
  - Constance McCoy
  - Lindsay Romanov
  - Harry Harris
- i. Reappoint the following members to the North County Land Use Advisory Committee.
  - Sherry Owen
  - John Robinett
  - David Evans
  - Michael Mastroianni
  - Lesley Noble
  - Emily Tafoya
- j. Reappoint the following members to the Greater Monterey Peninsula Land Use Advisory Committee.
  - Joy Jacobs
  - Ron DeHoff
  - Linda Agrati
- k. Reappoint the following members to the Toro Land Use Advisory Committee.
  - Michael Mueller
  - Mike Weaver
  - Beverly Bean
  - Lauren Keenan
  - Robert Rieger
  - Roy Gobets
  - William Pyburn
  - Ronald Vandergrift
- l. Reappoint the following members to the South County Land Use Advisory Committee.
  - Ed Buntz
  - Caroline “Carol” Kenyon
  - Greg Michael Traynor
  - Debbie Roberson
  - Bart Bartosh
- m. Reappoint the following members to the Castroville Land Use Advisory Committee.
  - Monique Rodriguez
  - Ron Stefani
  - Grant Leonard
  - Debra Torres
  - Cosme Padilla
- n. Reappoint the following members to the Del Monte Forest Land Use Advisory Committee.
  - Bart Bruno
  - Ned Van Roekel
  - Lori Lietzke
  - Carol Church



- Rick Verbanec
  - Maureen Lyon
  - Kamlesh Parikh
  - Kim Caneer
- o. Reappoint James Riley to the Spreckels Neighborhood Design Review Committee.



# Monterey County

**Item No.23**

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: PC 21-087**

**October 13, 2021**

**Introduced:** 10/6/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

PLANNING COMMISSION REFERRALS

## Monterey County Planning Commission Referrals

MEETING:	10/13/21
SUBJECT:	Receive Planning Commission Referrals Update
DEPARTMENT:	HCD

Item #	PC Ref #	Assignment Date	Referred By	Planner	Item	Report	Status
1	18.08	7/25/18	Diehl	Spencer	Request for an update on Tiny Homes. Referral revised 09/08/2021 by <i>Commissioner Diehl requested the matter be revisited in light of recent State and Local policy direction</i>	A report will be provided in December.	Pending
2	18.11	10/31/18	Duflock/Diehl	Lundquist/Escobar	Request for a report on the rebuild of properties affected by the fires. <i>Commissioner Diehl clarified the need for additional information specific to the number of rebuilds to determine where rebuilding hurdles may exist.</i>	A report will be provided to the Planning Commission in November.	Pending
3	18.12	11/14/18	Mendoza	Bowling	Request for information from Code Enforcement regarding 45 Porter Drive in North County.	Code compliance staff is currently working with the owner to resolve the matter.	Pending
4	18.13	12/5/18	Diehl	Swanson	Request for staff to report on the process for the Coastal Commission asserting original jurisdiction.	A report will be provided to the Planning Commission in November.	Pending
5	19.01	11/13/19	Diehl	Quenga	Request Staff to return with a quarterly status report regarding any workforce housing or affordable housing applications within the County.	A quarterly report will be provided in December.	Pending

Item #	PC Ref #	Assignment Date	Referred By	Planner	Item	Report	Status
6	21.1	9/8/21	Getzelman	Lundquist/Spencer	Request for update to the Wireless Telecommunication Ordinance and establish objective design standards	Planning staff is currently working with the Planning Commission ad hoc committee on an update to the ordinance and the objective design criteria.	Pending
7	21.2	9/8/21	Coffelt	Israel	Request presentation on condition compliance and the mitigation monitoring program	Planning Staff will present a report subsequent to submitting the Annual Report to the Board in April 2022	Pending
8	21.3	9/29/21	Diehl	TBD	Request an update/presentation on water supply in the Toro Area, including Hidden Valley	Planning Staff will present a report in January 2022	Pending
9	21.4	9/29/21	Ambriz/Diehl	TBD	Request update on ADU Pre-Approved Plans and other incentives. The prepared plans should include a component of Universal Design.	Planning Staff will present a report in January 2022	Pending

## **Senate Bill No. 9**

### **CHAPTER 162**

An act to amend Section 66452.6 of, and to add Sections 65852.21 and 66411.7 to, the Government Code, relating to land use.

[Approved by Governor September 16, 2021. Filed with  
Secretary of State September 16, 2021.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

SB 9, Atkins. Housing development: approvals.

The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions.

This bill, among other things, would require a proposed housing development containing no more than 2 residential units within a single-family residential zone to be considered ministerially, without discretionary review or hearing, if the proposed housing development meets certain requirements, including, but not limited to, that the proposed housing development would not require demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the proposed housing development does not allow for the demolition of more than 25% of the existing exterior structural walls, except as provided, and that the development is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving the construction of 2 residential units, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of up to 2 units or physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances.

The Subdivision Map Act vests the authority to regulate and control the design and improvement of subdivisions in the legislative body of a local agency and sets forth procedures governing the local agency's processing, approval, conditional approval or disapproval, and filing of tentative, final, and parcel maps, and the modification of those maps. Under the Subdivision Map Act, an approved or conditionally approved tentative map expires 24

months after its approval or conditional approval or after any additional period of time as prescribed by local ordinance, not to exceed an additional 12 months, except as provided.

This bill, among other things, would require a local agency to ministerially approve a parcel map for an urban lot split that meets certain requirements, including, but not limited to, that the urban lot split would not require the demolition or alteration of housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income, that the parcel is located within a single-family residential zone, and that the parcel is not located within a historic district, is not included on the State Historic Resources Inventory, or is not within a site that is legally designated or listed as a city or county landmark or historic property or district.

The bill would set forth what a local agency can and cannot require in approving an urban lot split, including, but not limited to, authorizing a local agency to impose objective zoning standards, objective subdivision standards, and objective design standards, as defined, unless those standards would have the effect of physically precluding the construction of 2 units, as defined, on either of the resulting parcels or physically precluding either of the 2 units from being at least 800 square feet in floor area, prohibiting the imposition of setback requirements under certain circumstances, and setting maximum setback requirements under all other circumstances. The bill would require an applicant to sign an affidavit stating that they intend to occupy one of the housing units as their principal residence for a minimum of 3 years from the date of the approval of the urban lot split, unless the applicant is a community land trust or a qualified nonprofit corporation, as specified. The bill would prohibit a local agency from imposing any additional owner occupancy standards on applicants. By requiring applicants to sign affidavits, thereby expanding the crime of perjury, the bill would impose a state-mandated local program.

The bill would also extend the limit on the additional period that may be provided by ordinance, as described above, from 12 months to 24 months and would make other conforming or nonsubstantive changes.

The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment. CEQA does not apply to the approval of ministerial projects.

This bill, by establishing the ministerial review processes described above, would thereby exempt the approval of projects subject to those processes from CEQA.

The California Coastal Act of 1976 provides for the planning and regulation of development, under a coastal development permit process, within the coastal zone, as defined, that shall be based on various coastal resources planning and management policies set forth in the act.

This bill would exempt a local agency from being required to hold public hearings for coastal development permit applications for housing developments and urban lot splits pursuant to the above provisions.

By increasing the duties of local agencies with respect to land use regulations, the bill would impose a state-mandated local program.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

*The people of the State of California do enact as follows:*

SECTION 1. Section 65852.21 is added to the Government Code, to read:

65852.21. (a) A proposed housing development containing no more than two residential units within a single-family residential zone shall be considered ministerially, without discretionary review or a hearing, if the proposed housing development meets all of the following requirements:

(1) The parcel subject to the proposed housing development is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(2) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(3) Notwithstanding any provision of this section or any local law, the proposed housing development would not require demolition or alteration of any of the following types of housing:

(A) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(B) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(C) Housing that has been occupied by a tenant in the last three years.

(4) The parcel subject to the proposed housing development is not a parcel on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(5) The proposed housing development does not allow the demolition of more than 25 percent of the existing exterior structural walls, unless the housing development meets at least one of the following conditions:

(A) If a local ordinance so allows.

(B) The site has not been occupied by a tenant in the last three years.

(6) The development is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(b) (1) Notwithstanding any local law and except as provided in paragraph (2), a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards that do not conflict with this section.

(2) (A) The local agency shall not impose objective zoning standards, objective subdivision standards, and objective design standards that would have the effect of physically precluding the construction of up to two units or that would physically preclude either of the two units from being at least 800 square feet in floor area.

(B) (i) Notwithstanding subparagraph (A), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(ii) Notwithstanding subparagraph (A), in all other circumstances not described in clause (i), a local agency may require a setback of up to four feet from the side and rear lot lines.

(c) In addition to any conditions established in accordance with subdivision (b), a local agency may require any of the following conditions when considering an application for two residential units as provided for in this section:

(1) Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(2) For residential units connected to an onsite wastewater treatment system, a percolation test completed within the last 5 years, or, if the percolation test has been recertified, within the last 10 years.

(d) Notwithstanding subdivision (a), a local agency may deny a proposed housing development project if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is



no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(f) Notwithstanding Section 65852.2 or 65852.22, a local agency shall not be required to permit an accessory dwelling unit or a junior accessory dwelling unit on parcels that use both the authority contained within this section and the authority contained in Section 66411.7.

(g) Notwithstanding subparagraph (B) of paragraph (2) of subdivision (b), an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(h) Local agencies shall include units constructed pursuant to this section in the annual housing element report as required by subparagraph (I) of paragraph (2) of subdivision (a) of Section 65400.

(i) For purposes of this section, all of the following apply:

(1) A housing development contains two residential units if the development proposes no more than two new units or if it proposes to add one new unit to one existing unit.

(2) The terms “objective zoning standards,” “objective subdivision standards,” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(3) “Local agency” means a city, county, or city and county, whether general law or chartered.

(j) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(k) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for a housing development pursuant to this section.

SEC. 2. Section 66411.7 is added to the Government Code, to read:

66411.7. (a) Notwithstanding any other provision of this division and any local law, a local agency shall ministerially approve, as set forth in this section, a parcel map for an urban lot split only if the local agency determines that the parcel map for the urban lot split meets all the following requirements:

(1) The parcel map subdivides an existing parcel to create no more than two new parcels of approximately equal lot area provided that one parcel shall not be smaller than 40 percent of the lot area of the original parcel proposed for subdivision.

(2) (A) Except as provided in subparagraph (B), both newly created parcels are no smaller than 1,200 square feet.

(B) A local agency may by ordinance adopt a smaller minimum lot size subject to ministerial approval under this subdivision.

(3) The parcel being subdivided meets all the following requirements:

(A) The parcel is located within a single-family residential zone.

(B) The parcel subject to the proposed urban lot split is located within a city, the boundaries of which include some portion of either an urbanized area or urban cluster, as designated by the United States Census Bureau, or, for unincorporated areas, a legal parcel wholly within the boundaries of an urbanized area or urban cluster, as designated by the United States Census Bureau.

(C) The parcel satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(D) The proposed urban lot split would not require demolition or alteration of any of the following types of housing:

(i) Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.

(ii) Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.

(iii) A parcel or parcels on which an owner of residential real property has exercised the owner's rights under Chapter 12.75 (commencing with Section 7060) of Division 7 of Title 1 to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.

(iv) Housing that has been occupied by a tenant in the last three years.

(E) The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or within a site that is designated or listed as a city or county landmark or historic property or district pursuant to a city or county ordinance.

(F) The parcel has not been established through prior exercise of an urban lot split as provided for in this section.

(G) Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot split as provided for in this section.

(b) An application for a parcel map for an urban lot split shall be approved in accordance with the following requirements:

(1) A local agency shall approve or deny an application for a parcel map for an urban lot split ministerially without discretionary review.

(2) A local agency shall approve an urban lot split only if it conforms to all applicable objective requirements of the Subdivision Map Act (Division

2 (commencing with Section 66410)), except as otherwise expressly provided in this section.

(3) Notwithstanding Section 66411.1, a local agency shall not impose regulations that require dedications of rights-of-way or the construction of offsite improvements for the parcels being created as a condition of issuing a parcel map for an urban lot split pursuant to this section.

(c) (1) Except as provided in paragraph (2), notwithstanding any local law, a local agency may impose objective zoning standards, objective subdivision standards, and objective design review standards applicable to a parcel created by an urban lot split that do not conflict with this section.

(2) A local agency shall not impose objective zoning standards, objective subdivision standards, and objective design review standards that would have the effect of physically precluding the construction of two units on either of the resulting parcels or that would result in a unit size of less than 800 square feet.

(3) (A) Notwithstanding paragraph (2), no setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

(B) Notwithstanding paragraph (2), in all other circumstances not described in subparagraph (A), a local agency may require a setback of up to four feet from the side and rear lot lines.

(d) Notwithstanding subdivision (a), a local agency may deny an urban lot split if the building official makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

(e) In addition to any conditions established in accordance with this section, a local agency may require any of the following conditions when considering an application for a parcel map for an urban lot split:

(1) Easements required for the provision of public services and facilities.

(2) A requirement that the parcels have access to, provide access to, or adjoin the public right-of-way.

(3) Off-street parking of up to one space per unit, except that a local agency shall not impose parking requirements in either of the following instances:

(A) The parcel is located within one-half mile walking distance of either a high-quality transit corridor as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop as defined in Section 21064.3 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(f) A local agency shall require that the uses allowed on a lot created by this section be limited to residential uses.

(g) (1) A local agency shall require an applicant for an urban lot split to sign an affidavit stating that the applicant intends to occupy one of the

housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.

(2) This subdivision shall not apply to an applicant that is a “community land trust,” as defined in clause (ii) of subparagraph (C) of paragraph (11) of subdivision (a) of Section 402.1 of the Revenue and Taxation Code, or is a “qualified nonprofit corporation” as described in Section 214.15 of the Revenue and Taxation Code.

(3) A local agency shall not impose additional owner occupancy standards, other than provided for in this subdivision, on an urban lot split pursuant to this section.

(h) A local agency shall require that a rental of any unit created pursuant to this section be for a term longer than 30 days.

(i) A local agency shall not require, as a condition for ministerial approval of a parcel map application for the creation of an urban lot split, the correction of nonconforming zoning conditions.

(j) (1) Notwithstanding any provision of Section 65852.2, 65852.21, 65852.22, 65915, or this section, a local agency shall not be required to permit more than two units on a parcel created through the exercise of the authority contained within this section.

(2) For the purposes of this section, “unit” means any dwelling unit, including, but not limited to, a unit or units created pursuant to Section 65852.21, a primary dwelling, an accessory dwelling unit as defined in Section 65852.2, or a junior accessory dwelling unit as defined in Section 65852.22.

(k) Notwithstanding paragraph (3) of subdivision (c), an application shall not be rejected solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.

(l) Local agencies shall include the number of applications for parcel maps for urban lot splits pursuant to this section in the annual housing element report as required by subparagraph (I) of paragraph (2) of subdivision (a) of Section 65400.

(m) For purposes of this section, both of the following shall apply:

(1) “Objective zoning standards,” “objective subdivision standards,” and “objective design review standards” mean standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal. These standards may be embodied in alternative objective land use specifications adopted by a local agency, and may include, but are not limited to, housing overlay zones, specific plans, inclusionary zoning ordinances, and density bonus ordinances.

(2) “Local agency” means a city, county, or city and county, whether general law or chartered.

(n) A local agency may adopt an ordinance to implement the provisions of this section. An ordinance adopted to implement this section shall not be

considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code.

(o) Nothing in this section shall be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code), except that the local agency shall not be required to hold public hearings for coastal development permit applications for urban lot splits pursuant to this section.

SEC. 3. Section 66452.6 of the Government Code is amended to read:

66452.6. (a) (1) An approved or conditionally approved tentative map shall expire 24 months after its approval or conditional approval, or after any additional period of time as may be prescribed by local ordinance, not to exceed an additional 24 months. However, if the subdivider is required to expend two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) or more to construct, improve, or finance the construction or improvement of public improvements outside the property boundaries of the tentative map, excluding improvements of public rights-of-way that abut the boundary of the property to be subdivided and that are reasonably related to the development of that property, each filing of a final map authorized by Section 66456.1 shall extend the expiration of the approved or conditionally approved tentative map by 48 months from the date of its expiration, as provided in this section, or the date of the previously filed final map, whichever is later. The extensions shall not extend the tentative map more than 10 years from its approval or conditional approval. However, a tentative map on property subject to a development agreement authorized by Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 may be extended for the period of time provided for in the agreement, but not beyond the duration of the agreement. The number of phased final maps that may be filed shall be determined by the advisory agency at the time of the approval or conditional approval of the tentative map.

(2) Commencing January 1, 2012, and each calendar year thereafter, the amount of two hundred thirty-six thousand seven hundred ninety dollars (\$236,790) shall be annually increased by operation of law according to the adjustment for inflation set forth in the statewide cost index for class B construction, as determined by the State Allocation Board at its January meeting. The effective date of each annual adjustment shall be March 1. The adjusted amount shall apply to tentative and vesting tentative maps whose applications were received after the effective date of the adjustment.

(3) "Public improvements," as used in this subdivision, include traffic controls, streets, roads, highways, freeways, bridges, overcrossings, street interchanges, flood control or storm drain facilities, sewer facilities, water facilities, and lighting facilities.

(b) (1) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include any period of time during which a development moratorium, imposed after approval of the tentative map, is in existence. However, the length of the moratorium shall not exceed five years.

(2) The length of time specified in paragraph (1) shall be extended for up to three years, but in no event beyond January 1, 1992, during the pendency of any lawsuit in which the subdivider asserts, and the local agency that approved or conditionally approved the tentative map denies, the existence or application of a development moratorium to the tentative map.

(3) Once a development moratorium is terminated, the map shall be valid for the same period of time as was left to run on the map at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the map shall be valid for 120 days following the termination of the moratorium.

(c) The period of time specified in subdivision (a), including any extension thereof granted pursuant to subdivision (e), shall not include the period of time during which a lawsuit involving the approval or conditional approval of the tentative map is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the local agency pursuant to this section. After service of the initial petition or complaint in the lawsuit upon the local agency, the subdivider may apply to the local agency for a stay pursuant to the local agency's adopted procedures. Within 40 days after receiving the application, the local agency shall either stay the time period for up to five years or deny the requested stay. The local agency may, by ordinance, establish procedures for reviewing the requests, including, but not limited to, notice and hearing requirements, appeal procedures, and other administrative requirements.

(d) The expiration of the approved or conditionally approved tentative map shall terminate all proceedings and no final map or parcel map of all or any portion of the real property included within the tentative map shall be filed with the legislative body without first processing a new tentative map. Once a timely filing is made, subsequent actions of the local agency, including, but not limited to, processing, approving, and recording, may lawfully occur after the date of expiration of the tentative map. Delivery to the county surveyor or city engineer shall be deemed a timely filing for purposes of this section.

(e) Upon application of the subdivider filed before the expiration of the approved or conditionally approved tentative map, the time at which the map expires pursuant to subdivision (a) may be extended by the legislative body or by an advisory agency authorized to approve or conditionally approve tentative maps for a period or periods not exceeding a total of six years. The period of extension specified in this subdivision shall be in addition to the period of time provided by subdivision (a). Before the expiration of an approved or conditionally approved tentative map, upon an application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. If the advisory agency denies a subdivider's application for an extension, the subdivider may appeal to the legislative body within 15 days after the advisory agency has denied the extension.

(f) For purposes of this section, a development moratorium includes a water or sewer moratorium, or a water and sewer moratorium, as well as other actions of public agencies that regulate land use, development, or the provision of services to the land, including the public agency with the authority to approve or conditionally approve the tentative map, which thereafter prevents, prohibits, or delays the approval of a final or parcel map. A development moratorium shall also be deemed to exist for purposes of this section for any period of time during which a condition imposed by the city or county could not be satisfied because of either of the following:

(1) The condition was one that, by its nature, necessitated action by the city or county, and the city or county either did not take the necessary action or by its own action or inaction was prevented or delayed in taking the necessary action before expiration of the tentative map.

(2) The condition necessitates acquisition of real property or any interest in real property from a public agency, other than the city or county that approved or conditionally approved the tentative map, and that other public agency fails or refuses to convey the property interest necessary to satisfy the condition. However, nothing in this subdivision shall be construed to require any public agency to convey any interest in real property owned by it. A development moratorium specified in this paragraph shall be deemed to have been imposed either on the date of approval or conditional approval of the tentative map, if evidence was included in the public record that the public agency that owns or controls the real property or any interest therein may refuse to convey that property or interest, or on the date that the public agency that owns or controls the real property or any interest therein receives an offer by the subdivider to purchase that property or interest for fair market value, whichever is later. A development moratorium specified in this paragraph shall extend the tentative map up to the maximum period as set forth in subdivision (b), but not later than January 1, 1992, so long as the public agency that owns or controls the real property or any interest therein fails or refuses to convey the necessary property interest, regardless of the reason for the failure or refusal, except that the development moratorium shall be deemed to terminate 60 days after the public agency has officially made, and communicated to the subdivider, a written offer or commitment binding on the agency to convey the necessary property interest for a fair market value, paid in a reasonable time and manner.

SEC. 4. The Legislature finds and declares that ensuring access to affordable housing is a matter of statewide concern and not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Sections 1 and 2 of this act adding Sections 65852.21 and 66411.7 to the Government Code and Section 3 of this act amending Section 66452.6 of the Government Code apply to all cities, including charter cities.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act or

because costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

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