



County of Monterey Planning Commission

Item No.3

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

Agenda Item No. 3

Legistar File Number: PC 24-091

August 28, 2024

Introduced: 8/20/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLN230127 - MCDOUGALL AMY E.

Public hearing to consider the construction of a six-story single-family dwelling with an attached garage, attached accessory dwelling unit, attached junior accessory dwelling unit, covered and uncovered decks, patios, and exterior staircases, and associated site improvements including the removal of Coast live oaks, drilling a domestic well, and development on slopes in excess of 25 percent. This project involves a reduction of the required front, side, and rear setbacks from 5 feet to 0 feet without seeking a Variance.

Project Location: 10196 Oakwood Circle, Carmel

Proposed CEQA action: Find the project Statutorily Exempt pursuant to CEQA Guidelines section 15270.

RECOMMENDATION

It is recommended that the Planning Commission continue this item to September 25, 2024.

PROJECT INFORMATION

Agent: Anna Bornstein, EMC Planning Group

Property Owner: Amy McDougall (c/o Rene Peinado)

APN: 416-542-011-000

Parcel Size: 0.081 acres (3,252 square feet)

Zoning: Medium Density Residential, 5 units per acre, Design Control overlay, Site Plan Review overlay, Residential Allocation Zoning overlay (MDR/5-D-S-RAZ)

Plan Area: Carmel Valley Master Plan

Flagged and Staked: No. Visual simulations incorporated into project plans.

Project Planner: Fionna Jensen, Senior Planner

JensenF1@countyofmonterey.gov, 831-796-6407

SUMMARY

The Applicant/Owner was informed on June 14th and July 26th that the Proposed Project was tentatively scheduled for the August 28th Planning Commission hearing. Receiving no objection about the hearing date, staff proceeded with publicly noticing and scheduling PLN230127 for the August 28th Planning Commission hearing.

Chapter 21.78 of the County's Zoning Ordinance establishes the requirements for public noticing of discretionary permits. These requirements are supplemental to Brown Act requirements. Title 21 section 21.78.040 requires that notice of the public meeting be mailed or delivered at least 10 days prior to the public hearing, posting of the public notice on and near the subject property occurs at least

7 days prior to the public hearing, and publishing the notice in at least one newspaper at least 10 days prior to the hearing.

Consistent with County noticing requirements, the Proposed Project was publicly noticed in the newspaper on August 15, 2024 and notices were provided to the Applicant/Owner, Agent, interested parties, and all property owners within 300 feet of the subject property on August 13, 2024. On August 15, 2024, the Applicant/Owner informed HCD-Planning staff that they never agreed to the August 28th Planning Commission hearing date and would not be able to attend as they were out of town. Further, the Applicant/Owner did not post the public notices at three locations on or near the property by August 21st.

Given that the Proposed Project could not be noticed in accordance with County requirements, and the Applicant/Owner is unable to attend the August 28th hearing, staff recommends the Planning Commission continue the item to September 25, 2024. In accordance with noticing requirements, additional noticing will be provided for the September hearing.

Prepared by: Fionna Jensen, Senior Planner
Reviewed by: Anna Ginette Quenga, AICP, Principal Planner
Approved by: Melanie Beretti, AICP, Chief of Planning

cc: Front Counter Copy; Planning Commission; Fionna Jensen, Senior Planner, Anna Ginette Quenga, AICP, Principal Planner, Melanie Beretti, AICP, Chief of Planning; Anna Bornstein, EMC Planning Group, Agent; Amy McDougal, Owner; Rene Peinado, Applicant; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Christina McGinnis, Keep Big Sur Wild; Laborers International Union of North America (Lozeau Drury LLP); Interested Party List; Project File PLN230127