

# Exhibit C

This page intentionally left blank.

**MINUTES**  
**Toro Land Use Advisory Committee**  
**Monday, October 24, 2022**



1. Meeting called to order by: Mike Weaver at 4:03 pm

2. Roll Call

Members Present: Roy Gobets, Mike Weaver, Steve McMurtrie, Robert Rieger, Lauren Keenan,  
Beverly Bean, Mike Mueller (arrived late)

Members Absent: William Pyburn (1)

3. Approval of Minutes:

A. May 9, 2022 minutes

Motion: Steve McMurtrie (LUAC Member's Name)

Second: Mike Weaver (LUAC Member's Name)

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

Noes: 0

Absent: Pyburn, Mueller (2)

Abstain: 0

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

None

5. Scheduled Item(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects (Refer to pages below)

None



B) Announcements

None

7. Meeting Adjourned: 5:45 pm

Minutes taken by: Beverly Bean

# Action by Land Use Advisory Committee

## Project Referral Sheet

Monterey County Housing & Community Development  
1441 Schilling Place 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025



Advisory Committee: Toro

1.

**Item Title:** AB 361 FINDING

**Description:** On September 16, 2021, Governor Newsom signed AB 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361. For the November 14<sup>th</sup> remote meeting, the LUAC must make the findings.

Staff recommends, pursuant to AB 361 and in order for the LUAC to continue to meet remotely via teleconference, the LUAC find: 1) that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; 2) that the Planning Commission has reconsidered the circumstances of the state of emergency; and 3) that the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies of local agencies.

### RECOMMENDATION:

Motion by: Mike Weaver (LUAC Member's Name)

Second by: Lauren Keenan (LUAC Member's Name)

       Acceptance of the Finding

X Rejection the Finding

Note: prefer to return to in person meetings at the Monterey County Regional Fire District office, meeting room in Serra Village so that full size project plans can be easily viewed

Ayes: Gobets, Weaver, Keenan, Rieger, Bean (5)

Noes: McMurtrie (1)

Absent: Pyburn, Mueller (2)

Abstain: 0

# Action by Land Use Advisory Committee

## Project Referral Sheet

Monterey County Housing & Community Development  
1441 Schilling Place 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025



**Advisory Committee:** Toro

**2. Project Name:** PHELPS ERIC C & EMILY D TRS  
**File Number:** PLN210148  
**Project Location:** 25800 PASEO DE LOSE ROBLES SALINAS  
**Project Planner:** 161-561-011-000  
**Area Plan:** FIONNA JENSEN  
**Project Description:** TORO AREA PLAN

Combined Development Permit consisting of: 1) Use Permit & Design Approval to allow construction of an approximately 5,010 square foot one-story single family dwelling, 485 square foot attached garage, 936 square foot detached garage and a 598 square foot detached guesthouse; and 2) Use Permit to allow ridgeline development.

**Was the Owner/Applicant/Representative present at meeting?** Yes X No \_\_\_\_\_

**(Please include the names of the those present)**

Eric Phelps, Owner

Jeff Crocket, Architect

**Note:** Site visits were held on 10/20 attended by Mike Weaver, Mike Mueller and Lauren Keenan and on Friday 10/21 attended by Roy Gobets and Beverly Bean. At both visits owner, Eric Phelps and planner, Fionna Jensen were present.

**Was a County Staff/Representative present at meeting?** Fionna Jensen (Name)

**PUBLIC COMMENT:** None

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

## LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Leach lines of septic system will be trenched on scenic easement. The eastern portion of the lot is dedicated scenic easement, over 30% slopes. Plans show a "septic tower" below the slope, in the scenic easement.	Planner Jensen says it is allowed.	Architect Crockett says the trenching on the slopes will be returned to previous condition and there will be no septic tower below the slope.
Side yard set-backs of the garage on one side of the property and the detached pool house on the other side. Garage is very close to neighboring property with a set back of 7 feet from lot line	Property has a B-8 zoning designation Under B-8 side yard set-backs are to be no less than for B-4 Regulations.	Architect Crockett says set back for non-habitable structures is 6 feet and for habitable structures it is 10 feet.
Landscape requirements for the Pattee Ranch development may not have been reviewed. Ridgeline views of the structure are visible from several areas on the dedicated public hiking trail bordering the Pattee Ranch in the oak woodland adjacent to Corral de Tierra Road	The Pattee Ranch subdivision (Monterey County Project SB00866) has 68 Conditions of Approval (COA). A landscape plan is required based on a pamphlet entitled "The Look of the Monterey Peninsula Landscape" COA say that the plan shall address the screening of structures from public viewing areas.	Planning should review the Pattee Ranch file, SB0866 and the COA and Mitigation Measures for compliance. Weaver stated that COA #36, 39, 41, 44, 56, 58, 61, 63, 64 & 66 are pertinent
Might the pool house on the plans be a guesthouse or a future ADU? (Question for applicant & architect)		Architect stated he asked and because the pool is some distance from the house, the intent is to have a small building for changing clothes and a bathroom.
Swimming pool is not part of the project description	Swimming pool would require an SC permit from the Planning Commission (SB00866)	Project is being referred to Planning Commission

## ADDITIONAL LUAC COMMENTS

Owner planted a row of juniper trees along the ridgeline to block the view of the house from the walking trails along the Pattee and Markham Ranches and from cars along Corral de Tierra Road. These juniper trees were not in the preliminary landscape plan and Architect said he proposed them on the building plans. Juniper trees are not protected and so could be removed in future without restriction. Weaver suggested that an earthen berm be put behind the house for screening purposes and stated that it would not block the applicant's views and that berms are commonly used in Monterey County.

The architect stated that the house roofline will be 19.5 feet above grade. The pad is to be lowered by 18 inches. The height restriction is 20 feet. The application for a Use Permit to allow ridgeline development was suggested by the planner because the entire lot is on the ridgeline and this is a listed reason for an exception in the Toro Area Plan. The proposed Use Permit allows ridgeline development without screening.

**RECOMMENDATION:**

Motion by: Lauren Keenan (LUAC Member's Name)

Second by: Mike Mueller (LUAC Member's Name)

X Support Project as proposed

       Support Project with changes

       Continue the Item

Reason for Continuance: \_\_\_\_\_

Continued to what date: \_\_\_\_\_

AYES: Gobets, Rieger, Keenan, Mueller, McMurtrie, Bean (6)

NOES: Weaver (1)

ABSENT: Pyburn (1)

ABSTAIN: 0





# Action by Land Use Advisory Committee

## Project Referral Sheet

Monterey County Housing & Community Development  
1441 Schilling Place 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025



Advisory Committee: Toro

3. **Project Name:** SARO RAYMUNDO & ANTONIA  
**File Number:** PLN220037  
**Project Location:** 334 SAN BENANCIO RD SALINAS  
**Project Planner:** 416-444-023-000  
**Area Plan:** KAYLA NELSON  
**Project Description:** TORO AREA PLAN

Design Approval to allow construction of a 4,310 square foot single family dwelling with a 1,075 square foot attached four-car garage, 276 square foot covered porch, 1,161 square foot covered patio, 797 square foot detached accessory dwelling unit with an attached 380 square foot storage room, 441 square foot two-car garage, 1,800 square foot workshop and site improvements. Grading of approximately 997 cubic yards of cut and 997 cubic yards of fill.

Was the Owner/Applicant/Representative present at meeting? Yes X No \_\_\_\_\_

(Please include the names of the those present)

Ray Saro, Owner

Walt Hamilton (Neighbor), Barbara Cole (Neighbor), Russel Hays (Neighbor),

Jim & Donna Benson (Nieghbors)

Was a County Staff/Representative present at meeting? Kayla Nelson (Name)

**PUBLIC COMMENT:**

**\*Refer to attached letters received by Planning Division from neighbors**

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Russel Hays	X		The shared well (which this project will join) is on his property and is shared with 2 other neighbors and #334. He says there is a deed restriction against ADUs. The project at #332 was potentially to join the shared water system but there was not enough water so #332 had to drill a well. Planner Nelson explained the plans are incomplete but she wanted feedback from LUAC and neighbors. She said there is not enough water in the existing system for an ADU and to have an ADU Mr. Saro may need to drill a well. Bean pointed out this might negatively impact the existing neighboring wells and the area is in overdraft. This decision is up to Environmental Health. A bathroom in the workshop was allowed by Environmental Health.
Walt Hamilton	X		He asked about the height of the main house. It is 25 feet, 9 inches and is one story. The ADU is 15 feet, 10 inches and the workshop is 15 feet. He expressed concerns about noise and operation of a construction business in a residential neighborhood in several e-mails.
Barbara Cole	X		Restated her concerns (in her letter) about noise, excessive number of buildings, possible operation of a contracting business at the site, trucks on the narrow road causing excessive wear and tear, noise and light pollution. Mr. Saro stated that he will be storing a bobcat for home use and his personal truck and other supplies. There will be no job deliveries and no employees coming in and out.



## LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
LUAC voiced similar concerns as neighbors regarding the extensive coverage of the site by buildings, the compatibility with the residential neighborhood, the visual impact, the potential for noise and light pollution.		Planner said there will be a lighting plan and that Monterey County has a noise ordinance. She stated that operating a contracting business is forbidden in residential zoning.

## ADDITIONAL LUAC COMMENTS

Bean stated that the application is incomplete in a number of critical areas and moved to postpone the LUAC discussion until the application is complete. According to the stated process in the Permit Guide, incomplete applications must return to the LUAC when complete and then can go on to the next steps.

## RECOMMENDATION:

Motion by: Bean (LUAC Member's Name)

Second by: Weaver (LUAC Member's Name)

☐ Support Project as proposed

☐ Support Project with changes

☒ Continue the Item



Reason for Continuance: Incomplete application in a number of critical areas

Continued to what date: When application is "complete"

AYES: Gobets, Keenan, Mueller, McMurtrie, Rieger, Weaver, Bean (7)

NOES: 0

ABSENT: Pyburn (1)

ABSTAIN: 0

# Action by Land Use Advisory Committee

## Project Referral Sheet

Monterey County Housing & Community Development  
1441 Schilling Place 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025



**Advisory Committee:** Toro

4.           **Project Name:** BRADSHAW JR STEPHEN SCOTT & BRADSHAW JESSICA  
               **File Number:** PLN220140  
**Project Location:** 332 SAN BENANCIO RD SALINAS  
**Project Planner:** 416-444-013-000  
**Area Plan:** CHRISTINA VU  
**Project Description:** TORO AREA PLAN  
                             Design Approval to allow the construction of a 1,703 square foot single family dwelling, 968 square foot attached garage, two (2) water tanks and associated site improvements.

**Was the Owner/Applicant/Representative present at meeting?** Yes   X   No           

(Please include the names of the those present)

Scott Bradshaw, Owner

Angie Phares, Designer

**Was a County Staff/Representative present at meeting?** Christina Vu (Name)

**PUBLIC COMMENT:**

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Russel Hays	X		He noted the Bradshaws had to drill their own well because the shared system did not have enough water.



## LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Earthtone colors are required by the Toro Area Plan but this house is partially white.	Toro Area Plan	Owner said they want a white house but were willing to choose an off-white color instead.
The house is nicely placed on the site and surrounded by Oak trees. One branch impinges on the bedroom wall and will need to be trimmed.		

## ADDITIONAL LUAC COMMENTS

LUAC members complimented the modest size of the house and how well it was "sited" on the lot.

## RECOMMENDATION:

Motion by: Bean (LUAC Member's Name)

Second by: McMurtrie (LUAC Member's Name)

☒ Support Project as proposed

☐ Support Project with changes

☐ Continue the Item

Reason for Continuance: \_\_\_\_\_

Continued to what date: \_\_\_\_\_

AYES: McMurtrie, Rieger, Keenan, Mueller, Gobets, Bean (6)

NOES: Weaver [cannot approve a white house] (1)

ABSENT: Pyburn (1)

ABSTAIN: 0



**MINUTES**  
**Toro Land Use Advisory Committee**  
**Monday, February 12, 2024**

1. Meeting called to order by Weaver at 4:03 pm

2. Roll Call

**Members Present:**

Mueller, Gobets, Schwartz, Weaver, Bean

---

**Members Absent:**

Keenan, McMurtrie, Pyburn

---

3. Approval of Minutes: NONE

A. NONE minutes

Motion: \_\_\_\_\_ (LUAC Member's Name)

Second: \_\_\_\_\_ (LUAC Member's Name)

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

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

None

---

---

---

---

---

---

5. Scheduled Item(s)

**6. Other Items: None**

A) \_\_\_\_\_

Motion: \_\_\_\_\_ (LUAC Member's Name)

Second: \_\_\_\_\_ (LUAC Member's Name)

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

B) \_\_\_\_\_

Motion: \_\_\_\_\_ (LUAC Member's Name)

Second: \_\_\_\_\_ (LUAC Member's Name)

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

**7. Meeting Adjourned:** 4:58 pm

**Minutes taken by:** Bean

# Action by Land Use Advisory Committee

## Project Referral Sheet

Monterey County Housing & Community Development  
1441 Schilling Place 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

**Advisory Committee:** Toro

1. **Project Name:** SARO RAYMUNDO & ANTONIA  
**File Number:** PLN220037  
**Project Location:** 334 SAN BENANCIO RD, SALINAS, CA 93908  
**Assessor's Parcel Number(s):** 416-444-023-000  
**Project Planner:** Kayla Nelson  
**Area Plan:** Toro Area Plan  
**Project Description:** Design Approval to allow construction of a 4,310 square foot single family dwelling with a 1,075 square foot attached four-car garage, 276 square foot covered porch, 1,161 square foot covered patio, 797 square foot detached accessory dwelling unit with an attached 380 square foot storage room, 441 square foot two-car garage, 1,800 square foot workshop and site improvements. Grading of approximately 997 cubic yards of cut and 997 cubic yards of fill.

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

**(Please include the names of the those present)**

Raymundo Saro, applicant; Sue Ventura, neighbor; Russell Hays, neighbor; Paul Fuge, neighbor; Planning Commissioner Amy Roberts.

**Was a County Staff/Representative present at meeting?** Yes. Kayla Nelson, Planner (Name)

**PUBLIC COMMENT:**

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Russell Hays	X		Mr. Saro's property and one other have rights to the shared well but the deed restriction prohibits an ADU. Saro dug an 800 ft deep replacement well. The owner of the other parcel (Scott) also dug a new well 600 ft deep. They believe they have solved the water issue.
Comments previously received from Walt Hamilton		X	Height of the proposed house is higher than any neighbors. Concerns with noise and the possible operation of a construction business.



Barbara Cole in previous comments		X	Concerned about noise, excessive number of buildings and truck damage to the narrow shared road. Nelson said that the County will require a construction management plan to control noise, timing and number of trips.
-----------------------------------	--	---	--

#### LUAC AREAS OF CONCERN

<b>Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)</b>	<b>Policy/Ordinance Reference (If Known)</b>	<b>Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)</b>
Weaver said that there were a number of concerned neighbors who commented and sent letters, at the previous hearing on 10/24/22. Weaver wondered if these neighbors had been notified by H&CD regarding this Toro LUAC hearing? He contacted them via email notifying them about this public meeting. None were aware of it except those within 300 ft who received letters. The previous 7 who sent letters with concerns all responded that they had not been notified by H&CD and sent additional letters. At least one was out of the country at this time. Weaver further noted that he made a site visit to the location two days ago to refresh his memory and there was no notice of LUAC public hearing posted at the entrance to the common road or at the driveway to the site.		Those who commented previously should be notified by the County about subsequent meetings on the project, even if they are more than 300-ft away. It is a rural residential area. Planner Nelson agreed and didn't know what happened that they were not.  Planner said that with the drilling of the water well the application is now technically complete, with the approval from Environmental Health Bureau.
Bean said that she sits on the County's Groundwater Sustainability Agency Monterey Subbasin Committee and that the entire Corral de Tierra sub-basin is in severe overdraft and the new deeper wells may impact the older shallower wells in the next drought.		
Gobets commented that the plan seems more like a compound than a private home.		Nelson states that the zoning is low density residential which allows all of the proposed buildings.

#### ADDITIONAL LUAC COMMENTS

---

Weaver said the zoning for this project is LDR/B-6, meaning no further property division, and with "D" for Design Control. It is the reason the application was referred to the LUAC. He said that the plans for total surface of the buildings, number of driveways splitting off from the main entrance all have impermeable surfaces totaling 19,791 sq.- ft This is very large and permeable surfaces should be used wherever possible. Weaver asked about the setback of the house from

---

the shared neighbor's driveway. Is it at least 35 ft.? Planner and applicant both responded that yes it is over 35 ft. and about 50 ft. Weaver questioned the compatibility of the height of the main house with the neighboring houses which were required to be a maximum of 20-ft tall. This was the standard before before the County raised the height limit. Weaver provided a map from the Monterey County Assessor's site that showed this applicant's parcel surrounded by 7 contiguous parcels, all houses that date back to the 50's, 60's, 70's. The comment letters submitted by neighbors had concerns regarding the overall mass and height of structures proposed. At least one said the new structures would block her view. Weaver asked the applicant if the height and mass could be modified.

Applicant Saro stated the ADU was for his son. The 1800 s.f. accessory structure is for storage. Saro stated that there will be NO bathroom in the 1800 sf accessory structure. The two-car garages on the main house and on the ADU are for his vehicles (both his work truck and other truck) and his son's vehicle. The house is one-story but Saro stated he likes high walls. Weaver responded that a one-story with a twenty-foot limit would still allow for higher walls. Weaver asked if the project designer and Saro could lower the heights for neighborhood compatibility. Saro agreed that the plans could be worked on.

Weaver said he noted on the plan that exterior called for Behr paint in Pure White color. Weaver stated that the Toro Area Plan requires earth tone colors, tans, beiges, or greens, but not white. Saro was agreeable to this. Weaver asked about a landscaping plan. Will the landscaping be native type plants that are drought tolerant? Saro agreed. He stated he wanted some pavers surrounding his house.

This compound has the potential for light pollution. Nelson says project must comply with County lighting rules protecting the night sky.

Weaver asked if anyone knew how when this lot was created. It must have been a long time ago. No one present knew, but agreed it must be an old lot.

Planner Nelson said a construction plan would be created as to the days and hours of construction operation regarding noise issues for the neighbors. The lot immediately next to this has not had the approved construction started as yet.

Planner stated that staff would coordinate the construction of the two projects on the shared private road.

## RECOMMENDATION:

Motion by: Weaver (LUAC Member's Name)

Second by: Schwartz (LUAC Member's Name)

       Support Project as proposed

X Support Project with changes

1. Lower the main house height; 2. Lessen impervious surfaces; 3. Unobtrusive lighting - Use down lights; 4. Earthtone exterior colors for all buildings.

       Continue the Item

Reason for Continuance: \_\_\_\_\_

Continue to what date: \_\_\_\_\_

Ayes:	5 Gobets, Schwartz, Mueller, Weather, Bean
Noes:	0
Absent:	3 McMurtrie, Keenan, Pyburn
Abstain:	0

This page intentionally left blank