

**MONTEREY COUNTY PLANNING COMMISSION**  
**APRIL 9, 2003**  
**MINUTES**

The Planning Commission met at 9:05 a.m. at the Board of Supervisors Chambers of the Courthouse at 240 Church Street, Salinas, California.

A. ROLL CALL

Present: Miguel Errea, Sharon Parsons, Laurence Hawkins, Cosme Padilla, John Brennan, Juan Sanchez, Martha Diehl, Rudy Gonzalves, Don Rochester,  
Absent: John Wilmot

B. COMMENT PERIOD:

PUBLIC - Marjorie Kay proposed having town hall meetings for all rural centers to discuss the General Plan Update. She also asked if the department could investigate having the community/regional name on applications in place of/in addition to the official US Postal Zip based name, eg: Pajaro vs. Watsonville, Prunedale vs. Salinas etc. (The Planning Commission would like a report on how this might be done. Scott Hennessy suggested that having the postal name with the "local" name might be possible.)

COMMISSION - Commissioner Errea agreed that a community name is needed. Commissioners Diehl and Rochester agreed.

*Commissioner Wilmot arrived at 9:15 a.m.*

Commissioner Parsons directed staff to do a report on how this might be accomplished. The Commission also asked for a copy of Curtis Weeks' power point presentation from the March 12<sup>th</sup> hearing.

C. APPROVAL OF MINUTES

March 12, 2003

Commissioner Diehl asked that the minutes for item 1 Presentation by Curtis Weeks, General Manager of the Water Resources Agency, be corrected to say: Curtis Weeks made a "very useful" power point presentation.

Commissioner Hawkins moved, seconded by Commissioner Parsons, and passed by the following vote to approve the minutes of March 12, 2003 as amended:

AYES: Errea, Parsons, Hawkins, Padilla, Brennan, Sanchez, Diehl,  
Gonzalves, Rochester, Wilmot  
NOES: None  
ABSENT: None

D. SCHEDULED ITEMS

1. GOLD RICHARD & CAROLYN (PLN020299)

This item will be rescheduled to April 30, 2003 to allow time for renoticing.

Joe Hertlein spoke to the continuance.

It was moved by Commissioner Hawkins, seconded by Commissioner Errea and passed by the following vote to reschedule this item to April 30, 2003.

AYES: Errea, Parsons, Hawkins, Padilla, Brennan, Sanchez, Diehl,  
Gonzalves, Rochester, Wilmot  
NOES: None  
ABSENT: None

2. RANCHO SAN CARLOS PARTNERSHIP (PLN020278)

This item was continued from March 12 to allow time to address some late emerging issues including: 1) Wet Seep - applicant has submitted revised plans showing portions of Red Tail Trace relocated to avoid the wet seep area. The changes are acceptable to the California Department of Fish and Game. 2) Grading - applicant has submitted a revised VTSM to balance out the grading and fill across roads and driveways. Mitigation measures #8 and #9 will be sufficient. 3) Driveway to Lot F9 - the driveway has been relocated to take access from Chamisal Pass Road to avoid slopes in excess of 30%. 4) Emergency Access Easement - an appropriate location

was identified in the field, a revised VTSM was submitted and a condition was added to require this easement. 5) Applicant has submitted a revised proposal for Lot F3. The driveway access to F3 has been revised to lessen impacts to 30% slopes and reduce the tree removal from four to one. Revised Findings and Evidence include a detailed Condition of Approval for future development on this site.

Staff distributed a list of corrected conditions: #4 – water balance analysis, #11c – natural drainage easements, #11(m) – drainage plan, #12b – front yard landscaping, #21 – water system permit, #22 – inclusionary housing and #31 – detention facilities.

Wendy Strimling, Deputy County Counsel, suggested adding the explanation in the staff report of 'substantial tree removal' to Condition #2.

Brian Finegan, representative, agreed to the conditions. Dave Kegan, biological representative, was present to answer questions.

David Dilworth expressed his concerns.

Commissioner Parsons moved, seconded by Commissioner Hawkins and approved by the following vote to adopt Resolution #03017 to recommend approval of PLN010278 to the Board of Supervisors.

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Diehl,  
Gonzalves, Rochester, Wilmot

NOES: None

ABSENT: None

### 3. RIANDA FAMILY LIMITED PARTNERS (PLN020380)

Staff recommended approval subject to 7 conditions including a correction to Condition #4, deed restriction.

Deputy County Counsel added "in Monterey County Code" to the first paragraph of Condition #4.

Ron Ludes, representative, agreed to the conditions

Commissioner Rochester moved, seconded by Commissioner Wilmot and passed by the following vote to adopt Resolution #03018 to approve PLN020380 as amended.

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Diehl,  
Gonzalves, Rochester, Wilmot

NOES: None

ABSENT: None

4. GAMBOA ELVI RA (PLN000357)

This item was continued from the March 26, 2003 hearing to allow time to make findings and conditions for denial to recommend to the Board of Supervisors.

Commissioner Brennan noted a correction "inconsistent" to "consistent" in the third Evidence for Finding #1, increased traffic.

Commissioner Diehl moved, seconded by Commissioner Wilmot and passed by the following vote to adopt Resolution #03019 to recommend denial of PLN000357 to the Board of Supervisors.

AYES: Errea, Sanchez, Padilla, Brennan, Parsons, Diehl, Gonzalves,  
Rochester, Wilmot

NOES: Hawkins

ABSENT: None

5. PATTERSON WILLIAM & RITA (PLN010578)

This item was continued from March 26, 2003 to allow staff time to evaluate the proposed conditions outlined by Mr. Hubbard and Condition #37, landscaping. The six

proposed conditions have been reviewed by staff and five have been incorporated into existing conditions or as new conditions. New conditions include the septic tank location and removal of irrigation, Conditions #15 and 42. The proposed condition to require a drainage easement over the neighboring property was rejected as it was determined that it was unnecessary. An Indemnification Agreement has also been added. Staff recommended approval as revised.

Rick Steres, representative, agreed to the conditions.

Alex Hubbard, representative for the neighboring property owner, addressed his concerns.

It was moved by Commissioner Brennan, seconded by Commissioner Errea and passed by the following vote to adopt Resolution #03020 to approve PLN010578.

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Diehl,  
Gonzalves, Rochester, Wilmot  
NOES: None  
ABSENT: None

6. SULLIVAN GODFREY & SUSAN (PLN020389)

This item was continued from March 26, 2003 to allow time for staff and other County Departments to review and comment on the revised plans submitted on March 10, 2003.

The applicant proposes to relocate the private horse barn 15 feet to the west to ensure compliance with Environmental Health requirements for a 100 foot setback from the well. Changes to the conditions include: Condition #48, fire protection water supply; Condition #58, employee restriction; delete Condition #63, permit review by the Los Tulare's Homeowner's Association; Condition #64, restoration of property in the event grapes are no longer grown; revise monitoring action 65, annual report due each year after commencement of use; Public Works added two conditions

Planning Commission  
April 9, 2003

#68A & B to Mitigation Monitoring Plan, Carmel Valley Road Traffic Mitigation Fee and improve the intersection of the access road and Carmel Valley Road; and Environmental Health revised Condition #21, submit evidence that the Regional Water Quality Control Board has issued waste discharge requirements or a waiver for a small winery.

Staff recommended consideration of the adopted Mitigated Negative Declaration and the Addendum, adopt the Mitigation Monitoring Program and approve the Combined Development Permit as amended.

Suzanne Sullivan gave some history of the project and agreed to the conditions. John Mandurrango, representative, also spoke to the project.

Public Comment: Mike Nason, Susan Abramson, Lee and Paula Lotz, Joe Hertlein, Michael Grant, and David Dilworth all expressed concerns.

Todd Bessire, representative, gave a rebuttal.

County Counsel recommended that Condition #63, permit review by Los Tulare's Homeowner's Association, not be deleted.

Commissioner Brennan reminded the Commission that the Carmel Valley Land Use Advisory Committee had recommended approval of this project.

Commissioner Brennan moved, seconded by Commissioner Wilmot and passed by the following vote to adopt Resolution #03021 to approve PLN020389 as amended including Condition #63.

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Gonzalves,  
Rochester, Wilmot  
NOES: Diehl  
ABSENT: None

7. LAND USE ADVISORY COMMITTEE PROCEDURES AND BOUNDARIES WORKSHOP (PD030021)

Commissioner Hawkins reported that the subcommittee, consisting of Commissioner Hawkins, Brennan and Sanchez, have met and made additions to the Procedures. The most recent draft of the guidelines was mailed to the Commission.

Advisory Committee Members – add

*6) A LUAC member serves at the pleasure of the Planning Commission, and may be removed by a majority vote of the Commission at a regular meeting, after having been given written advanced notice. The member may present evidence during the meeting to refute reasons for the recommended removal. The public may provide written or oral comments to support retention or removal.*

Committee Duties – add

*3) If the LUAC is unable to make a decision based on the information provided in the project application, it may ask the staff for more information, and continue item to the next scheduled meeting. If after the continued hearing the LUAC is still unable to make a recommendation, the committee report will state that it is unable to recommend approval or disapproval, and give reasons why.*

A list of public comments/recommendations were distributed, read and discussed.

Commissioner Wilmot asked that LUAC members be given three unexcused absences before they are dismissed from the Committee.

Commissioner Diehl asked that duties of the Planning Commission liaisons be identified. She also wanted the process for removing LUAC members clarified.

Scott Hennessy, Director of Planning and Building Inspection, volunteered his assistance to the subcommittee.

Michael Grant wanted to know what to say when going to a hearing. He thought that members should know how to read plans and that an annual report would be good.

Planning Commission  
April 9, 2003

Marjorie Kay – (page 4 #7 regarding limiting discussion of a project to the project planner) there are times when members need to get answers from other departments/agencies. He was not in favor of combining LUACs.

*Commissioner Wilmot left at 1:30 p.m.*

Lee Lotz spoke in favor of noticing items on the LUAC agendas and having set times for each item.

Paula Lotz wanted to keep the LUACs from becoming too complex.

Joe Hertlein was in favor of noticing projects on the LUAC agendas especially to the neighbors within 300'. Policies and procedures are needed for talking to an applicant other than staff outside a LUAC meeting. Policies and procedures are needed for site visits including flagging and staking. Procedures needed for conducting a LUAC meeting. He found that talking to an applicant was sometimes needed and could be helpful. If members aren't supposed to talk to applicants, their phone numbers shouldn't be given out. If items get cancelled or postponed, the LUACs should be notified and it should be posted to the web as soon as possible. What are the rules under the Brown act regarding e-mails? LUAC appointments should be listed on the Planning Commission agenda. There should be three notices given to a LUAC member when there is a problem. Make the LUAC role more user friendly with guidelines and procedures that encourage public involvement. Involve LUACs in drafting guidelines and procedures.

David Dilworth – LUACs are needed to protect the environment and protect democracy. LUACs inform the community, are an early warning system and advance public participation. Brown Act training is needed. All discretionary permits should be reviewed by LUAC. They should also hear grading permits. Not in favor of combining LUACs. Members should be allowed to reside in the adjoining city. The Commission will be invited to attend the public participation workshop being offered by HOPE.



Planning Commission  
April 9, 2003

Commissioner Hawkins recommended a one month continuance to incorporate points made at this hearing and asked the Recording Secretary for detailed minutes.

It was moved by Commissioner Parsons, seconded by Commissioner Rochester and passed by the following vote to continue this item to the May 28, 2003 agenda.

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Diehl,  
Gonzalves, Rochester  
NOES: None  
ABSENT: Wilmot

ADVISORY COMMITTEE APPOINTMENTS - NONE

DIRECTOR'S REPORT - NONE

ADJOURNMENT

The meeting was adjourned at 1:35 p.m.

ATTEST

---

Scott Hennessy, Secretary Pro Tem

/kb