

FINAL

**MONTEREY COUNTY SUBDIVISION/MINOR SUBDIVISION COMMITTEE
April 24, 2003
MINUTES**

The Monterey County Subdivision/Minor Subdivision Committee 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: Al Mulholland, Water Resources; James McPharlin, County Fire Warden's Office; Laurence Hawkins, Planning Commission; Bryce Hori, Public Works; Jeff Main, Planning and Building Inspection; Linda Rotharmel, Secretary

Absent: Laura Lawrence Environmental Health; Richard Brandau, Parks Department

B. COMMENT PERIOD: None

C. APPROVAL OF MINUTES:

Hawkins moved, seconded by McPharlin, and passed by the following vote to approve the minutes of April 10, 2003:

AYES: Mulholland, McPharlin, Hawkins, Main, Hori

NOES: None

ABSENT: Lawrence, Brandau

ABSTAIN: None

9:08 a.m. Roger Beretti, Environmental Health arrived.

D. SCHEDULED ITEMS

Minor Subdivision Committee

1. Keig Daniel J TR (PLN020110)

Combined Development Permit consisting of a Coastal Development Permit for a lot line adjustment between 3 contiguous legal lots of record resulting in Parcel 3 increasing from 1 acre to 1.6 acres (241-221-002-000), Parcel 2 increasing from 6.1 acres to 40 acres (241-221-005-000), and Parcel 1 decreasing from 598 acres to 586.1 acres (241-221-007-000 & 243-201-012-000); and a Coastal Administrative Permit and Design Approval to allow for a first single-family dwelling on Parcel 2, as adjusted. The parcels are located at and near 200 Crest Road, Carmel, Carmel Highlands area, Coastal Zone.

There was discussion regarding the item be continued since the project was not noticed in the paper. Todd Bessire stated he was unaware of the pending continuance and was comfortable with the hearing since it was noticed “on site” and to “property owners within 300’ of project.” He stated the law requires one of three notices and since two of the three were done he felt the hearing could be heard.

Jeff Main stated that in terms of protocol, it usually requires the three to occur and when one doesn’t occur, it would be continued and be consistent with how it is done. Generally if one doesn’t occur, a continuance is requested.

Todd Bessire was not in favor of the continuance because his client cancelled his scheduled vacation for the hearing. He stated the law clearly states, that one of the three notices in California were required and two were done. He also stated that the Carmel Highlands Advisory Committee recommended approval of the project. He was not agreeable to a continuance.

Laurence Hawkins made a motion to open Public Hearing, take testimony, and if it still needed to be continued it could be done at that time. He felt the applicant and representative made excellent points, and there is no known opposition to the project.

Jeff Main suggested that testimony be taken and continue the hearing open so that the representative would be the only one who would have to come back at a later date. He suggested that if the project was approvable,, the Committee could adopt a Resolution of Intent to Approve and leave the Public Hearing open for the following hearing date after the notice in the paper has gone out, and close the hearing after any additional testimony is taken.

Todd Bessire stated the options given were unacceptable, since there was no opposition to the project and he wanted a decision today. He was agreeable to the 25 conditions of approval.

Bryce Hori, Vice Chair, stated that the committee’s desire was to hear testimony today.

Jeff Main gave a presentation to the committee, because the secretary notified the planner and the planner didn’t appear, because there was an assumption that there would be a continuance. Staff recommended approval of the project, pursuant to approval of the Findings and Evidence and the recommended Conditions.

Laurence Hawkins asked if this project would have to go to the Planning Commission or the Board of Supervisors for any reason. He was prepared to make a motion because it was obvious there was a Public Hearing and no objection to the project in the Public Hearing and moved for Staff’s recommendation.

Bryce Hori, Vice-Chair, stated that before an action is taken, he asked if anyone else in the audience wished to speak on this item and there was none.

Roger Beretti, Environmental Health stated that Condition #10 is in the wrong category and requested it be moved to “Prior to Recordation of Grant Deeds or Record of Survey.”

Hawkins moved, seconded by McPharlin, and passed by the following vote to approve the Combined Development Permit for PLN020110, as amended to move Condition #10 to “Prior to Recordation of Grant Deeds or Record of Survey.”

AYES: McPharlin, Hawkins, Mulholland, Hori, Beretti
NOES: Main
ABSENT: Lawrence, Brandau

Main stated that the reason for his “No” was he would much rather have adopted a Resolution of Intent to Approve and then go ahead and do the noticing consistent with our process, which is a procedural issue.

E. OTHER ITEMS:

Jeff Main made the announcement that he would be leaving the Subdivision Committee and Ann Towner will be taking his place. He will be going to the Planning Commission. It was announced at the Planning Commission that he would start at the first meeting in May.

ADJOURNMENT

The meeting was adjourned at 9:24 a.m.

ATTEST

Jeff Main, Secretary

/lmr