

FINAL
MONTEREY COUNTY ZONING ADMINISTRATOR
August 28, 2003
MINUTES

A. ROLL CALL:

Present:	Bryce Hori	Public Works
	Al Mulholland	Water Resources
	Laura Lawrence	Environmental Health
	Mike Novo	Zoning Administrator
	Linda Rotharmel	Senior Secretary

B. PUBLIC COMMENT: None

C. APPROVAL OF MINUTES: The Minutes for the August 14, 2003, meeting were approved.

D. DESIGN APPROVALS:

1. MULLER WILLI & LUCIE TRS (DA030302)

DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A 4,361 SQ. FT. ONE-STORY SINGLE FAMILY DWELLING WITH TWO ATTACHED GARAGES TOTALLING 855 SQ. FT., WOOD FRAMED WINDOWS AND A COVERED CONCRETE PORCH. MATERIALS AND COLORS OF STUCCO SIDING (DARK CREAM WITH A BEIGE ACCENT), TRIM (OFF-WHITE WITH A GREEN ACCENT) AND CONCRETE TILE ROOFING MATERIALS (MISSION-STYLE TERRA COTTA). THE PROPERTY IS LOCATED AT 26417 LUCIE LANE, SALINAS (ASSESSOR'S PARCEL NUMBER 416-446-027-000), TORO AREA.

The Zoning Administrator described the project.

Willi Muller, applicant, was present.

After discussion the Zoning Administrator approved the Design Approval.

E. SCHEDULED ITEMS:

2. HISTORY & HERITAGE CENTER (PLN020486)

CONTINUED FROM 8/14/03. AMENDMENT TO ZA06151 TO MODIFY CONDITION NO. 33, TO REVISE TRAFFIC IMPACT MITIGATION.

The Zoning Administrator described the modification to the Conditions of approval. The revised condition would require the implementation of a revised traffic mitigation measure that has been developed by CalTrans and the Department of Public Works.

There was a request from the applicant for a continuance.

After discussion the Zoning Administrator tabled the project.

- 3. KLEISSNER KARL & LISA L K KLEI (PLN020392)**
COMBINED DEVELOPMENT PERMIT AND DESIGN APPROVAL INCLUDING: A COASTAL ADMINISTRATIVE PERMIT TO ALLOW CONSTRUCTION OF A NEW DETACHED 1,380 SQUARE FOOT 3-CAR GARAGE FOR AN EXISTING HOUSE, A 420 SQUARE FOOT GUESTHOUSE ATTACHED TO THE GARAGE, PERIMETER GRAPE STAKE FENCE, AND RELOCATION OF AN EXISTING DRIVEWAY; A COASTAL DEVELOPMENT PERMIT FOR DEVELOPMENT IN THE CRITICAL VIEWSHED; A COASTAL DEVELOPMENT PERMIT FOR DEVELOPMENT IN A PARCEL WITH A POSITIVE ARCHAEOLOGICAL REPORT. THE PROPERTY IS LOCATED AT 35678 HIGHWAY 1, BIG SUR (ASSESSOR'S PARCEL NUMBERS 243-231-013-000, 243-231-015-000, AND 243-231-016-000), SOUTHWEST OF THE GARRAPATA CREEK BRIDGE ADJACENT TO THE PACIFIC OCEAN, COASTAL ZONE.

The Zoning Administrator described the project.

Mark Blum spoke on behalf of the applicants and stated that the Kleissner's do not concur with request from the neighbors that the matter be set before the Planning Commission. Staff also feels it is properly before the Zoning Administrator. They do not concur with the neighbors request that the matter be continued until early October, because the neighbors are out of town. He stated the project has been noticed for nine months, staked for eight months and the neighbors have visited their adjacent property at least three times during this period, but haven't made any prior attempt to learn about the project or review the file until the day they were leaving to go to Europe. He also gave an overview of the project description.

Mary Ann Schicketanz from Carver and Schicketanz Architects, the project architect. She read dates into the record: Submitted application 8/20/02; Site visit 1/23/03; Staked project 1/22/03; and before advisory committee 3/11/03 and showed photographs. She spoke about the viewshed corridor.

There was discussion concerning the relocation of the driveway and public access to the beach. It was noted that the present driveway runs through two neighboring parcels. The restoration of the old driveway after the new driveway is complete is part of a condition of approval.

John Bridges, representative for neighbor Dr. Schapira, spoke in opposition of the project and was concerned about the request for a continuance.

There was discussion regarding the continuance of the project for two weeks or until October 8th, when the neighbors would be returning.

After discussion the Zoning Administrator set a Field Trip for Tuesday, September 9, 2003, at 11:30 a.m. at the project site, and continued the project to the September 11, 2003 hearing.

- 4. ALHONA RICHARD M & PATRICIA L (PLN020492)**
USE PERMIT TO OPERATE AN AGRICULTURAL PROCESSING PLANT IN AN EXISTING BUILDING OF APPROXIMATELY 3,000 SQ. FT. FOR A WINERY WHOSE PRODUCTION WILL NOT EXCEED 1,000 CASES PER YEAR. THE PROPERTY IS LOCATED AT 19356 CACHAGUA ROAD, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBER 418-441-012-000), NORTHWEST OF ASOLEADO PLACE, CACHAGUA AREA.

The Zoning Administrator described the project and made changes to Finding #1 to read the standard project description. Condition #6 was modified to 1,400 cases and to say that the grapes shall not be imported from outside the Carmel Valley Appellation instead of off-site. Condition #9 should be the standard condition for lighting that states a lighting plan will be submitted to the Planning and Building Inspection Department for approval. Condition #12 should be a maximum number of employees permitted on site at any one time shall be 16 and delete limited to family members.

Richard Alhona was present and accepted the conditions.

After discussion the Zoning Administrator approved the project with the amended Findings and Evidence and subject to the modified Conditions of approval.

- 5. SILVA WILLIAM A & KRISANTA K L (PLN030149)**
COMBINED DEVELOPMENT PERMIT CONSISTING OF A USE PERMIT FOR THE REMOVAL OF FOUR OAK TREES AND A USE PERMIT FOR DEVELOPMENT ON SLOPES GREATER THAN 30 PERCENT; AND DESIGN APPROVAL FOR CONSTRUCTION OF A 5,271 SQ. FT. TWO-STORY SINGLE FAMILY RESIDENCE. THE PROPERTY IS LOCATED AT 419 ESTRELLA D'ORO, MONTEREY (ASSESSOR'S PARCEL NUMBER 173-074-002-000), EAST OF THE INTERSECTION OF VIA DEL MILAGRO AND ESTRELLA AVENUE, PASADERA SUBDIVISION, GREATER MONTEREY PENINSULA AREA.

The Zoning Administrator described the project.

William Silva, applicant, was present, discussed the slope issue and accepted the conditions as amended.

John Bridges, working with Mr. Silva on this project, discussed Finding #4, Evidence 3, and requested the addition, "of such approved use or be detrimental or injurious to property and improvement in the neighborhood."

Al Mulholland, Water Resources, spoke on the drainage issue.

The Zoning Administrator added an Evidence to Finding #2, stating that the landmark oak tree proposed for removal has a basal fissure with internal decay and a cavity with wetwood and water. The lower limb has signs of decay and cavities and decay are more pronounced in tree #35 and current coastal infestation of the

oak moth caterpillars could spread to the site. The second Evidence under Finding #3 should have the word “noise” added after ecology. Finding #4, Evidence # 1 should have “No significant environmental impacts were identified during project review.” Added. Finding #5 should have “of such approved use or be detrimental or injurious to property and improvement in the neighborhood: ...” added after neighborhood. A new Evidence #6 should be added to state, “The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternative.” The Evidence should read (a) The 30% slope was a man-made slope constructed when the adjacent building pad was created”; and (b) The landmark oak tree will be protected by insuring adequate setbacks for the tree’s roots.” Condition #2 should be approved by the Zoning Administrator and not the Planning Commission. Condition #7 should have “pursuant to Exhibit G3” deleted and the number of trees in parenthesis changed to two. Condition #9 should have “unless otherwise approved by a registered forester” added to the last sentence. Condition #12 should be deleted.

After discussion the Zoning Administrator approved the project with the aforementioned changes, amendments and deletions to the Findings and Evidence and subject to the modifications to the Conditions.

6. NEWELL MINTON J JR & SHANNON M (PLN020597)

USE PERMIT TO ALLOW FOR THE CONVERSION OF AN EXISTING 460 SQUARE FOOT GARAGE TO A WINERY ON A 45-ACRE PARCEL WITH 30 ACRES PLANTED IN VINEYARDS THAT WILL PRODUCE 1,000 CASES OF WINE PER YEAR. THE PROJECT IS LOCATED AT 51210 BRADLEY LOCKWOOD ROAD, BRADLEY (ASSESSOR'S PARCEL NUMBER 423-051-035-000), NORTHEAST OF THE INTERLAKE AND JOLON ROAD INTERSECTION, NORTH OF SAN ANTONIO RESERVOIR, SOUTH COUNTY AREA.

The Zoning Administrator described the project and there was discussion regarding how many cases of wine would be produced per year. It was noted that 1,000 cases would be produced.

Laura Lawrence from Environmental Health added three Conditions under the heading of Prior to Commencement of Use: #3 Prior to issuance of a septic system installation permit, submit a detailed winery wastewater disposal system design to the Director of Environmental Health for review and approval meeting the regulations found in Chapter 15.20 of the Monterey County Code, and Prohibitions of the Basin Plan, RWQCB.; 4) Prior to commencement of winemaking operations, install a winery wastewater disposal system approved by the Division of Environmental Health.; and 5) Prior to commencement of winemaking operations, submit written evidence that General Waste Discharge Requirements for Discharges of Winery wastes or a waiver has been issued by the Regional Water Quality Control Board. Condition #6 was amended to end the first sentence at wine and deleting the rest of the sentence. Condition #8 the last sentence should be deleted. Condition #9 should be amended to provide one covered parking space for the residence. Conditions #10 & 19 should be 1,000 cases. Condition #20 was added by Environmental Health under the heading “Continuous Condition”: Winery wastewater discharge shall comply with the

Prohibitions, Recommendations and Specifications of the General Waste Discharge Requirements for Discharges of Winery Wastes set forth by the Regional Water Quality Control Board. (General WDRs)

Rachel Dumas was present and accepted the amended conditions, knowing that the Environmental Health Conditions had been added to the Staff Report.

After discussion the Zoning Administrator approved the project subject to the Findings and Evidence and subject to the addition of the Environmental Health Conditions and other modifications to the Conditions of Approval

- 7. MORGAN LESLIE C & BETTY F MORG (PLN030021)**
COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) A COASTAL ADMINISTRATIVE PERMIT FOR THE DEMOLITION OF AN EXISTING SINGLE FAMILY RESIDENCE, GUESTHOUSE AND ASSOCIATED IMPERVIOUS COVERAGE, AND CONSTRUCTION OF A 5,000 SQ. FT. ONE-STORY SINGLE FAMILY RESIDENCE WITH AN ATTACHED GARAGE AND 4,000 SQ. FT. OF IMPERVIOUS COVERAGE; 2) A COASTAL DEVELOPMENT PERMIT FOR THE REMOVAL OF 1 DOUBLE-TRUNKED COAST LIVE OAK (9 AND 11 INCHES IN DIAMETER); GRADING (100 CUBIC YARDS OF CUT/15 CUBIC YARDS OF FILL); AND DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 1516 RIATA ROAD, PEBBLE BEACH (ASSESSOR'S PARCEL NUMBER 008-351-033-000), DEL MONTE FOREST AREA, COASTAL ZONE.

The Zoning Administrator described the project and discussed the height limit on the project.

Charles Mandurrigo, representing the applicants, was present and accepted the conditions.

Laura Lawrence from Environmental Health requested the deletion of Condition #8.

After discussion the Zoning Administration approved the project with the Findings and Evidence and subject to the changes in the Conditions of Approval.

F. OTHER ITEMS: None

G. ADJOURNMENT: 10:50 a.m.

ATTEST:

MIKE NOVO
Zoning Administrator

/lmr