

FINAL

**MONTEREY COUNTY PLANNING COMMISSION
February 11, 2004
MINUTES**

The Planning Commission met at 9:03 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, Keith Vandevere, Juan Sanchez,
Martha Diehl, Aurelio Salazar, Don Rochester, John Wilmot
Absent: None

B. COMMENT PERIOD

None

C. APPROVAL OF MINUTES

Commissioner Wilmot moved, seconded by Commissioner Hawkins, and passed by the following vote to approve the minutes of January 14, 2004:

AYES: Errea, Hawkins, Padilla, Vandevere, Sanchez, Diehl, Salazar, Rochester, Wilmot, Parsons
NOES: None
ABSENT: None
ABSTAIN: None

D. SCHEDULED ITEMS

1. MAININI DANIEL A (CC010028)

Dale Ellis, Assistant Director of the Planning and Building Inspection Department, described the project.

There was discussion regarding location, topography of the property, transfer lots, or reference to survey lots, and legal lots.

Wendy Strimling, representing County Counsel, addressed the issue of patents.

Fred Strong testified on behalf of Appellant.

Mr. Ellis and Mrs. Strimling responded to the testimony.

The Commission discussed the issues.

Commissioner Rochester moved, seconded by Commissioner Hawkins and passed by the following vote to approve Staff's recommendation to deny the appeal and adopt Resolution # 04006.

AYES: Sanchez, Hawkins, Padilla, Vandevere, Parsons, Diehl, Salazar, Rochester
NOES: Errea, Wilmot
ABSENT: None
ABSTAIN: None

2. PETER PAN INVESTORS LLC (PLN030397)

Eric Lee presented the project. Staff recommended approval of the demolition of structures, and removal of two landmark pine trees, although separately to deny a temporary access road across a 30% slope. Staff reported that the Carmel Highland/Unincorporated Land Use Advisory Committee recommended denial of the access road and 30% slope waiver, preserving the two oak trees, providing proper drainage, and limiting excavation to the amount necessary for the demolition only and not to include excavation for a new house until such an application is considered.

John Mandurrigo, on behalf of applicant, spoke to the merits of the project.

The Commission discussed details of the application and issues raised by staff and the applicant

Public Comment:

Molly Steele, Suzette Sales, and McKenzie Patterson spoke in opposition to the project.

Mr. Mandurrigo provided rebuttal.

Wendy Strimling, County Counsel, addressed the distinction between CEQA and Condition #1, approving a certain amount of cut and fill.

Commissioner Diehl moved, seconded by Commissioner Wilmot and passed by the following vote to continue this item to March 31, 2004 to clarify the details of the cut and fill, specifics of access road, or lack thereof, provide explanation of the method to be used to stabilize the hillside, to include discussion if compaction is to be allowed or not, specify treatment for the remaining area once the house is removed and how erosion is going to be controlled.

AYES: Errea, Sanchez, Hawkins, Padilla, Vandevere, Parsons, Diehl, Salazar, Rochester, Wilmot
NOES: None
ABSENT: None
ABSTAIN: None

3. MO CO GENERAL PLAN UPDATE (PLN010172)

Lynn Burgess gave an update on the draft Environmental Impact Report and General Plan Update hearing schedule. She reported that the General Plan Update Draft Plan will be available in both Marina and Salinas Planning and Building Inspection Departments, and at the Board of Supervisors. The hard copy will cost \$55 and the CD is free. There will be copies at the Board of Supervisors, County Libraries, City Halls and the Planning

Commission mail out will be February 13, 2004. It will be on the web site February 17, 2004. A Public Notice will be published about the DEIR in the Herald and Californian.

Commission Comment:

There was discussion that the Land Use Advisory Committees receive copies of the General Plan Update and the Draft EIR. Copies of the General Plan Update and Draft EIR should also be made available for public review in the outlying areas (unincorporated).

There were comments on the schedule of General Plan Update hearings.

Commissioner Diehl advised that there will be three informal Planning Commission Subcommittees on the General Plan Update consisting of three, three, and four Commissioners each. Each subcommittee will address one of the three themes: Growth Strategy Theme, Quality of Life Theme, and Economy/Jobs and Housing Theme. There was discussion about a Commissioner being on more than one Subcommittee, and it was determined that each Commissioner would serve on only one Subcommittee.

Chair Sanchez gave an overview of the process on how the General Plan Update was held in the past for the new Commissioners.

Public Comment:

Jan Mitchell, Margie Kay, Gary Patton, Darlene Din, and Jean Errea spoke regarding publication in the newspapers, the hearing schedule, public being able to attend hearings, and the Public Notice to all areas.

Lynn Burgess clarified that the public notice for the Planning Commission meetings on the General Plan Update will be noticed in 12 newspapers in the County.

After discussion, Commissioners volunteered for Subcommittees to discuss portions of the General Plan Update as follows:

Growth Strategy Theme

Commissioners Parsons, Vandevere, and Padilla

Quality of Life Theme

Commissioners Sanchez, Salazar, and Errea

Economy/Jobs and Housing Theme

Commissioners Wilmot, Hawkins, Diehl, and Rochester

Subcommittee members will decide when to meet.

E. OTHER MATERS

Advisory Committee Appointments

It was moved by Diehl, seconded by Commissioner Rochester, and passed by the following vote to reappoint Steve Beck to the Big Sur Land Use Advisory Committee.

AYES: Errea, Sanchez, Hawkins, Padilla, Vandever, Parsons, Diehl, Salazar, Rochester, Wilmot
NOES: None
ABSENT: None
ABSTAIN: None

Department Report

Jeff Main, Secretary to the Commission, gave an overview of the active Standard Subdivision and the Minor Subdivision list. He further advised on actions proposed by the Planning and Building Inspection Department in an emergency ordinance to address Departmental budget constraints. These actions included more administrative review for projects and streamlining of Department functions. The ordinance is set to be heard before the Board of Supervisors the first meeting in March. There was discussion regarding a presentation to the Planning Commission since the proposal would affect the public, Land Use Advisory Committees, and applicants. A direct request was made by the Commission Chair to put on the next Agenda a presentation from the Planning Department addressing the emergency ordinance.

Jeff Main reminded the Commission of the upcoming Pebble Beach Company field trip on February 18, 2004.

There was also discussion regarding the insurance liability issue in covering Land Use Advisory Committee members. Wendy Strimling, County Counsel, is reviewing the policy and advising County Administration and advised that when a decision is reached, it will be forwarded to the Planning Commission.

Election of Chair and Vice Chair

The nominating committee reported that Commissioner Wilmot and Commissioner Diehl were nominated for Chair and Vice Chair respectively.

Commissioner Rochester moved and Commissioner Hawkins seconded, and passed by the following vote to appoint Commissioner Wilmot for Chair:

AYES: Errea, Sanchez, Hawkins, Padilla, Vandever, Parsons, Diehl, Salazar, Rochester
NOES: None
ABSENT: None
ABSTAIN: Wilmot

Commissioner Errea moved and Commissioner Vandever seconded, and passed by the following vote to appoint Commissioner Diehl for Vice Chair:

AYES: Errea, Sanchez, Hawkins, Padilla, Vandever, Parsons, Salazar, Rochester, Wilmot
NOES: None
ABSENT: None
ABSTAIN: Diehl

Former Chair Sanchez congratulated the new Chair and Vice Chair and closed the hearing by thanking all his colleagues for a great year. He thoroughly enjoyed it, has served on City Commissions and other County

commissions, and enjoyed the issues that have come before the Commission. He thanked the members for their support and encouragement the past 12 months.

The Commissioners thanked the Chair for his guidance, handling of the contentious issues, and appreciated his work over the last year.

ADJOURNMENT

The meeting was adjourned at 12:08 p.m.

ATTEST

Jeff Main, Secretary

/s/