

**FINAL**

**MONTEREY COUNTY PLANNING COMMISSION  
AUGUST 25, 2004  
ACTION 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, John Wilmot, Martha Diehl, Aurelio Salazar, Don Rochester, Juan Sanchez

Absent: None  
Commissioner Sanchez left at 2:26 p.m.  
Commissioner Padilla left at 4:25 p.m.

**B. COMMENT PERIOD: Marjorie Kay**

**C. APPROVAL OF MINUTES            July 14, 2004**

Commissioner Parsons made a correction on page 2, to change “advised” to “asked”.

Commissioner Errea moved, seconded by Commissioner Padilla, and passed by the following vote to approve the minutes of July 14, 2004 as amended:

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

- Several Commissioners requested an MST Report that reflects data using the bus system from South County to Peninsula for approximate period of 18 months to 2 years as a basis to provide information on the jobs/housing condition in Monterey County. Jeff Main will request the report and bring forward in the future.

Commissioners commented regarding the hearing format for the upcoming PC review of the Ranchos San Juan (RSJ) Specific Plan, HYH tentative map and related documents, and the Planning Commission directed staff to put on the next meeting agenda discussion regarding the appropriate order and format for the review of this project. Possible dates selected for Planning Commission hearing on RSJ items are October 6 and October 11 or October 20 and October 21, with meeting to begin no earlier than 9 a.m.

Commissioners asked questions concerning the Development Agreement Ordinance recently passed by the Board and asked for a presentation on the content of this ordinance and its application to upcoming projects that would be before the PC.

Additionally, the PC requested a staff presentation on the status of enforcement of the inclusionary housing requirements with specific reference to Moro Coho and a presentation on the status of code enforcement activities.

**D. SCHEDULED ITEMS**

**1. REPORT TO PLANNING COMMISSION – LEEPER – PD010050**

Staff recommended that the Leeper report be heard on September 29, 2004.

**The Planning Commission accepted the report.**

**2. ZONE CHANGE PD030204**

Planner Patrick Kelley presented the project report.

Public Comment: Donna Hagerty, Patricia Kauffman, Dave Dally and Mattie Mathews

Commissioner Sanchez recommends we move forward, Commissioner Diehl supports Sanchez's comments.

**Commissioner Diehl moved, seconded by Commissioner Errea, to change the motion to reflect County Counsel's recommendation for the Planning Commission to adopt a resolution which reads, "Based on the Finding and Evidence, the Planning Commission recommends to the Board of Supervisors that it certify the Negative Declaration and adopt the draft ordinance implementing the above zone change", and passed by the following vote:**

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

**Recessed 10 a.m. to 10:16 a.m.**

**3. AVILA DON & GAY (JT) PLN980516**

Planner Patrick Kelly presented the project.

Attorney Anthony Lombardo was present on behalf of the applicant.

Public Comment (33 speakers, spelled by phonics as speakers chose not to fill out forms):  
Robert Layton, Chris Bunn, Sally Baucus, Pamela Freeman, Charlene De Prady, Bob Swanton,

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Robert Espere, Paul Manuel, Bob Bell, Jim Price, Mike Hubbard, Mike Landry, Dan Atkinson, Phil Glackin, Keven McKee, Douglas Fay, Janet Fay, Christina Kemp, Sarah Michaels, Chuck Taylor, Gary Patton, Manuel Lamorial, David Podrasky, Jan Mitchell, Jerry Dominguez, Steven Ray, Diane Soresa, Julianne Taylor, Marriott Evans, Hahn Jurgens, Nikkei Reel, Rich Hewitt and Margie Kay.

A number of environmental and land use issues were presented.

Attorney Anthony Lombardo responded to the comments.

Commissioner Salazar concurs with Commissioner Diehl's concerns to address the technical issues and revise and clarify the conditions of approval accordingly. Patrick Kelly will work with Water Resources Agency and staff.

Commissioners discussed creating a buffer between this project and the adjoining agricultural land. It was suggested by the Commissioners that the applicant work out the buffer issue but not as part of the motion, and may come back as part of the draft final resolution.

**Commissioner Sanchez moved, seconded Commissioner Salazar to Adopt a Resolution of Intent to recommend approval to Board of Supervisors and continue the hearing to date certain of September 29, 2004, and passed by the following vote:**

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

Motion adopted 6 to 4.

Lunch break from 12:30 p.m. to 1:45 p.m.

#### **4. POTTER DOUG & MARALEE PLN030547**

Planner Ramon Montano, presented the project. Planner Montano would like to include the condition revisions to the project:

- Condition 7: Scenic Easement to be replaced with a Deed Restriction
- Condition 10: change the following to omit the following language "either condition as follows based on the survey indicating metes and bounds of the proposed scenic easement.
- Condition 4: amend language to exclude or omit "All exterior lighting on the north face of the structure shall be adequately shielded and or located at or near ground level."

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Attorney Tony Lombardo was present on behalf of the applicant.

Public Comment: Margie Kaye

Commissioner Hawkins moved to deny the project. Commissioner Diehl suggested the motion be “Intent to Deny” to allow preparation of findings.

**Commissioner Hawkins moved, seconded by Commissioner Sanchez, a Resolution of Intent to continue to date certain of September 8, 2004 with recommendation of Denial without Prejudice with Findings and Evidence to support the denial.**

AYES: Errea, Parsons, Hawkins, Padilla, Vandever, Wilmot, Diehl, Salazar, Rochester, Sanchez

NOES: None

ABSENT: None

Commissioner Sanchez left the meeting after the vote at 2:26 p.m.

5. **RANCHO SAN CARLOS PARTNERSHIP PLN010001**

Planning & Building Services Manager Mike Novo introduced Tad Stearn, PMC, to present the project. Mr. Novo stated the PC Agenda was incorrect, and it should have read that the Planning Commission is the final decision maker this project. Mr. Novo recommends opening the public hearing, taking testimony, and continuing the hearing to the next available meeting because of the noticing issue.

Brian Finegan, represented the applicant. Also speaking for the applicants were Scott Brown and Mark Worschner of Balance Hydrologics and Polly Boissevain of Camp Dresser and McKee.

Public Comment: Gillian Taylor, John McKeon, Forest Arthur

Commissioner Wilmot requests Water Resources Agency representative be present at the next hearing.

Commissioner Diehl moved, seconded by Commissioner Rochester to continue open to date certain (shown below), and passed by the following vote:

AYES: Padilla, Vandever, Diehl, Salazar, Rochester

NOES: Errea, Parsons, Hawkins, Wilmot

ABSENT: Sanchez

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Motion adopted 5 to 4.

**Commissioner Vandevere moved, seconded by Commissioner Hawkins to continue to date certain of September 29, 2004, and passed by the following vote:**

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

Commissioner Padilla left the meeting after the vote at 4:25 p.m.

Break at 4:25 p.m. for 5 minutes

6. **TORRESS GONZALO ET AL PLN040315**

Planner Therese Schmidt presented the project.

Commissioner Salazar translated for the applicant.

**It was moved by Commissioner Errea, seconded by Commissioner Parsons to approve the project as recommended by staff and passed by the following vote to accept:**

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

7. **COTTAGE INDUSTRY MICRO WINERY PD040816**

Secretary Jeff Main clarified that this item was placed on the agenda in error.

**It was moved by Commissioner Vandevere, seconded by Commission Diehl, to withdraw the item by the following vote:**

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

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**OTHER MATTERS**

Jeff Main responded to Commissioner Rochester's inquiry on the attendance by the Agricultural Commissioner. Mr. Main stated staff is still developing procedures and criteria with the Agricultural Commissioner, and will be the next item he addresses on his list of Commission requests to attend to by staff.

**ADJOURNMENT**

The meeting was adjourned at 4:42 p.m.

ATTEST

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Jeff Main, Secretary

JM: een

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