

**FINAL
MONTEREY COUNTY PLANNING COMMISSION
JUNE 27, 2007
MINUTES**

The Planning Commission met at 9:00 a.m. in the Board of Supervisors Chambers of the Courthouse, 168 West Alisal Street, Salinas, California.

A. ROLL CALL

Present: Miguel Errea, Jay Brown, Nancy Isakson, Cosme Padilla, Matthew Ottone (arrived at 9:04),
Martha Diehl, Juan Sanchez, Aurelio Salazar (Vice Chairman), Keith Vandevere
Absent: Don Rochester (Chairman)

B. COMMENT PERIOD:

PUBLIC – None

COMMISSION – Commissioner Errea asked that discussion on changes to the Williamson Act be brought back for a more thorough discussion on the specific changes. Commissioner Padilla advised the Commission of a swearing in ceremony in Castroville for new citizens. Deputy County Counsel Strimling advised that Senior Deputy County Counsel Iglesia will be in attendance at the next meeting, July 11th, while she is on vacation.

Commissioner Ottone arrived.

C. APPROVAL OF MINUTES – None

Commissioner Diehl expressed concern over the lack of minutes. Staff relayed that minutes will be forthcoming, with the goal to have minutes before the Commission within two meetings.

D. SCHEDULED ITEMS

RESOURCE MANAGEMENT AGENCY STRATEGIC PLAN

Wayne Tanda, Resource Management Agency Director, and Laura Lawrence, Planning Department Manager, presented this item. Beth Shirk, Ombudsperson, explained her role in the Department. A question and answer period followed.

It was moved by Commissioner Vandevere, seconded by Commissioner Sanchez and passed by the following vote to accept the report of the Resource Management Agency and to request that a report be given to the Commission every six months.

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandevere
NOES: None
ABSENT: Rochester

D. PROJECT SCHEDULED ITEMS

1. KHALSA SAT KIRTAN (PLN060721)

COMBINED DEVELOPMENT PERMIT CONSISTING OF THE FOLLOWING: 1) A COASTAL ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A ONE-STORY 3,036 SQUARE

FEET SINGLE FAMILY DWELLING WITH A 646 SQUARE FEET ATTACHED GARAGE, 43 CUBIC YARDS OF CUT AND 22 CUBIC YARDS OF FILL; 2) A COASTAL DEVELOPMENT PERMIT TO ALLOW THE REMOVAL OF 39 MONTEREY PINES AND 1 COAST LIVE OAK TREE; AND 3) DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 4041 EL BOSQUE DRIVE, PEBBLE BEACH (ASSESSOR'S PARCEL NUMBER 008-102-015-000), NORTHWEST OF THE INTERSECTION OF COSTADO AND EL BOSQUE DRIVE, DEL MONTE FOREST AREA, COASTAL ZONE.

Craig Spencer, Project Planner, presented the project. He provided a couple options for the Planning Commission to consider, one with a variance and one without a variance. Staff recommended that the option without the variance for the project be approved.

Sat Kirtan Khalsa, applicant, stated that they did not ask for the variance but did agree to consider it. They requested Option 1 which did not include the variance.

Sat Khalsa, explained more about tree removal versus a variance.

After discussion, it was moved by Commissioner Diehl, seconded by Commissioner Vandevere and passed by the following vote to approve the Combined Development Permit, including deletion of Findings 5, 6 and 7.

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandevere
NOES: None
ABSENT: Rochester

Break – 10:35 a.m. Reconvene – 10:48 a.m.

2. ROCKY POINT RESTAURANT LLG (PLN050296)

CONTINUED FROM 05/30/07. COMBINED DEVELOPMENT PERMIT TO ALLOW AFTER-THE-FACT PERMITS (VIOLATION#: CE990087) CONSISTING OF: COASTAL ADMINISTRATIVE PERMIT TO FOR DEVELOPMENT OF ACCESSORY STRUCTURES APPURTENANT TO THE PRINCIPAL ALLOWED USE INCLUDING CONSTRUCTION OF TWO CONCRETE DECKS, ONE RETAINING WALL, AND A REDWOOD DECK AND GAZEBO, INSTALLATION OF OUTDOOR LIGHTING ALONG THE COASTAL BLUFF, REPLACEMENT OF WATER TANKS ON NEIGHBORING PROPERTY (ASSESSOR'S PARCEL NUMBER 243-262-003-000), AND REPLACEMENT/EXPANSION OF AN EXISTING RESTAURANT SIGN; COASTAL DEVELOPMENT PERMIT FOR DEVELOPMENT WITHIN THE CRITICAL VIEWSHED; COASTAL DEVELOPMENT PERMIT FOR DEVELOPMENT ON SLOPES OF 30% OR GREATER; COASTAL DEVELOPMENT PERMIT FOR DEVELOPMENT WITHIN 100 FEET OF AN ENVIRONMENTALLY SENSITIVE HABITAT AREA (ESHA); AND DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 36700 HIGHWAY ONE SOUTH, MONTEREY (ASSESSOR'S PARCEL NUMBER 243-262-004-000), APPROXIMATELY 12 MILES SOUTH OF CARMEL, BIG SUR LAND USE PLAN, COASTAL ZONE.

Carl Holm, Project Planner, presented this item, recommending a continuance to August 8, 2007, to resolve an easement question with the County.

It was moved by Commissioner Errea, seconded by Commissioner Ottone and passed by the following vote to continue this item to August 8, 2007.

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandevere
NOES: None
ABSENT: Rochester

3. PIZANO FIDEL A & MARGARITA (PLN030075)

CONTINUED FROM 5/30/07. CONTINUED FROM 6/27/07. STANDARD SUBDIVISION TENTATIVE MAP FOR THE DIVISION OF TWO ADJACENT PARCELS OF 62 ACRES & 89 ACRES, RESPECTIVELY, INTO 10 LOTS RANGING IN SIZE FROM 5.4 ACRES TO 40.3 ACRES. THE PROPERTY IS LOCATED SOUTH OF JOLON ROAD (ASSESSOR'S PARCEL NUMBERS 423-341-010-000 & 423-341-026-000), APPROXIMATELY .45 MILES WEST OF NEW PLEYTO ROAD, SOUTH COUNTY AREA.

David Lutes, Project Planner, requested a continuance to August 29, 2007 to receive results from a site-specific hydrogeologic report.

It was moved by Commissioner Brown, seconded by Commissioner Errea and passed by the following vote to continue the Standard Subdivision to August 29, 2007.

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandevere
NOES: None
ABSENT: Rochester

4. LIPMAN HILLARY (PLN060613)

COASTAL DEVELOPMENT PERMIT TO ALLOW THE DESIGNATION OF A "DONOR SITE" IN EXCHANGE FOR TRANSFERABLE DEVELOPMENT CREDITS PURSUANT TO SECTION 20.64.190 OF THE MONTEREY COUNTY ZONING ORDINANCE (TITLE 20). THE PROPERTY IS LOCATED AT 41730 PFEIFER RIDGE ROAD, BIG SUR (ASSESSOR'S PARCEL NUMBER 419-311-012-000), COASTAL ZONE.

Jacqueline Onciano, Project Planner, requested a continuance to July 11, 2007, for further review of the site.

Arden Handshy, representative, concurred.

It was moved by Commissioner Diehl, seconded by Commissioner Padilla and passed by the following vote to continue the Coastal Development Permit to July 11, 2007.

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandevere
NOES: None
ABSENT: Rochester

5. BIRNBERG DIANE MIX TR (PLN060760)

CONTINUED FROM 6/13/07. CONTINUED FROM 6/27/07. COMBINED DEVELOPMENT PERMIT CONSISTING OF: AN ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A 5,795 SQ. FT., TWO-STORY WITH BASEMENT LEVEL SINGLE-FAMILY RESIDENCE WITH AN ATTACHED 562 SQ. FT. GARAGE, A 420 SQ. FT. DETACHED BEDROOM SUITE, A 598 SQ. FT. GUEST HOUSE, A 254 SQ. FT. WORKSHOP, A 257 SQ. FT. POOL HOUSE, SWIMMING POOL, SEPTIC SYSTEM, AND A 566 SQ. FT. ARTIST STUDIO; USE PERMIT FOR THE REMOVAL OF 11 HEALTHY PROTECTED OAK TREES, 27 TREES IN FAIR TO POOR CONDITION; USE PERMIT FOR DEVELOPMENT ON SLOPES IN EXCESS OF 30%; AND GRADING (APPROXIMATELY 2664 CUBIC YARDS CUT/1122 CUBIC YARDS FILL). THE PROPERTY IS

LOCATED AT 8 CORRAL RUN, CARMEL (ASSESSOR'S PARCEL NUMBER 239-101-017-000), CARMEL VALLEY MASTER PLAN AREA.

Bob Schubert, Project Planner, requested a continuance to July 11, 2007, due to a noticing problem.

It was moved by Commissioner Padilla, seconded by Commissioner Sanchez and passed by the following vote to continue the Combined Development Permit to July 11, 2007.

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandever
NOES: None
ABSENT: Rochester

6. LOAN EXCHANGE GROUP AKA DOLAN DEV PARTNERS (CE020302)

HEARING ON APPEAL FROM THE ORDER OF THE ENFORCEMENT OFFICER TO CEASE AND DESIST ALL AUTO DISMANTLING BUSINESS OPERATIONS TO REMOVE ALL USES FROM PARCEL D OF THE DOLAN INDUSTRIAL PARK DUE TO THE DENIAL OF THEIR COASTAL DEVELOPMENT PERMIT.

Dale Ellis, Interim Director of Building, gave the background of the project.

Roger McCurdy, applicant, requested a continuance to provide money that the County is requesting.

Commissioners asked what the money was for since the site has no permit to operate.

Irv Grant, County Counsel, responded that the money is for agreements and clean up. The money would be returned if the permit is denied.

Wendy Strimling added that the business will continue to operate while the appeal is pending.

Public Comment: Anthony Lombardo, representative for Pick and Pull; William Trafacani, representative for Parcel "D"; Deborah Cutler, owner of Parcel "C." Mr. McCurdy spoke in rebuttal and asked for a 30 day continuance.

After discussion, it was moved by Commissioner Sanchez, seconded by Commissioner Errea and passed by the following vote to deny the appeal

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandever
NOES: None
ABSENT: Rochester

E. OTHER MATTERS -

It was moved by Commissioner Errea, seconded by Commissioner Diehl and passed by the following vote to appoint Deborah Roberson to the Bradley-Parkfield Land Use Advisory Committee.

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandever
NOES: None
ABSENT: Rochester

F. COMMISSION REFERRALS – The referrals were discussed by Secretary Novo.

ADJOURNMENT: Vice Chairman Salazar adjourned the meeting in recognition of those who have passed away from cancer. 12:08 p.m.

ATTEST



MIKE NOVO, SECRETARY

MN:kb/ca