

**FINAL
MONTEREY COUNTY PLANNING COMMISSION
AUGUST 8, 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, Cosme Padilla, Matthew Ottone, Don Rochester (Chairman), Martha Diehl, Juan Sanchez, Aurelio Salazar (Vice Chairman), Keith Vandevere
Absent: Nancy Isakson (arrived at 9:25_ a.m.)

B. COMMENT PERIOD:

PUBLIC – None

COMMISSION – The Commission was informed that no live video or audio streaming was available and that the problem was being worked on. Counsel Wendy Strimling informed the Commission that although there is no video/audio, the meeting can legally proceed.

C. APPROVAL OF MINUTES – July 25, 2007

It was moved by Commissioner Salazar, seconded by Commissioner Errea and passed by the following vote to approve the minutes of **July 25, 2007**.

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

Chairman Don Rochester suggested that Item #3, Coleman Lewis (PLN060665) be heard first and Item #4, General Plan 2006, be heard second. The Commission agreed.

D. SCHEDULED ITEMS (these items were taken out of order)

1. COLEMAN LEWIS(PLN060665) (Agenda Item #3)

A COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) AN ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A 12,620 SQUARE FOOT SINGLE FAMILY DWELLING (INCLUDING AN ATTACHED THREE-CAR GARAGE AND TWO DETACHED BEDROOMS OF 940 SQUARE FEET TOTAL) IN A SITE PLAN REVIEW ("S") ZONING DISTRICT AND THE REMOVAL OF TWO LANDMARK OAK TREES; (2) AN ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A 1,200 SQUARE FOOT CARETAKER UNIT; (3) A DESIGN APPROVAL FOR A 12,620 SQUARE FOOT SINGLE FAMILY DWELLING (INCLUDING AN ATTACHED THREE-CAR GARAGE AND TWO DETACHED BEDROOMS OF 940 SQUARE FEET TOTAL), A 1,200 SQUARE FOOT CARETAKER UNIT, AND EQUESTRIAN FACILITY (BARN, TACK ROOM AND HORSE STALLS - TOTALING 1,875 SQUARE FEET); AND (4) GRADING (APPROXIMATELY 4,700 CUBIC YARDS OF CUT & 7,600 CUBIC YARDS OF FILL). THE PROPERTY IS LOCATED AT 17 BLACK MOUNTAIN TRAIL, CARMEL (ASSESSOR'S PARCEL NUMBER 239-121-007-000), GREATER MONTEREY PENINSULA AREA, SANTA LUCIA PRESERVE.

Secretary Mike Novo requested a continuance of this project to August 29, 2007.

Brian Finegan, applicant's representative, agreed with the continuance.

It was moved by Commissioner Sanchez, seconded by Commissioner Errea and passed by the following vote to continue this item to August 29, 2007.

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

2. REPORT REGARDING THE GENERAL PLAN SUBCOMMITTEE PROCESS AND PROGRESS (Agenda Item #4)

Alana Knaster gave a brief update on the progress of the work of the ad hoc subcommittee on the General Plan and stated that a further report will be forthcoming at the end of the month.

3. JAURIQUE ANTHONY & ALISON (PLN060468) (Agenda Item #1)

COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A NEW 5,138 SQUARE FOOT, TWO-STORY SINGLE FAMILY DWELLING WITH AN ATTACHED 1,080 SQUARE FOOT, THREE-CAR GARAGE, AND A 600 SQUARE FOOT ATTACHED GUESTHOUSE, RETAINING WALL; 287 FOOT LONG DRIVEWAY; AND GRADING (APPROX. 620 CUBIC YARDS OF CUT AND 880 CUBIC YARDS OF FILL) LOCATED IN A "S" ZONING DISTRICT; 2) USE PERMIT TO ALLOW DEVELOPMENT ON SLOPES GREATER THAN 30 PERCENT; AND 3) USE PERMIT TO ALLOW THE REMOVAL OF 23 PROTECTED TREES (COAST LIVE OAK). THE PROPERTY IS LOCATED AT 5435 QUAIL MEADOWS DRIVE, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBER 157-171-054-000), WEST OF CARMEL VALLEY ROAD, CARMEL VALLEY MASTER PLAN AREA.

Ramon Montano, Project Planner, presented this item and distributed a revised proposed CEQA finding.

COMMISSIONER ISAKSON ARRIVED – 9:25 a.m.

The Commissioners had questions regarding slope, vegetation and wildlife, lighting, and ridgeline development. Planner Montano recommended the ridgeline development language be removed from the findings and evidence and recommended deleting Fire Condition #19 regarding bridges, as none are part of the project. Deputy County Counsel Strimling recommended the deletion of the second and third sentences of evidence c, Finding 4.

Derinda Messenger, representative, accepted the conditions and agreed to the changes as discussed.

Gail Hatter-Crawford, representative, answered questions regarding chimney height and the LUAC recommendations.

Secretary Novo requested that Finding #8, appealability, be deleted.

It was moved by Commissioner Sanchez, seconded by Commissioner Errea and passed by the following vote to approve the Combined Development Permit including the changes as noted above.

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

ABSENT: None

4. ROCKY POINT RESTAURANT LLC (PLN050296) (Agenda Item #2)

CONTINUED FROM 05/30/07. A 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, requested a continuance to September 12, 2007.

Commissioners Diehl and Vandevere expressed concern over the continuances, due to concern for safety because of the lack of cell phone coverage in this area of the coast.

Counsel provided information concerning the easement issue.

It was moved by Commissioner Diehl, seconded by Commissioner Salazar and passed by the following vote to continue this item to September 12, 2007.

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

E. OTHER MATTERS

NORTH COUNTY COASTAL LUAC – It was moved by Commissioner Padilla, seconded by Commissioner Diehl and passed by the following vote to **reappoint David Evans and accept the resignation of Michele Kirby**.

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

BIG SUR LUAC – It was moved by Commissioner Diehl, seconded by Commissioner Sanchez and passed by the following vote to **reappoint Dan Priano**.

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

CARMEL VALLEY LUAC – It was moved by Commissioner Vandevere, seconded by Commissioner Diehl to **reappoint Neil Agron**. The Commission discussed the application for reappointment, after which the motion passed by the following vote:

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

F. DEPARTMENT REPORT – NONE

G. COMMISSION REFERRALS – Secretary Novo reviewed the referral list. Commissioner Ottone inquired why some projects go to the Board of Supervisors first and others go to the Commission first. Secretary Novo explained that it was related to either the content of the referral or the regulations relating to the referral.

BREAK – 10:02 a.m. RECONVENE – 10:30 a.m.

5. MONTEREY REGIONAL WATER POLLUTION (PLN060331)

AMENDMENT TO THE EXISTING 1992 USE PERMIT (PC94104) TO INCREASE THE OPERATIONAL CAPACITY OF THE REGIONAL TREATMENT PLANT TO FULL PHYSICAL PLANT CAPACITY. THE EXISTING USE PERMIT ALLOWS AN OPERATIONAL CAPACITY OF 27 MILLION GALLONS PER DAY (MGD). FULL CAPACITY IS 29.6 MGD. NO PHYSICAL CHANGES ARE PROPOSED AT THE TREATMENT PLANT WITH THE PROJECT. THE PROPERTY IS ZONED "PQP-D-S". THE PROPERTY IS LOCATED AT 14811 DEL MONTE AVENUE, MARINA (ASSESSOR'S PARCEL NUMBER 175-011-041-000), GREATER MONTEREY PENINSULA AREA.

Rick Soto-Lopez, Project Planner, requested a continuance to September 26, 2007 due to noticing and other issues.

It was moved by Commissioner Diehl, seconded by Commissioner Vandevere and passed by the following vote to continue this item to September 26, 2007.

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

6. CODE ENFORCEMENT ORDINANCE (PLN040372)

CONTINUED FROM PUBLIC HEARING TO CONSIDER AN A RECOMMENDATION TO THE BOARD OF SUPERVISORS ON AN ORDINANCE DELETING CHAPTERS 16.08.520-606 (GRADING), 16.12.170-200 (EROSION CONTROL), 18.50.090-.110 (WATER CONSERVATION), 18.52 (BUILDING AND CONSTRUCTION), 18.56.100 (WILDFIRE PROTECTION), 20.90 (ZONING, COASTAL ZONE), AND 21.84 (ZONING, NON-COASTAL) AND AMENDING CHAPTER 1.20 OF THE MONTEREY COUNTY CODE RELATIVE TO THE ENFORCEMENT OF THE MONTEREY COUNTY CODE.

Secretary Novo requested a continuance to August 29, 2007.

It was moved by Commissioner Isakson, seconded by Commissioner Errea and passed by the following vote to continue this item to August 29, 2007 at the end of the agenda.

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

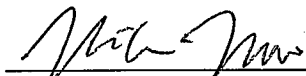
F. DEPARTMENT REPORT

Jacqueline Onciano, Planning Supervisor Manager, distributed the Carmel Valley Traffic draft EIR for review. The review period will start on August 8th and end on September 24th.

Planner Onciano reported that the item will be scheduled for the Planning Commission in November or December.

ADJOURNMENT: 10:40 a.m.

ATTEST



MIKE NOVO, SECRETARY

MN:kb/ca