

**FINAL  
MONTEREY COUNTY PLANNING COMMISSION  
WEDNESDAY, NOVEMBER 18, 2009  
MINUTES**

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

**PLEDGE OF ALLEGIANCE**

**A. ROLL CALL**

Present: Paul Getzelman, Jay Brown (Vice-Chair), Don Rochester, Keith Vandevere (Chair), Juan Sanchez, Martha Diehl, Matthew Ottone  
Absent: Nancy Isakson, Aurelio Salazar, Jr., Cosme Padilla

**B. PUBLIC COMMENTS** - None

**C. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS** - None

**D. APPROVAL OF MINUTES:** August 5, 2009, September 30, 2009

It was moved by Commissioner Diehl, seconded by Commissioner Sanchez and passed by the following vote to approve the minutes of August 5, 2009.

AYES: Getzelman, Brown, Rochester, Vandevere, Sanchez, Diehl, Ottone  
NOES: None  
ABSENT: Isakson, Salazar, Padilla  
ABSTAIN: NONE

Commissioner Vandevere suggested deleting the phrase "relating to a proven water supply" in the September 30, 2009 Minutes, Item #3, Motion paragraph. It was moved by Commissioner Diehl, seconded by Commissioner Rochester, and approved by the following vote to approve the minutes of September 30, 2009 including the proposed revision to Item 3.

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

**E. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

Commissioner Diehl stated she will need to leave at 11 a.m. Commissioner Brown inquired about not being able to locate the minutes on the website. Secretary Novo stated that the minutes are fairly up to date and should be on the website. He would look into their accessibility. Counsel asked if everyone will be back this afternoon. Commissioner Rochester will need to leave at 2:30 p.m. for another meeting, and Commissioner stated he would be unable to return in the afternoon. It was noted that the Planning Commission would not have enough commissioners for a quorum for the afternoon items unless commissioners who were absent in the morning would be able to attend in the afternoon. Secretary Novo said he would have staff try to contact the absent commissioners to determine if they could attend the afternoon session.

**F. SCHEDULED ITEMS**

1. **HEYERMANN CHERYL TR - PLN090315**  
**PLANNING AREA:** CARMEL AREA. **PROJECT PLANNER:** ELIZABETH GONZALES.  
**ENVIRONMENTAL STATUS:** EXEMPT. **PROJECT DESCRIPTION:** APPEAL OF AN ADMINISTRATIVE INTERPRETATION BY THE DIRECTOR OF PLANNING OF THE APPLICABILITY AND INTENT OF THE REGULATIONS FOR HISTORIC RESOURCES (SECTION 20.64.300 OF MONTEREY COUNTY CODE) AS IT APPLIES TO THE PROPOSED ADDITION TO THE EXISTING HISTORIC STRUCTURE LOCATED AT 2575 14TH AVENUE, CARMEL (PLN090171). (ASSESSOR'S PARCEL NUMBER: 009-401-019-000) CARMEL LAND USE PLAN AREA, COASTAL ZONE.

Project Planner Liz Gonzales presented the appeal and recommended adoption of a resolution denying the appeal and upholding the Director of Planning's interpretation. Secretary Novo clarified the hearing is about determining the appropriate process, not the project application.

Public Comment: Gretchen Fletcher, architect for project.

It was moved by Commissioner Diehl, seconded by Commissioner Ottone and passed by the following vote to accept staff's recommendation to adopt the resolution denying the appeal and upholding the Director's administrative interpretation.

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

2. **ENEA ROBERT S ET AL - PLN070333**  
**PLANNING AREA:** DEL MONTE FOREST AREA. **PROJECT PLANNER:** CRAIG SPENCER. **ENVIRONMENTAL STATUS:** MITIGATED NEGATIVE DECLARATION PREPARED. **PROJECT DESCRIPTION:** COMBINED DEVELOPMENT CONSISTING OF THE FOLLOWING: 1) A COASTAL ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A NEW 4,713 SQUARE FOOT THREE-LEVEL SINGLE FAMILY DWELLING, WITH AN ATTACHED 619 SQUARE FOOT GARAGE AND APPROXIMATELY 466 CUBIC YARDS OF GRADING; 2) A COASTAL ADMINISTRATIVE PERMIT TO ALLOW CONSTRUCTION OF A 849 SQUARE FOOT DETACHED SENIOR UNIT; 3) A COASTAL DEVELOPMENT PERMIT TO ALLOW THE REMOVAL OF 33 MONTEREY PINE TREES; 4) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 100 FEET OF ENVIRONMENTALLY SENSITIVE HABITAT (YADON'S PIPERIA); AND 5) A DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 1440 OLEADA ROAD, PEBBLE BEACH (ASSESSOR'S PARCEL NUMBER 008-331-007-000), SOUTHEAST OF THE INTERSECTION OF FOREST LAKE AND OLEADA ROAD, DEL MONTE FOREST AREA, COASTAL ZONE

Project Planner Craig Spencer presented the project and an errata memorandum.

Chair Vandevere asked that the CEQA findings be clarified in regard to the environmental impact of the project's use of water. Deputy County Counsel Strimling explained the State Water Resources Control Board's Cease and Desist Order's (Order WR 2009-0060) analysis of the impact to the Carmel River of Pebble Beach's reclamation project .

Public Comment: David Pruitt, applicant, accepted conditions and changes in the errata memorandum.

Commissioner Ottone asked to revise Finding 5, Evidence j, regarding the water issue.

It was moved by Commissioner Diehl, seconded by Commissioner Rochester and approved by the following vote to adopt the Mitigated Negative Declaration, approve the project, and adopt the Mitigation Monitoring and Reporting Plan, including changes recommended from the errata memorandum and proposed revisions by Deputy County Counsel Strimling to evidence (j )of Finding 5.

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

3. **CHOPIN ENTERPRISES LP - PLN080017**  
**PLANNING AREA:** CARMEL AREA. **PROJECT PLANNER:** JOE SIDOR.  
**ENVIRONMENTAL STATUS:** CATEGORICALLY EXEMPT. **PROJECT DESCRIPTION:** COASTAL ADMINISTRATIVE PERMIT TO ALLOW THE CONVERSION OF AN APPROVED TEST WELL (PLN060263) TO A DOMESTIC PRODUCTION WELL. THE PROPERTY IS LOCATED AT 24479 SAN JUAN ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 009-012-013-000), CARMEL WOODS AREA, COASTAL ZONE.

Project Planner Joe Sidor presented the project and discussed changes presented in two errata memoranda.

Public Comment: John Bridges, representative for applicant, supported staff recommendation along with errata and agreed with the recommended conditions. Testimony was received from Alex Buck; Mitzi Dallas; Pete Fallon; Ann Jensen; Steve Dallas; and Robert Schuler. John Bridges, representative for applicant, provided a rebuttal.

The Commission deliberated. Janna Faulk, Environmental Health Division, answered the Commissioners' questions.

It was moved by Commissioner Rochester, seconded by Commissioner Ottone, and passed by the following vote to approve the project and refer a policy matter to staff (described below).

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

**Referral:** The Commission directed staff to explore development of a policy concerning what happens when a well fails and who has preference for a public water supply in the event a well fails, the owner whose well as failed or other property owners who have been on a waiting list for water.

4. **ORDINANCE TO AMEND CHAPTER 20.60 AND RELATED SECTIONS OF TITLE 20 RELATING TO SIGNS - PLN070228**  
**PLANNING AREA:** COASTAL ZONE **PROJECT PLANNER:** LAURA LAWRENCE.

**NOTE: STAFF HAD WITHDRAWN THIS ITEM FROM THE AGENDA.**

*Commissioner Diehl left at 11:10 a.m.*

5. **GENERAL PLAN 2007 - PLN070525**  
**PLANNING AREA:** INLAND COUNTY AREA. **PROJECT PLANNER:** ALANA KNASTER/CARL HOLM. **ENVIRONMENTAL STATUS:** DRAFT ENVIRONMENTAL IMPACT REPORT PREPARED. **PROJECT DESCRIPTION:** DISCUSS SCHEDULE AND

TOPICS FOR FUTURE COMMISSION REVIEW. RECOMMENDED ACTION: PROVIDE DIRECTION TO STAFF.

Alana Knaster stated staff is working on the Final EIR, which may possibly be available in mid December. Alana Knaster gave different alternatives for the hearings on the General Plan, including the possibility of forming a committee to work on the recommendation to the Board of Supervisors.

Chair Vandevere suggested that staff return with a schedule for discussion at the December Planning Commission meeting.

Public Comment: None.

Following item 5, staff reported that efforts to contact the absent commissioners had been unsuccessful, and it was determined that the Planning Commission would not have a quorum in the afternoon. Therefore, it was moved by Commissioner Sanchez, seconded by Commissioner Rochester and passed by the following vote to continue items 6 and 7 to December 9, 2009 because the Planning Commission will not have a quorum in the afternoon.

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

**6. MID VALLEY FIRE PROTECTION DISTRICT - GPZ090003**

**PLANNING AREA:** CARMEL VALLEY MASTER PLAN AREA. **PROJECT PLANNER:** ERIC SNIDER. **ENVIRONMENTAL STATUS:** STATUTORILY EXEMPT. **PROJECT DESCRIPTION:** GENERAL PLAN AMENDMENT TO CHANGE GENERAL PLAN LAND USE DESIGNATION FROM "PUBLIC-QUASI-PUBLIC" TO "LOW DENSITY RESIDENTIAL"; REZONE A 0.35 ACRE PARCEL FROM "PUBLIC-QUASI-PUBLIC" ZONING DISTRICT TO "LOW DENSITY RESIDENTIAL" DISTRICT. COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) MINOR SUBDIVISION TENTATIVE MAP TO ALLOW A DIVISION OF A 1.98 ACRE PARCEL INTO TWO PARCELS OF 0.35 ACRES (PARCEL 1) AND 1.63 ACRES (PARCEL 2). PARCEL 1 INCLUDES AN EXISTING SINGLE FAMILY DWELLING, AND PARCEL 2 INCLUDES THE EXISTING MID-VALLEY CARMEL VALLEY FIRE STATION; 2) A VARIANCE TO ALLOW A REDUCTION OF THE MINIMUM LOT SIZE FROM 1 ACRE TO .35 ACRES IN THE "LOW DENSITY RESIDENTIAL" DISTRICT. THE PROPERTY IS LOCATED AT 8455 CARMEL VALLEY ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 169-061-014-000), CARMEL VALLEY MASTER PLAN AREA.

**7. PERMIT EXTENSIONS - PD090361**

**PLANNING AREA:** COUNTYWIDE. **PROJECT PLANNER:** CARL HOLM. **PROJECT DESCRIPTION:** ADOPT ORDINANCES AMENDING TITLE 20 (COASTAL) AND TITLE 21 (NON-COASTAL) TO ESTABLISH A ONE-TIME, 24-MONTH, EXTENSINO FOR VALID PERMITS IN EFFECT AS OF JANUARY 1, 2009 (COUNTYWIDE).

**G. OTHER MATTERS:** None

**H. DEPARTMENT REPORT**

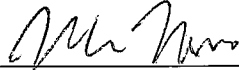
Secretary Novo discussed distributing proposed revisions to the Planning Commission's Rules for Transaction of Business and reported that he was exploring an ordinance to amend the amount of commissioners' stipends. Commissioner Brown requested an update on staff's consideration of an ordinance relating to alternative energy projects.

**I. ADJOURNMENT:** 11:26 a.m.

*Due to the expected lack of a quorum for the afternoon session, the Planning Commission meeting adjourned the November 18, 2009 meeting to December 9, 2009*

Date Adopted: January 13, 2010

Attest:



Mike Novo, Secretary

MN/ca