

**FINAL  
MONTEREY COUNTY PLANNING COMMISSION  
APRIL 9, 2008  
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.

**I. ROLL CALL**

Present: Jay Brown, Steve Pessagno, Martha Diehl, Don Rochester, Nancy Isakson, Aurelio Salazar, Jr. (Chairman), Mathew Ottone, Cosme Padilla, Keith Vandevere (Vice Chair)  
Absent: Juan Sanchez

**II. PUBLIC COMMENT: – NONE**

**COMMISSION – NONE**

**III. APPROVAL OF MINUTES – MARCH 12, 2008**

It was moved by Commissioner Vandevere, seconded by Commissioner Isakson and passed by the following vote to approve the minutes of March 12, 2008.

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

**IV. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS - NONE**

**V. COMMISSIONER COMMENTS, REQUESTS & REFERRALS** - Commissioner Diehl asked that the Covered Parking Ordinance be kept on the list to follow it through Coastal Commission certification.

**VI. ACTION ITEMS**

**1. YUKI FARMS LIMITED PARTNERSHIP (PLN070646)**

CONTINUED FROM 3/26/08. APPEAL OF ADMINISTRATIVE INTERPRETATION OF THE DIRECTOR OF PLANNING TO GRANT TWO (2) CERTIFICATES OF COMPLIANCE ON THE YUKI FARMS LIMITED PARTNERSHIP III LP REQUEST FOR THREE (3) CERTIFICATES OF COMPLIANCE (PLANNING FILES CC060024, CC060025 AND CC060026). THE PROPERTY IS LOCATED WEST OF HWY 183, AT THE INTERSECTION OF HWY 183 AND SAN JON ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 414-011-011-000) GREATER SALINAS AREA PLAN.

Laura Lawrence, Project Planner, presented a resolution to grant the appeal and direct the Director of Planning to issue three Certificates of Compliance, as directed at the last meeting.

Commissioner Isakson distributed a letter she received from General Farm Investment. Counsel gave clarification of the process for consideration of applications for Certificates of Compliance. Secretary Novo explained how the research is done.

Public Comment – None.

It was moved by Commissioner Isakson, seconded by Commissioner Rochester and passed by the following vote to approve the resolution granting the appeal and directing the Director of Planning to issue three (3) Certificates of Compliance on the Yuki Farms Limited Partnership III LP request.

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

**2. VITA ROBERT A & JENNIE G CO-TR (PLN070364)**

COMBINED DEVELOPMENT PERMIT CONSISTING OF 1) A COASTAL DEVELOPMENT PERMIT TO DEMOLISH AN EXISTING 850 SQUARE FOOT CARETAKER'S UNIT WITH AN ATTACHED 500 SQUARE FOOT GARAGE/WORKSHOP, AND CONSTRUCT A NEW 850 SQUARE FOOT CARETAKER'S UNIT WITH A 531 SQUARE FOOT ATTACHED GARAGE/WORKSHOP, A 200 SQUARE FOOT PORCH, A 235 SQUARE FOOT PORCH, A 253 SQUARE FOOT CARPORT, A 200 SQUARE FOOT PATIO, AND REPLACE THE EXISTING SEPTIC SYSTEM; 2) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN THE BIG SUR CRITICAL VIEWSHED; 3) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 100 FEET OF ENVIRONMENTALLY SENSITIVE HABITAT; 4) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN A 750 FOOT CULTURAL RESOURCES BUFFER ZONE; AND 5) A DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 36918 PALO COLORADO ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 243-262-006-000), BIG SUR COAST LAND USE PLAN, COASTAL ZONE.

Joe Sidor, Project Planner, presented the project. The Commission voiced concerns regarding standard conditions of approval from the fire district without adjusting to each application.

Glenn Warner, architect, stated that they could work with the fire department as the conditions were written.

Public Comment: None

It was moved by Commissioner Diehl, seconded by Commissioner Vandever and passed by the following vote to approve the Combined Development Permit.

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

**3. MOELLER MICHAEL & PATRICIA (PLN060251)**

COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) A COASTAL ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A THREE-STORY 3,994 SQUARE FOOT SINGLE FAMILY DWELLING WITH A 643 SQUARE FOOT THREE-CAR GARAGE, 858 SQUARE FEET OF DECK AREA, AND GRADING (APPROXIMATELY 523 CUBIC YARDS OF CUT AND 89 CUBIC YARDS OF FILL); (2) A COASTAL DEVELOPMENT PERMIT FOR DEVELOPMENT ON SLOPES IN EXCESS OF 30%; (3) A COASTAL DEVELOPMENT PERMIT FOR THE REMOVAL OF 15 MONTEREY PINE TREES AND 7 COASTAL LIVE OAK TREES; THE PROPERTY IS LOCATED AT 192 SAN REMO ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 243-181-005-000), EAST OF HIGHWAY ONE, CARMEL HIGHLANDS AREA, COASTAL ZONE.

David Greene, Project Planner, requested a continuance to allow time for a Lot Line Adjustment to be processed.

Public Comment: None

It was moved by Commissioner Vandevere, seconded by Commissioner Brown and passed by the following vote to continue the hearing to a date uncertain.

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

**4. PORTER ESTATE COMPANY BRADLEY (PLN060706)**

CONTINUED FROM 2/27/08. PLANNING COMMISSION MEETING TO JANUARY 30, 2008: AMENDMENT TO A PREVIOUSLY APPROVED COMBINED DEVELOPMENT PERMIT (PLN000348) TO RE-ROUTE THE UNION ASPHALT INC HAUL ROUTE TO ALLOW 10% OF DELIVERIES TO GO NORTH ON BRADLEY ROAD FROM HARE CANYON ROAD TO HIGHWAY 101. (NOTE: PREVIOUSLY APPROVED HAUL ROUTE ALLOWED NO TRUCK DELIVERIES TO TRAVEL NORTH ON BRADLEY ROAD FROM HARE CANYON ROAD TO HIGHWAY 101; ALL TRUCK DELIVERIES WERE TO TRAVEL SOUTH ON BRADLEY ROAD TO HIGHWAY 101). THE PROPERTY IS LOCATED AT 73050 HARE CANYON ROAD, BRADLEY (ASSESSOR'S PARCEL NUMBERS 424-101-013-000, 424-101-014-000, 424-101-015-000 AND 424-101-017-000, SOUTH COUNTY AREA.

Nadia Amador, Project Planner, informed the Commission that the applicant had withdrawn its application.

**5. CAL TRANS (HWY 1 & SALINAS ROAD) (PLN070600)**

CONTINUED FROM 3/26/08. COMBINED DEVELOPMENT PERMIT CONSISTING OF: COASTAL DEVELOPMENT PERMIT TO CONSTRUCT HIGHWAY AND INTERSECTION IMPROVEMENTS AT HIGHWAY ONE AND SALINAS ROAD; AMENDMENT TO CHAPTER 20.144.080 (AGRICULTURAL DEVELOPMENT STANDARDS) OF THE NORTH COUNTY COASTAL IMPLEMENTATION PLAN; COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 100 FEET OF ENVIRONMENTALLY SENSITIVE HABITAT, COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT ON SLOPES EXCEEDING 25%. THE PROJECT SITE INCLUDES APPROXIMATELY A 1.6-MILE STRETCH OF STATE HIGHWAY ONE BETWEEN JENSEN ROAD TO TRAFTON ROAD (POST MILE 99.9/R101.5), NORTH COUNTY, COASTAL ZONE.

Liz Gonzales, Project Planner, presented the project. She distributed an errata memo with corrections..

Counsel noted that the Commission, as a Responsible Agency under CEQA, is only considering the Mitigated Negative Declaration on this project. The Commission questioned some of the mitigation language and inquired about the amount of outreach done with the property owners and public.

This item was trailed to after Item #6.

**6. THE COMMONS AT ROGGE ROAD (PLN080153)**

AMENDMENT TO AN EXISTING PERMIT (PLN030065). CONSIDER A REQUEST FROM THE DEVELOPER TO MODIFY CONDITION OF APPROVAL #61 AND THE RELATED RECORDED

WORKFORCE HOUSING AGREEMENT FOR THE APPROVED COMBINED DEVELOPMENT PERMIT FOR THE COMMONS AT ROGGE ROAD HOUSING PROJECT (PLN030065).

Due to errors in the noticing of the hearing on this item, Secretary Novo asked for a continuance to a special meeting to be held on April 16, 2008.

It was moved by Commissioner Brown, seconded by Commissioner Rochester and passed by the following vote to continue this item to April 16, 2008.

AYES: Pessagno, Brown, Isakson, Padilla, Ottone, Rochester, Salazar  
NOES: Diehl, Vandever  
ABSENT: Sanchez

The Commission asked that criteria for calling a Special Meeting be reviewed by the Planning Commission. Secretary Novo stated that could be addressed as part of an upcoming Planning Commission agenda item to review the Rules for the Transaction of Business.

BREAK – 10:15 a.m. RECONVENED – 10:35 a.m.

**7. CAL TRANS (HWY 1 & SALINAS ROAD) (PLN070600)** (trailed from above)

Richard Rosales, representative for Caltrans, made a presentation.

Yvonne Hoffman, Environmental Planner with Caltrans, discussed the biological and environmental issues of the project.

Public Comment: Christina Watson, Ken Walker, Carol Willets.

It was moved by Commissioner Padilla, seconded by Commissioner Brown and passed by the following vote to approve the Combined Development Permit including the errata suggested by staff, changes suggested by the County Counsel Strimling, and a global change to the timing of fire conditions of approval to reflect clearance for each phase.

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

**VII. ACTION/INFORMATION ITEMS - NONE**

**VIII. OTHER MATTERS**

**SOUTH COAST LUAC** – It was moved by Commissioner Diehl, seconded by Commissioner Vandever and passed by the following vote to **reappoint Harry Harris**.

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

**GREATER MONTEREY PENINSULA LUAC AND DEL MONTE FOREST LUAC** – The Commission accepted the **resignation of Margaret Pagnillo and Lloyd M. Townley** and directed staff to send a letter thanking them for their service.

**7. ROOSTER ORDINANCE (PD070731)**

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AMENDING CHAPTER 21.12, 21.14, 21.16, AND 21.48 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO REGULATE THE KEEPING OF ROOSTERS IN RESIDENTIAL DISTRICTS AND THE LIMITED AGRICULTURAL DISTRICT.

Taven Kinison Brown, Project Planner, presented the draft ordinance.

Commissioners stated that the ordinance should focus on the issue to be solved. They questioned whether the intent was to regulate the use, fighting roosters, or noise issues. The ordinance should then be crafted to address the issue.

Public Comment: Barbara Powell, Bob Perkins representing the Farm Bureau, Paul Brownfield, Dave Sharpton, Lauren Lurs, Donald Varga, John Correia, Rita Martin; Jan Mitchell, and Melvin Crisp.

Valerie Migotti, Code Enforcement Officer for the County, gave testimony and answered questions.

It was moved by Commissioner Isakson, seconded by Commissioner Diehl and passed by the following vote to direct staff to convene a stakeholders' meeting in order to discuss and develop a more nuanced approach.

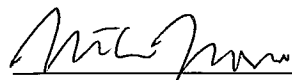
AYES: Pessagno, Brown, Isakson, Padilla, Ottone, Rochester, Diehl, Salazar, Vandevere  
NOES: None  
ABSENT: Sanchez

**IX. DEPARTMENT REPORT** – Secretary Novo informed the Commission of the HYH settlement and other matters at the Board of Supervisors.

**X. ADJOURNMENT** – 12:49 p.m.

Date adopted: June 11, 2008

ATTEST



MIKE NOVO, SECRETARY

MN:kb/ca