

**FINAL
MONTEREY COUNTY PLANNING COMMISSION
AUGUST 27, 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. A Revised agenda was handed out with some corrections. Carl Holm, Acting Secretary, filed in for Secretary Novo.

I. ROLL CALL

Present: Jay Brown, Steve Pessagno, Martha Diehl, Don Rochester, Nancy Isakson, Aurelio Salazar, Jr. (Chairman), Mathew Ottone, Juan Sanchez, Cosme Padilla, Keith Vandevere (Vice Chair)
Absent: None

Carl Holm introduced three new Planners to the Department: 1) John Ford, 2) Melody Gillette, and 3) Eric Snider.

II. PUBLIC COMMENT: None

III. APPROVAL OF MINUTES – April 16, June 11 and 25, 2008

Commissioner Vandevere moved to approve the minutes for **April 16, 2008**, seconded by Commissioner Diehl and passed by the following vote:

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

Commissioner Rochester moved to approve the minutes for **June 11, 2008**, seconded by Commissioner Isakson and passed by the following vote:

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

Commissioner Isakson moved to approve the minutes for **June 25, 2008**, seconded by Commissioner Sanchez and passed by the following vote:

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

IV. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS None

V. COMMISSIONER COMMENTS, REQUESTS & REFERRALS None

VI. ACTION ITEMS

1. MEADOR J DOUGLAS/LU ANN TRS (PD080634)

FEE WAIVER REQUEST FOR PLANNING FILE NO. PLN070643 APPROVED BY THE MINOR SUBDIVISION COMMITTEE ON JUNE 12, 2008 AND ALLOWED AN AMENDMENT TO THE MESA HILLS WEST FINAL MAP RECORDED AT VOL. 17, PG 12 OF PARCEL MAPS (RESOLUTION NO. MS 84-40) TO INCLUDE THE ABANDONMENT OF AN EXISTING 145,600 SQUARE FOOT DRAINAGE EASEMENT BOUNDARY AND THE DEDICATION OF A 25,000 SQUARE FOOT DRAINAGE EASEMENT BOUNDARY. THE PROPERTY IS LOCATED AT 24700 BIT ROAD, MONTEREY (ASSESSOR'S PARCEL NUMBER 416-193-013-000), GREATER MONTEREY PENINSULA AREA.

Elisa Manuguerra, Project Planner, recommended denial of the request for a fee waiver for the Map Amendment application.

John Bridges, representative, relayed that the owner would be happy with even a partial refund.

Counsel commented on the approval of the subdivision and about the applicant clearing the conditions.

Holm explained the Planning Department policy for discounting fees. Had the applicant's two applications been submitted at the same time, the Map Amendment would be charged full cost and there would be no cost for the Use Permit (slope waiver).

The Commission considered this alternative.

Public Comment: None

It was moved by Commissioner Isakson, seconded by Commissioner Sanchez and passed by the following vote to grant the fee waiver under the Fee Waiver Policy for the Use Permit and direct staff to finalize a resolution with the appropriate findings memorializing the decision to charge the applicant the application fee for the Map Amendment application but not charge the applicant for the Use Permit and to authorize a refund of fees accordingly.

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

2. PANZIERA WILLIAM J TR ET AL (PLN070257)

COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) USE PERMIT TO ALLOW CONSTRUCTION OF TWO WIND ENERGY ELECTRICAL TURBINES, 600 CU YDS OF GRADING FOR FOOTINGS AND TRENCHING AND THE CONSTRUCTION OF APPURTENANT ELECTRICAL FACILITIES; 2) A USE PERMIT TO ALLOW DEVELOPMENT ON SLOPES OF 30% OR GREATER; 3) VARIANCE TO INCREASE BOTH WIND ENERGY ELECTRICAL TURBINES' HEIGHT (SYSTEM HEIGHT) FROM 100 FT TO 214 FT; AND 4) VARIANCE TO ALLOW INSTALLATION OF WIND TURBINE SYSTEMS WITHOUT THE REQUIRED ORANGE SAFETY COLORING ON THE WIND TURBINE BLADES. THE PROPERTY IS LOCATED AT 1290 RIVER ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 167-041-005-000), CENTRAL SALINAS VALLEY AREA.

Taven Kinison-Brown, Project Planner, requested a continuance to a date uncertain, as more information is required for the project.

No representative was present. No public comment.

~~The Commission questioned the reasoning for the continuance. Kinison-Brown noted a letter from the Department of Fish and Game (DFG) that staff needs to assess. Holm summarized recent discussions staff has had with DFG relative to wind energy in general.~~

It was moved by Commissioner Diehl, seconded by Commissioner Pessagno and passed by the following vote to continue the matter to September 24, 2008, to bring back whatever information staff has from Fish and Game.

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

3. CARMEL VALLEY BICYCLE TRAIL (PLN080106)

CONTINUED FROM 6/11/08. COMBINED DEVELOPMENT PERMIT CONSISTING OF 1) COASTAL ADMINISTRATIVE PERMIT FOR THE CONSTRUCTION OF A BICYCLE TRAIL APPROXIMATELY 1.1 MILES (5,285 LINEAR FEET) LONG AND 16 FEET WIDE AND A TOTAL ESTIMATED FOOTPRINT OF 2.1 ACRES (91,476 SQUARE FEET); 2) COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 100 FEET OF ENVIRONMENTALLY SENSITIVE HABITAT; AND 3) DESIGN APPROVAL. THE PROJECT IS LOCATED IN THE CARMEL VALLEY AND PARALLELS THE CARMEL VALLEY ROAD AND CARMEL RIVER (ASSESSOR'S PARCEL NUMBERS 157-121-001-000, 015-162-009-000, 157-181-006-015, 157-181-003-000, 157-171-057-000, CARMEL VALLEY MASTER PLAN AND CARMEL AREA LAND USE PLAN, INLAND AND COASTAL ZONE.

Patricia Lopez, Public Works, and Joe Sidor, Planning, presented the project.

Counsel clarified the recommended action which is to adopt the environmental review documents. Counsel also suggested that a finding be added as the first finding describing the proposed project and explaining that the Board has received a grant for the project and, under the terms of the grant, environmental review must be complied in order to proceed with the design.

Isakson asked about a deadline. Staff stated there is no date certain but they can't start until the environmental documents are approved. Staff gave an explanation as to what needs to be done before actually starting the project. Holm relayed that the project is in compliance with the 1982 General Plan and the proposed 2007 General Plan (Carmel Valley Master Plan).

Joanna Divers, Big Sur Land Trust, stated that CEQA needs to be done by June 2009 so as not to lose the funding for construction. Salazar asked if an extension on the funding is a possibility. Ms. Divers didn't know but will look into it.

Vandevere commented that the Carmel Valley neighborhood has been looking forward to this and complimented Denise Duffy and Associates on the well written Initial Study. He suggested that staff's recommendation be approved so CalTrans and the County can proceed with the project without delay.

Public Comment: Joel Panzer and Maureen Wruck, representing Heritage Development, relayed that some of the Assessor's Parcel Numbers are incorrect.

It was moved by Commissioner Sanchez, seconded by Commissioner Vandevere and passed by the following vote to adopt the Mitigated Negative Declaration with Mitigation Monitoring Plan along with recommended findings, as modified by County Counsel's suggestions and correcting the Assessor's Parcel Numbers if needed.

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

4. 2008 MONTEREY COUNTY GENERAL BIKEWAYS PLAN

REVIEW AND REPORT TO THE BOARD OF SUPERVISORS THAT THE 2008 MONTEREY COUNTY GENERAL BIKEWAYS PLAN IS IN CONFORMITY WITH THE ADOPTED GENERAL PLAN. THE 2008 MONTEREY COUNTY GENERAL BIKEWAYS PLAN IS IN AN UPDATE OF THE 2001 MONTEREY COUNTY GENERAL BIKEWAYS PLAN. THE PLAN INCLUDES REVISIONS TO BICYCLE CLASSIFICATIONS, INCLUSION OF NEW BICYCLE ROUTES, PATHS AND TRAILS, REMOVAL OF BIKEWAYS NOT UNDER THE COUNTY'S JURISDICTION, AND REVISED COST ESTIMATES AND TABLES, MAPS, AND STATISTICS.

Patricia Lopez, Public Works, presented the draft update of the General Bikeways Plan. Staff distributed revised language for the proposed resolution.

Public Comment: Christopher Bunn expressed concerned that the farmers in the area weren't notified.

Staff stated that Public Works has had discussions with Chris Bunn, Sr. regarding the plan to make bike trails safer with wider shoulders and signage for bikers. Commissioners questioned why the Bikeways Plan was coming forward at this time and could not wait until after the General Plan Update. Staff clarified that the Bikeways Plan is before the Commission at this time because an updated Bikeways Plan is a prerequisite to obtaining state grant funding and the County desires to apply for a grant this fall

Commissioner Diehl asked for clarification regarding the Bikeways Plan. What changes are part of this plan that are to be adopted today? Sanchez suggested a public workshop to discuss issues and updates and waiting for the General Plan before taking action.

Commissioner Padilla noted that funding is a big issue. He asked if grant funding will be available again in the future. Staff stated that if it comes up again, they can compete if the plan is approved.

It was moved by Commissioner Brown and seconded by Commissioner Isakson to not approve the project and to continue to a date uncertain so staff can return with a redline version of the plan.

Counsel explained that the role of the Planning Commission is to review and report to the Board of Supervisors whether it conforms or not to the existing General Plan.

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

Motion failed.

It was moved by Commissioner Sanchez, seconded by Commissioner Vandevere and passed by the following vote to recommend to the Board of Supervisors that the draft Bikeways Plan is in conformity with the Monterey County General Plan and Local Coastal Program (adopt resolution proposed by staff).

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

Motion passed.

5. LUAC GUIDELINES UPDATE 2008 (PD061173)

CONTINUED FROM 5/28/08. CONSIDER AND RECOMMEND THAT THE MONTEREY COUNTY BOARD OF SUPERVISORS AMEND THE MONTEREY COUNTY LAND USE ADVISORY COMMITTEE PROCEDURES (PD030021) COUNTY-WIDE.

Carl Holm, Assistant Director, recommended approval to the Board of Supervisors.

Commissioner Brown questioned Exhibit "B" on page 14. The South County LUAC should be included. Staff concurred.

Commissioner Salazar questioned projects which cover two LUACs but are only considered by one. He asked if the Commission was in agreement. Commissioner Diehl recalled a discussion about this issue and it is covered in their report.

Public Comment: Jan Mitchell, Prunedale Neighbors Group/Prunedale Preservation Alliance.

It was moved by Commissioner Brown, seconded by Commissioner Isakson and passed by the following vote to recommend approval to the Board of Supervisors including the addition of the South County LUAC.

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

6. STAKING & FLAGGING CRITERIA (PD070742)

RECOMMEND AMENDMENTS TO STAKING & FLAGGING CRITERIA TO INCLUDE CRITERIA FOR REMOVAL OF STAKING.

Carl Holm, Assistant Director, presented the removal language and recommended that Planning Commission recommend approval to the Board of Supervisors. However, the Permit Streamline Task Force requested a one to two month extension to consider proposing revisions to the criteria as a whole.

Commissioner Vandever discussed why this item is on the agenda. It was suggested that the item be continued for a few months to focus on the removal of staking and flagging.

Public Comment: Jan Mitchell, retired Secretary of a LUAC; Ernie Mills, County Streamline Task Force.

Task Force membership and duties were clarified.

Commissioner Ottone discussed the intent of the Task Force.

It was moved by Commissioner Isakson, seconded by Commissioner Rochester and passed by the following vote to continue the matter to October 29, 2008.

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

7. GENERAL PLAN UPDATE 2005 (PLN070525)

CONTINUED FROM 7/30/08. ESTABLISH A SCHEDULE FOR PLANNING COMMISSION REVIEW OF THE DRAFT 2007 GENERAL PLAN UPDATE (GPU) THAT INCLUDES: 1) DEFINE A WORKSHOP FORMAT RELATIVE TO REVIEWING THE DRAFT GPU, AREA PLANS, AGRICULTURAL WINERY CORRIDOR PLAN (AWCP), AND DRAFT ENVIRONMENTAL IMPACT REPORT (EIR); AND 2) ESTABLISH DATES AND TIMES FOR WORKSHOPS AND PUBLIC HEARINGS ON THE DRAFT GENERAL PLAN UPDATE.

Alana Knaster gave an update on the General Plan project. The EIR is being printed. A workshop will be held on September 10, 2008.

Public Comment: None

VIII. OTHER MATTERS

TORO LUAC – It was moved by Commissioner Isakson, seconded by Commissioner Diehl and passed by the following vote to **reappoint Kerry Varney**.

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

IX. DEPARTMENT REPORT: Acting Secretary Holm gave a report on referrals.

Commissioner Brown would like to see audio and video of Planning Commission meetings on the website and also archived.

X. ADJOURNMENT: 12:24 p.m.

Date adopted: November 12, 2008

ATTEST


CARL HOLM, ACTING SECRETARY

MN:kb/ca