

**FINAL
MONTEREY COUNTY PLANNING COMMISSION
DECEMBER 10, 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, Martha Diehl, Don Rochester, Aurelio Salazar, Jr. (Chairman), Juan Sanchez, Cosme Padilla, Keith Vandevere (Vice Chair), Mathew Ottone
Absent: Nancy Isakson, Steve Pessagno (arrived later)

II. PUBLIC COMMENT: NONE

III. APPROVAL OF MINUTES – NONE

The October 29, 2008 and November 12, 2008 minutes were not available. Action on these minutes was deferred until the next scheduled meeting in January 2009.

IV. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS - NONE

V. COMMISSIONER COMMENTS, REQUESTS & REFERRALS – Commissioner Diehl stated that she had a couple phone calls regarding how the Planning Commission's recommendation was forwarded to the Board of Supervisors on the Rancho Los Robles project. She requested a copy of the staff report to the Board of Supervisors.

VI. ACTION ITEMS

1. PANZIERA WILLIAM J TR ET AL (PLN070257)

CONTINUED FROM 9/24/08. 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.

Planner Taven Kinison Brown presented applicant's request for a continuance to January 28, 2009.

Public Comment: None.

It was moved by Commissioner Brown, seconded by Commissioner Padilla, and passed by the following vote to continue the hearing to January 28, 2009.

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

Commissioner Pessagno arrived at 9:05 a.m.

2. MCDOWELL FRANK TR (PLN070584)

COMBINED DEVELOPMENT PERMIT CONSISTING OF 1) A COASTAL ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A 476 SQUARE FOOT SECOND STORY ADDITION WITH INTERIOR CIRCULATION AND 30 SQUARE FOOT ADDITION TO THE EXISTING FIRST FLOOR, 100 SQUARE FOOT SECOND FLOOR DECK, AND 52 SQUARE FOOT EXTERIOR STAIR TO AN EXISTING ONE-STORY SINGLE FAMILY DWELLING; 2) DESIGN APPROVAL; AND 3) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 750 FEET OF A KNOWN ARCHAEOLOGICAL RESOURCE. THE PROPERTY IS LOCATED AT 160 SPINDRIFT ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 241-192-009-000), CARMEL HIGHLANDS AREA, COASTAL ZONE.

Planner Joseph Sidor presented the project. The Commission had questions about the water release form. Tom Moss, Water Resources Agency, responded to the questions.

Todd Bessire, representative, accepted the recommended conditions of approval.

Public Comment: None.

It was moved by Commissioner Diehl, seconded by Commissioner Sanchez, and passed by the following vote to approve the Combined Development Permit with the staff recommendation, including changes to conditions 8 and 12.

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

3. COAKLEY PETER T TR (PLN070102)

STANDARD SUBDIVISION TENTATIVE MAP (CONDOMINIUM) FOR THE CONVERSION OF 31 EXISTING MOTEL UNITS AND 3 MANAGEMENT UNITS AT THE CARMEL VALLEY LODGE INTO 23 INDIVIDUALLY-OWNED MOTEL UNITS AND 3 PRIVATELY-OWNED MANAGEMENT UNITS. THE HOTEL UNITS ARE LOCATED AT 8 FORD ROAD, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBERS 187-411-013-000), CARMEL VALLEY MASTER PLAN AREA.

Planner David Mack presented the project. Mary Anne Dennis from the Environmental Health Division discussed changes to conditions 21, 22, and 24. The Commission had questions related to the Environmental Health conditions and Mary Anne Dennis responded.

The Commission also had concerns related to the standard fire conditions and whether they were applicable to this project. They also had questions relating to the collection of the transient occupancy tax (TOT).

The Commission took a break at 10:15, returning at 10:35.

Lou Solton, the County Treasurer-Tax Collector, answered questions relating to the TOT, loss of TOT versus increase in property tax, and the TOT collection process.

Peter Coakley, applicant, discussed the proposal.

Lynne Mounday, representative, stated that the conditions were acceptable.

Brian Finegan, attorney for Mr. Coakley, explained some of the project details and had a concern with the fire conditions.

Public Comment: None.

It was moved by Commissioner Diehl, seconded by Commissioner Brown, and passed by the following vote to approve the Standard Subdivision with changes to conditions 1, 2, 4, 8, 17, 22 and 24, and the deletion of conditions 14 and 15.

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

4. CARLSEN ESTATES (PLN000196)

REVISED CARLSEN ESTATES SUBDIVISION PROPOSAL (FINAL REVISION DATED 08/19/08; FIVE PLAN SHEETS WITH REVISIONS 10, 13, 12, 10, AND 11 RESPECTIVELY). THE PROPOSAL IS A COMBINED DEVELOPMENT PERMIT REQUEST CONSISTING OF: 1) A STANDARD SUBDIVISION VESTING TENTATIVE MAP FOR THE DIVISION OF THREE PARCELS TOTALING APPROXIMATELY 95.5 ACRES INTO 33 RESIDENTIAL LOTS RANGING IN SIZE FROM 1.02 ACRES TO 13.29 ACRES; AND 2) USE PERMIT FOR REMOVAL OF APPROXIMATELY 302 OAKS OVER 6 INCHES IN DIAMETER FOR ROAD AND DRIVEWAY CONSTRUCTION AND ADDITIONAL OAKS FOR SEPTIC AND BUILDING ENVELOPE AREAS; AND 3) USE PERMIT FOR THE EXPANSION OF A PUBLIC WATER SYSTEM. DEVELOPMENT OF THE PROJECT WOULD REQUIRE APPROXIMATELY 8,600 CUBIC YARDS OF GRADING (4,300 CUBIC YARDS OF CUT AND 4,300 CUBIC YARDS OF FILL.) THE PROPERTY IS LOCATED SOUTHERLY OF BERTA CANYON ROAD, EAST OF HIGHWAY 101, SALINAS (ASSESSORS PARCEL NUMBERS 125-051-005-000, 125-051-008-000 AND 125-051-017-000), PRUNEDALE AREA, NORTH COUNTY NON-COASTAL ZONE.

Planner Taven Kinison Brown presented a request to continue the project to January 14, 2009.

Public Comment: None.

It was moved by Commissioner Sanchez, seconded by Commissioner Rochester, and passed by the following vote to continue the hearing on the project until January 14, 2009.

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

"Other Matters" were taken out of order, prior to the lunch break.

VIII. OTHER MATTERS: It was moved by Commissioner Diehl, seconded by Commissioner Rochester, and passed by the following vote to appoint June Duran Stock to the Del Monte Forest Land Use Advisory Committee:

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

The Commission broke for lunch, returning at 1:35 p.m.

Return to VI. ACTION ITEMS.

5. ANGTON CURTIS J (PLN060575)

COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) USE PERMIT AND DESIGN APPROVAL FOR THE DEVELOPMENT OF AN 8,888 SQ. FT TWO-STORY SINGLE-FAMILY RESIDENCE INCLUDING AN 1,473 SQ. FT. INDOOR SWIMMING POOL AND A 1,157 SQ. FT. ATTACHED FOUR-CAR GARAGE, AND A 2,315 SQ. FT DETACHED EIGHT-CAR GARAGE/ CARETAKER UNIT, 7,460 CU. YDS. OF GRADING (6,320 CUT/1,320 FILL) AND THE RELOCATION OF AN 18-INCH DIAMETER OAK TREE IN THE VISUAL SENSITIVITY OR "VS" ZONING DISTRICT; (2) USE PERMIT FOR RIDGELINE DEVELOPMENT; (3) AMENDMENT TO THE HIDDEN HILLS SUBDIVISION FINAL MAP; AND (5) VARIANCE FOR THE REDUCTION OF THE REQUIRED FRONT YARD SETBACKS FOR A DETACHED HABITABLE STRUCTURE (CARETAKER UNIT AND DETACHED GARAGE). THE PROPERTY IS LOCATED AT 11395 SADDLE ROAD, HIDDEN HILLS SUBDIVISION, MONTEREY, (ASSESSORS PARCEL NUMBER 416-131-023-000), GREATER MONTEREY PENINSULA AREA PLAN.

Planner Luis Osorio explained that applicant was unwilling to discuss project modifications per the Planning Commission's October 29, 2008 direction, and staff presented applicant's request that the Planning Commission take action to recommend either approval or denial of the project to the Board of Supervisors. Christine Kemp, representative, contended that the project as proposed by applicant can be approved.

Public Comment: David Stone, Nelson Vega.

It was moved by Commissioner Brown, seconded by Commissioner Sanchez, and failed by the following vote to approve the Combined Development Permit.

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

It was moved by Commissioner Vandever, seconded by Commissioner Rochester, and passed by the following vote to recommend denial to the Board of Supervisors:

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

The Commission took a break from 2:55 p.m. to 3:05 p.m. Commissioner Sanchez left for the rest of the meeting.

6. MOHSIN-SAMOSKE SUBDIVISION--WORKSHOP

THE PROJECT CONSISTS OF:

- 1) LOT LINE ADJUSTMENT OF 3.47 ACRES BETWEEN TWO PARCELS REDUCING APN: 167-061-032-000 (RIEHL) FROM 52.0 ACRES TO 48.53 ACRES AND INCREASING APN: 167-061-033-000 (MOHSIN) FROM 245.51 ACRE TO 249.0 ACRES.
- 2) AMEND GENERAL PLAN AND TORO AREA PLAN LAND USE MAPS FOR TWO PARCELS:
 - A) CHANGE 17-ACRE PARCEL (APN: 167-061-029-000/SAMOSKE) FROM FARMLAND/40 ACRE MINIMUM (F/40) TO LOW DENSITY RESIDENTIAL WITH A SPECIAL TREATMENT AREA (STA) OVERLAY, AND
 - B) CHANGE A 55 ACRE PORTION OF A 249-ACRE PARCEL (APN: 167-061-033-000/MOHSIN) FROM PERMANENT GRAZING/40 ACRE MINIMUM (PG/40) TO LOW DENSITY RESIDENTIAL AND APPLY A STA OVERLAY TO THE ENTIRE 249-ACRE PARCEL (APN: 167-061-033-000/MOHSIN). THE STA WOULD ALLOW 14 SINGLE FAMILY RESIDENTIAL LOTS AND A PERMANENT GRAZING REMAINDER PARCEL AND WOULD REQUIRE AN AGRICULTURAL BUFFER PLAN AS PART OF ANY SUBDIVISION WITHIN THE STA.
- 3) ZONE CHANGE FOR TWO PARCELS:
 - A) CHANGE 17-ACRE PARCEL (APN: 167-061-029-000/SAMOSKE) FROM F/40-D TO LDR/5-D, AND
 - B) CHANGE 55 ACRES OF A 249-ACRE PARCEL (APN: 167-061-033-000/MOHSIN) FROM PG/40-D TO LDR/5-D WITH 194 ACRES REMAINING PG/40.
- 4) COMBINED DEVELOPMENT PERMIT CONSISTING OF:
 - A) STANDARD SUBDIVISION TO SUBDIVIDE ONE 17-ACRE PARCEL (APN: 167-061-029-000/SAMOSKE) INTO THREE PARCELS CONSISTING OF 7.0 ACRES (PARCEL A), 5.0 ACRES (PARCEL B), AND 5 ACRES (PARCEL C) AND TO SUBDIVIDE ONE 249.0 ACRE PARCEL (APN: 167-061-033-000/MOHSIN) INTO 11, 5-ACRE PARCELS (LDR/5) PLUS ONE REMAINDER PARCEL TOTALING 194 ACRES (PG/40). THE PROPOSED SUBDIVISION WILL REQUIRE AGRICULTURAL BUFFER PLANS FOR A BUFFER OF AT LEAST 75 FEET FOR PARCELS B AND C OF THE SAMOSKE PORTION OF THE SUBDIVISION, AND A BUFFER OF AT LEAST 100 FEET FOR 11 RESIDENTIAL PARCELS OF THE MOHSIN PORTION OF THE SUBDIVISION.
 - B) ADMINISTRATIVE PERMIT PURSUANT TO SECTION 21.14.040.G TO ALLOW A SMALL WATER SYSTEM WITH 14 CONNECTIONS.

THE PROPERTIES ARE LOCATED AT 874, 884 & 870 RIVER ROAD, SALINAS, APPROXIMATELY 0.5 MILES NORTHWEST OF THE INTERSECTION OF RIVER ROAD AND CHUALAR RIVER ROAD, TORO AREA.

Assistant Director Carl Holm and Planner Bob Schubert presented the project for purposes of the workshop and requested that the Planning Commission continue the hearing to January 28, 2009 when staff would present a recommendation. The Commissioners asked about the Final EIR, LUAC concerns, adjacent growth, and fees.

Sheri Damon, representative, stated that they would not make a formal presentation for this meeting, but would when the Final EIR is available.

Public Comment: Kevin McCabe, Jim Price, Gary Knott, Amy White, Jan Mitchell, Dale Hillard, Manuel Amaral.

The Commissioners discussed farmland classification, water consumption, and historic farming use, and expressed interest in input from the Agricultural Advisory Committee.

It was moved by Commissioner Diehl, seconded by Commissioner Rochester, and passed by the following vote to conclude the workshop and continue the hearing to January 28, 2009.

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

VII. ACTION/INFORMATION ITEMS

7. GENERAL PLAN 2007 (PLN070525)

Planning Department Assistant Director Carl Holm reported that a new public review period on the Draft EIR will be commenced, and based on the projected commencement date, the public review period on the Draft EIR would likely conclude around February 1, 2009, with no hearings expected before the Planning Commission until at least mid February.

Public Comment: None.

IX. DEPARTMENT REPORT: Secretary Novo stated that they started a new unit in the department that will provide environmental and planning support to other county departments.

X. ADJOURNMENT: 4:05 p.m.

Date adopted: January 14, 2009

ATTEST:



MIKE NOVO, SECRETARY