



LandWatch
monterey county

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August 10, 1999

Robert Hernandez, Chair
Monterey County Planning Commission
County Courthouse
Box 120
Salinas, CA 93902 [Sent By FAX: 755-5487]

RE: Proposed Carmel Valley Mini Storage Proposal Agenda Item #4—August 11, 1999
Planning Commission Agenda

Dear Chairperson Hernandez and Commission Members:

I testified at the hearing on this item on behalf of LandWatch Monterey County, and am pleased that the Commission has decided to deny the proposed project. I have reviewed the staff report prepared for your August 11, 1999 meeting and have the following comments:

1. Compliance with the California Environmental Quality Act (CEQA) will require the preparation of a full or focused EIR. I believe that recommended finding #7, in Exhibit A, should be modified to state that: "as proposed, the project may have a significant adverse impact on the environment, and the preparation of an environmental impact report is therefore required."
2. The Carmel Valley Master Plan contains a policy [Policy 39.1.6. (CV)] which requires the Board of Supervisors to "limit development" in the Carmel Valley, based on the fact that the Hatton Canyon Bypass has not been constructed. To date, the Board has not complied with this Master Plan policy, and has not taken any action to limit development. Therefore, any new development in the Master Plan area would be inconsistent (in a legal sense) with the requirements of the Master Plan. Arguably, the Board could decide to comply with the Master Plan and "limit development" in a way that would not prohibit the construction of the proposed Mini Storage project. However, until the Board has taken some action, and decided exactly what sort of new limits on development will be imposed, an approval of the proposed project would be inconsistent with the Carmel Valley Master Plan, and would thus violate the state planning and zoning law. I recommend that the Commission add an additional finding for denial to Exhibit A. The finding should cite the provisions of Master Plan Policy 39.1.6 (CV), should indicate that the Board has not yet acted to "limit development" as the policy requires, and should then state: "until the Board of Supervisors has implemented Master Plan Policy 39.1.6 (CV) by deciding how to "limit development," as the Master Plan directs, it would be inconsistent with the Carmel Valley Master Plan to approve any new development within the area covered by the Master Plan, and the proposed project must thus be denied for that reason."

3. Finally, the Carmel Valley Master Plan states in policy 39.2.5.1 (CV) that "Multiple driveway accesses to Carmel Valley Road should be discouraged. Approval of future development of land having frontage on Carmel Valley Road must be conditioned upon minimizing access to Carmel Valley Road, or denying it if access is otherwise available (emphasis added)." According to the staff report, the project as most recently considered by the Commission provides a "right-turn-only egress to the Carmel Valley Road." While such an egress may have been "approved by the Public Works Department," as indicated in the staff report, the Master Plan specifically says that access to Carmel Valley road must be denied "if access is otherwise available." I recommend that the Commission adopt an additional finding for denial, citing Master Plan policy 39.2.5.1 (CV), and stating: "because the project design considered by the Commission violates Master Plan policy 39.2.5.1 (CV), the project must be denied."

Thank you for taking my comments into account.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Patton", with a stylized, cursive script.

Gary A Patton, Executive Director
LandWatch Monterey County