

Carmel Unincorporated/Highlands Land Use Advisory Committee

Monday, February 7, 2022
4:00 PM at Carmel Highlands Fire Protection District Office
73 Fern Canyon Road, Carmel

MEETING CANCELLED AS OF 1/31/22 **DUE TO LACK OF QUORUM**

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

PUBLIC COMMENT

The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair. The **Planning staff liaison** is Fiona Jensen at jensenf1@co.monterey.ca.us.

SCHEDULED ITEM

Note: To view documents related to project(s) listed on the Land Use Advisory Committee agenda, please visit <https://aca-prod.accela.com/MONTEREY/Default.aspx>. Enter the file number in the "Quick Search" box; click on "Record Info" tab; click on "Attachments" in the drop-down menu; finally click on the document you wish to view

- Item Title:** AB 361 FINDING
Description: On September 16, 2021, Governor Newsom signed AB 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361. For the December 1st remote meeting, the LUAC must make the findings.

Staff recommends, pursuant to AB 361 and in order for the LUAC to continue to meet remotely via teleconference, the LUAC find: 1) that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; 2) that the Planning Commission has reconsidered the circumstances of the state of emergency; and 3) that the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies of local agencies.

- Item Title:** STATE OF CALIFORNIA PARKS & RECREATION PARKIT! SHUTTLE PROGRAM & DAY-USE RESERVATION SYSTEM PROGRAM
Planning Liaison: FIONNA JENSEN
Description: Adopt a resolution rescinding comment letter dated November 16, 2021 from the Carmel Highlands Land Use Advisory Committee regarding the ParkIT! Shuttle Program & Day-Use Reservation System Program

OTHER ITEMS

- Preliminary Courtesy Presentation by Applicants Regarding Potential Projects
- Announcements

ADJOURNMENT

MONTEREY COUNTY

HOUSING AND COMMUNITY DEVELOPMENT

Erik V. Lundquist, AICP, Director



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MEMORANDUM

Date: January 20, 2022

To: Carmel Highlands Land Use Advisory Committee

From: Fionna Jensen, Associate Planner

Subject: Rescinding previous action on ParkIT! Shuttle Program and Day-Use Reservation System Program

For Meeting Date: February 7, 2022

On November 15, 2021, the Carmel Highlands/Unincorporated Land Use Advisory Committee (“the Committee”) held a duly noticed public meeting via videoconference (Zoom application). During the “Other Items, Announcements” portion of the meeting, the Committee discussed the State of California, Department of Parks and Recreation’s, ParkIT! Shuttle Program. On November 16, 2021, a majority of the members of the Committee signed and submitted a comment letter on the ParkIT! Shuttle Program’s Initial Study to the State of California Department of Parks and Recreation. The ParkIT! Shuttle Program was not properly a subject before the Committee because State Parks has not yet submitted an application to the County for a land use entitlement for the Park-IT! Shuttle Program. The Committee acted outside its role of making recommendations to County decision-makers. Therefore, Staff recommends the Carmel Highlands LUAC adopt the attached draft resolution to rescind their comment letter date November 16, 2021.

Thank you,
Fionna Jensen

EXHIBIT A

Before the Monterey County Carmel Highlands/Unincorporated Land Use Advisory Committee, State of California

In the matter of:

CALIFORNIA STATE PARKS/ PARK IT! PROGRAM

Resolution by the Carmel Highlands/Unincorporated
Land Use Advisory Committee to rescind the
November 16, 2021 letter signed by Committee
members related to the ParkIT! Shuttle Program and
Day-Use Reservation System Program.

WHEREAS, on November 15, 2021, the Carmel Highlands/Unincorporated Land Use Advisory Committee (“Committee”) held a duly-noticed public meeting via teleconference (Zoom application); and

WHEREAS, during the “Other Items, Announcements” portion of the meeting, the Committee Chair informed Committee members of a Carmel Pine Cone article about the State of California, Department of Parks and Recreation’s, ParkIT! Shuttle Program and the public comment period of October 20, 2021 through November 19, 2021 on the draft Initial Study/proposed Mitigated Negative Declaration prepared by State Parks for the program; and

WHEREAS, Committee members announcement; and

WHEREAS, on November 16, 2021, a majority of the members of the Committee signed and submitted a comment letter on the Initial Study to the State of California Department of Parks and Recreation, although it is not clear if the letter is written on behalf of the Committee or of the individual persons signing the letter; and

WHEREAS, the ParkIT! Shuttle Program was not properly a subject before the Committee because State Parks has not yet submitted an application to the County for a land use entitlement for the Park-IT! Shuttle Program, the Committee acted outside its role of making recommendations to County decision-makers, and the Committee could not take action on a matter not listed on the Committee agenda; and

WHEREAS, if and when State Parks chooses to submit an application to the County for the ParkIT! Shuttle Program, the Committee may have the opportunity to make a recommendation to the County’s decision-maker if the Director of HCD or other County decision-maker refers the matter to the Committee for recommendation; and

WHEREAS, the Committee desires to rescind the November 16, 2021 letter because it was outside the Committee’s authority as described above; and

WHEREAS, individual members of the Committee are not precluded from submitting their own comments on the Initial Study, so long as each individual is acting on his or her own behalf and not on behalf of the Carmel Highlands LUAC and so long as a majority of the Committee do not confer or arrive at consensus about this matter except at a public meeting of the Committee at which the matter is listed on the agenda.

NOW, THEREFORE, BE IT RESOLVED, the Monterey County Carmel Highlands/Unincorporated Land Use Advisory Committee does hereby:

1. Rescind the letter, dated November 16, 2021, signed by a majority of the Carmel Highlands LUAC members, regarding the ParkIT! Shuttle Program and Day-Use Reservation System Project.

2. Direct the Director of Housing and Community Development or his designee to transmit this resolution to the State of California Department of Parks and Recreation.

PASSED AND ADOPTED on this 7th day of February 2022, upon motion of Committee member _____ and seconded by _____, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST

Erik Lundquist, AICP, HCD-Director

By: _____

Fionna Jensen, Carmel Highlands LUAC Liaison
February 7, 2022