



President's Letter



Marianne Gawain

Focused Attention

CVA's attention this year has been hijacked by the dramatic proposal by developer Patrick Orosco to create a 90-unit housing subdivision on the historical Valley airfield. CVA

Director Sandy Schachter recounts that evolving situation in her cover story for this issue.

Although I would rather that CVA could focus its energy on other important matters, the airfield crisis has highlighted our organizational strength. I'm proud of CVA's growing capacity to deal with multiple complex issues. Carmel Valley Voice readers know that over the past year CVA's board has faced deep personal and institutional losses with the death or departure of key members of our leadership and inner circle, whom we miss every day. CVA rallied, though, and with the addition of several skillful and energetic new directors, has embarked on new paths to address many issues of long-standing concern to the Valley.

We have focused on enhancing organizational efficiency, strengthening our committees, and identifying opportunities for making a meaningful difference for Valley residents and the ecosystems of the Carmel River watershed. This institutional renewal came not a moment too soon, as we are now able to pursue ongoing priorities like sharing fire safety information and monitoring the status and impact of vacation rentals, while tackling new projects like enhancing trails and walkability. In addition, CVA is leading the community in response to Mr. Orosco's airfield threat. I hope that if you are not already a CVA member, you will join us, and if you are already a member,

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CVA AND FOVA LEAD COMMUNITY RESPONSE TO PROPOSED AIRFIELD DEVELOPMENT

by Sandy Schachter



Carmel Valley Village has been abuzz with spirited activity ever since the revelation that Ken Griggs is selling the former Carmel Valley airfield to developer Patrick Orosco, who is planning to build 90 homes on the property. The airfield property has long been used by Village residents as a pleasant walking route to Tularcitos Elementary School, Carmel Valley Library, and other sites in the village, as well as a pathway to socialization with neighbors, thus strengthening the bonds of community. Those bonds have been even further strengthened by shared outrage over the proposed development.

The alarm first sounded when those who walk the airfield paths regularly, with or without canine companions, began buzzing to each other about the startling news they were receiving on their phones. Soon, usually pleasant conversations about the weather became fraught with fear and disbelief, but also became longer and more serious. Little by little the information came out--70 family homes,

Photo provided by a Carmel Valley resident

20 "affordable" rental duplexes. Questions flew around like the red-winged blackbirds that frequented the property before their habitat was destroyed by nursery activities: Where will these houses be? Is there really enough water? How will the sewage and storm drainage work? What about soil contamination from old airplane fuel and more recent insecticide spraying? What will happen with traffic? How will the schools absorb the additional children? What happens if the developer sells to someone else? What happens to the blue herons that we love to watch and talk about? And the scariest of all: What happens if there is a fire?

The Valley rallied to the cause as the issue became known, and a barrage of meetings and emails ensued. CVA immediately formed an ad hoc committee to address the issue. Mr. Orosco asked for a meeting with the CVA board, where little was clarified and nothing was decided. With CVA's guidance, a group of airfield

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President's Letter, continued from Pg. 1

you will support us further at this critical moment. As members and supporters, you, too, are integral to the team, and we could not do it without you.

If you're following the airfield issue, you know that the only way a project like Mr. Orosco's, which is fundamentally incompatible with the CV Master Plan's developmental limits for that site, could succeed is by exploiting the so-called "builder's remedy," a punitive measure aimed at jurisdictions with overdue state-approved housing plans. However coercive this legal provision may feel, we all understand that there are legal and moral imperatives requiring us to help resolve the housing shortage that affects us all.

The dominant "inclusionary housing" model, whereby developers are allowed to build subdivisions on condition that they create a small number of affordable units, is not a real solution for communities like ours. Builders construct high-end houses to make the required affordable units "pencil out," and we end up saddled with luxury developments to gain a few low-income units—when they are built at all. This approach enlarges a critical gap, the "missing middle," in housing for people who don't qualify for official affordable units yet can't dream of a million+ dollar home either: teachers, firefighters, nurses. In reality, they are priced out of living in Carmel Valley.

A further critical complication is that the carrying capacity of Carmel Valley Road and feeder roads including Highway 1, Laureles Grade, and Highway 68, imposes a hard limit to our growth. If you've tried to make a turn onto the Valley Road, even a right turn, during peak traffic hours, you know what I'm talking about. Our narrow roads are already strained, likely inadequate for safe fire egress even now. The ongoing build-outs at ONE Carmel and Rancho Cañada Villages will soon put hundreds of additional cars onto Carmel Valley Road. Unless state and local officials recognize that Carmel Valley is fast approaching its safe population limit, we risk turning our home paradise into another tragic "Paradise." Preserving the Valley's rural density is not nostalgia—it is a matter of life and death in today's fire-prone climate.

Even with significant enhancement of evacuation planning, the reality is that

the Valley can accommodate only a limited number of additional cars and residents. Therefore, every new unit must count toward a meaningful mix of housing, and appropriate siting and design of any new housing clusters are critical. During the development of the county's housing element, CVA supported infill at mouth of the Valley and mid-Valley locations. ADUs (accessory dwelling units) hold promise as their small size makes them affordable by design. Water now becoming available through the Monterey Peninsula Water Management District and Pure Water Monterey Expansion offers hope that homeowners will be able to add ADUs that can serve single people, students, and seniors. Rented out to long-term occupants, they both support the local workforce and help home buyers stretching to meet their mortgages. Laws allowing churches to add housing, possibly in the form of tiny houses or prefabricated affordable units, could make additional incremental contributions to housing, especially if grant support can be found.

Yet even with the best intentions from planners, architects, enlightened developers, and homeowners, the fact remains that Carmel Valley cannot safely shoulder the burden of housing growth imposed on unincorporated Monterey County by the state. Enough is enough, and we'll soon reach that limit.

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THE BUILDER'S REMEDY: WHAT IT MEANS FOR MONTEREY COUNTY

by Marianne Gawain

There is near universal agreement that California is experiencing a housing crisis of long duration and that construction of new housing, especially affordable units, is imperative. For decades the state of California has attempted to promote housing construction through the Regional Housing Needs Assessment (RHNA) process. On an eight-year cycle, needed housing is projected by the state, then allocated to counties and towns. These jurisdictions must demonstrate a plan for constructing their assigned units at a range of affordability levels. Such a plan is called the "housing element." Unsurprisingly, localities are sometimes reluctant to incorporate dramatic increases in housing within their existing master plans. Even while acknowledging in the abstract a need for additional housing, residents rarely embrace intensive infusions of housing that will burden infrastructure and degrade existing viewsheds, soundscapes, privacy, commutes, and property values. It's a tough topic for any community to address.

How then can the state incentivize timely completion of housing element planning? Enter the builder's remedy (BR), a provision of state law that punishes jurisdictions lacking state-approved housing elements

by overriding local zoning for density and height and streamlining the review process. When the BR is in effect, a jurisdiction loses the ability to use its own zoning code and general plan to reject housing projects. Once a development application is filed under the BR, a county generally must approve the project. It can say no only under a narrow set of circumstances: if the project would create a specific, documented threat to public health or safety that can't be fixed without making it unaffordable;

...an unprecedented land rush of wildly nonconforming new development

if denial is required by state or federal law; or if the site is agricultural or resource-preservation land contiguous with other such land and is lacking adequate water or sewer infrastructure. The BR is the state's ultimatum: Plan for housing, or else lose control over what gets built in your backyard.

The BR is not a total free-for-all. Counties can still apply pre-existing objective development standards, and projects must go through normal environmental review under CEQA (the California Environmental Quality Act). Projects are also required to include an affordable housing component—for example, a project can meet that requirement by setting aside 13% of its units for lower-income households. (Lower-income is defined as annual earnings up to 80% of the county's area median income, or roughly \$84,000 per year for a family of four in Monterey County.)

Generally, though, the BR is proving to be a gift to developers and a bane to communities. Not only can developers construct high-density developments with few impediments, but they are using the BR as a means of extracting lucrative concessions: once approved, BR permits give them ironclad rights that can be sold to another developer or to investors or parlayed in trade for fast-tracked approval of other projects.

Monterey County currently lacks a state-approved housing element. This means that the unincorporated area of the county, including Carmel Valley, is now subject to an unprecedented land rush of wildly nonconforming new development. Moreover, even though state certification of Monterey County's housing element is anticipated within several months, we'll be

feeling repercussions of the BR for years. That's because any developer who files a preliminary application during a period of noncompliance can lock in that status, meaning the remedy applies to the project even if the county later gets its housing element approved.

One of the reasons that the BR is such an ill-conceived "solution" to a real problem is that it fails to discriminate between urban and non-urban areas. Allowable density under the BR is now 35 units/acre or three times current zoning, whichever is higher. In Carmel Valley, under R-1 zoning, that means the BR would allow not merely a 300% density increase but a 3500% density increase were water and sewer available! **It's an extreme measure, and moreover, underlying uncertainty about the state's hazy process for approving housing elements undermines the sense that RHNA is fair.**

In *Leshar Communications v. Walnut Creek*, the California Supreme Court held that a jurisdiction's general plan is the "constitution for all future development." If zoning is a worthy exercise in community self-determination, the power of zoning should not be punitively removed from cities and counties. Just as a late tax filing does not justify confiscation of assets or suspension of due process, a late housing element should not trigger a sweeping suspension of local zoning rules. There must be a better way to fill the state's housing gap. One more direct means of inducing localities to complete their RHNA maps would be to levy heavy financial penalties that would be immediately directed into the construction of affordable housing. In this way, all the residents of a jurisdiction would bear the burden of RHNA noncompliance, and construction would focus on affordable units rather than luxury and second homes. State-level reform is needed to return power to localities while sustaining momentum for housing construction. We have elected our state legislators to deal with tough problems and now they must creatively address this one.

Meanwhile, it's incumbent on our county government to proactively develop approvable RHNA plans on time and to adapt existing zoning requirements to encourage additional affordable housing, without the heavy hand of the builders remedy.



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by Kim Forrest

photo from Grist Media

A crucially important point made at the January 30 Carmel Valley-wide Firewise meeting that really caught my ear was this:

The biggest problem after the 2020 “Carmel Fire” that burned 6,900 acres (Carmel Valley Road and Cachagua Road) and destroyed 73 structures was that homeowners were grossly underinsured. They were insured for an average of \$125/square foot, but costs to rebuild were approximately \$800/square foot.

Over the past couple of years, I have

completed massive rehab on my deteriorated 50-year-old house—much of it focused on fire hardening. With this focus on protecting my house from fire, and with the great advantage of having a contractor on-site, I took a hard look at my fire insurance policy—particularly the coverage limit. In the middle of all this restoration construction I became intimately knowledgeable about the cost of construction in this area...definitely way above the national averages. Specific to the Monterey/Carmel area, I found two



Airfield continued from Pg. 1

neighbors and concerned Village residents formed Friends of the Village Airfield (FOVA), a steering committee whose aims are to organize neighborhoods for community action and to research relevant issues. A FOVA website was quickly created and can be reached at fova911.com. CVA supports the engagement of those most closely affected by the plan and has been conferring with FOVA regularly.

A CVA-sponsored and FOVA-assisted community meeting on March 18, attended by an overflow crowd of 250-300 residents, offered developer Orosco a chance to present his proposal to the public and residents an opportunity to air their opinions, which they did quite clearly. Notably, Mr. Orosco did not commit himself to negotiating on any aspect of the project, and attendees left with more questions than answers. A video recording of Orosco's presentation at this meeting can be found at <https://shorturl.at/miH81>

Both CVA and FOVA have been meeting on a weekly basis, with members expending hours of their time discussing the issues, exchanging daily emails, and doing research. Mr. Orosco has changed his mind about negotiating and at the time of this writing, seems to be willing, perhaps eager, to talk further with both committees.

Community interest and involvement are unabating and often emotional, as can be seen on social media. FOVA member Hubert Fabre sums up the feeling: "I am really tired of seeing these few people do what they want, for their own pocketbook, for their own wellbeing, without regards at all for the people who live in the community. We are a community and need to respect everyone. And putting the community in higher danger is not caring for that community."

The blue herons of the airfield eagerly await the outcome. It's too late for the blackbirds.

estimates of the cost to build a house (land excluded) of \$400 to \$600 per square foot and \$350 to \$500 per square foot. Yet my coverage was only \$600,000 for an average 2000-square-foot house, or \$300 per square foot.

If you have the California FAIR Plan, as I do, on page 1 there's a caveat: "Important Notice to Insured—The FAIR Plan does not estimate the cost to rebuild your home, or the cost of labor and materials in your (or any other) area, or determine the appropriateness of the coverage you select. Instead, those are your responsibilities." I most definitely took that clause to heart after a discussion with my contractor.

When I asked my contractor if \$600,000 would be enough to rebuild this house with the same caliber finishes and materials, he said that it would take twice that—the high end of that \$400-\$600 per square-foot-range. Not surprising for this area. And as occurred after the “Carmel Fire,” construction costs can jump after a house-destroying disaster due to a demand surge for labor and materials, which can result in shortages and increased prices. The average increase in construction costs after a catastrophe is around 20%.

At a minimum, I would recommend at least taking a look at your coverage limit, so you know where you stand.

If you'd like to make a financial contribution towards the community effort to preserve the Village Airfield, you can donate to the CV Airfield Defense Fund through the Carmel Valley Association at the link on our home page: carmelvalleyassn.org.



Note: Donations made through CVA for this cause are tracked separately. CVA is a 501(c)(4) organization; donations are not tax-deductible.



TAKE A VALLEY STAYCATION!

by Mibs McCarthy

You don't have to travel far to find educational and recreational fun this summer.

MEarth, at the Hilton Bialek Habitat adjacent to Carmel Middle School, teaches stewardship for the planet through nature study that underscores an ethical responsibility and reverence for the preservation of biodiversity.

May 9 is MEarth Day, a celebration of its mission to educate and inspire through hands-on art, science and nature activities with local eco-vendors, live music, and delicious food. This is a FREE event and all are welcome.

MEarth Summer Camp offers hands-on experiences in the garden, kitchen, and habitat—giving kids the opportunity to connect with nature, learn new skills like cooking and harvesting, and make unplugged, lasting memories together.

Volunteering is one of the best ways to engage with your local community and support MEarth. Volunteers can help out in

the edible garden, youth classroom, native-plant Fridays, and community workshops. Contact info@mearthcarmel.org to register for camp or to volunteer.

The Carmel Valley Library at 65 West Carmel Valley Road has a busy summer schedule. There is adult knitting from 12:30 to 2:00 p.m. on Tuesdays. Wednesdays provide story time, magic, puppet art, bubbles, and rhythm activities. Scrabble Club meets every Thursday from 1:00 to 3:00 p.m., and most Fridays feature chess and games from 1:00 to 4:00 p.m. On Saturday, June 20 and July 18, from 10:30 to noon, there is beginning knitting; June 27, a birthday bash for America; and July 25, a back-to-school makerspace fair. The library is closed on Sundays and Mondays.

The Carmel Valley Community Youth Center (CVCYC) oversees the swimming pool and activities at the Community Center Hall. It does not receive any state or county funding but relies on community support. In addition to your support, your membership includes discounts on other membership options, pool entrance fees,

swim lessons, and events at the recreational center. Memberships are tax-deductible.

Upcoming events include **Tatum's Treehouse Playground Party After Dark**, May 2, from 6:00 to 9:00 p.m. It will be a fun-filled, adults-only evening at Tatum's Treehouse Playground to support CVCYC capital improvement projects. Enjoy local beer and wine, delicious food, live music by Mike Mahoney & the Undecided, auctions, and a cornhole tournament! \$75 per person (\$65 for CVCYC Members). Includes food and two drink tickets.

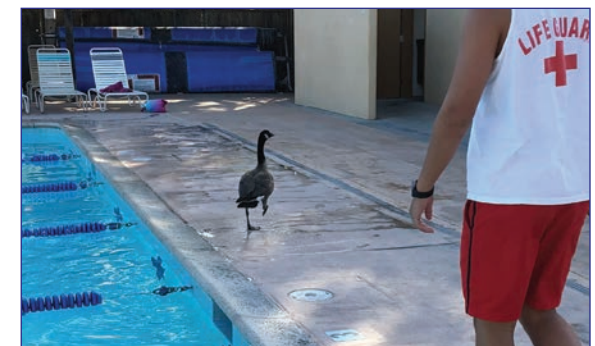
The CVCYC pool opening weekend is May 23, 24, and 25, from noon to 5:00 p.m. **Friday Night Dinners**, June 19, July 17, August 22, and September 12, feature meals by local chefs and live music. Find more information about CVCYC programs at cvcyc.org.



Some things never change in Carmel Valley.



Kids love water, friendly geese agree, but no lifeguards, please!
Photos by Mibs McCarthy



Carmel Valley Garden Club

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Info: <https://www.cvgardenclub.org>



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Banner photo from Laureles
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CVA GENERAL MEETING FOCUSES ON BUILDER'S REMEDY

About 100 concerned Valley residents who attended the Carmel Valley Association's annual general meeting on Sunday, April 12, had the opportunity to listen to CVA attorney Bill Parkin explain and answer questions about the nuances of the state's builder's remedy, which is on everyone's mind at this time. The meeting also included a summary of CVA activities over the last year by President Marianne Gawain, a demonstration of the new CVA website by Director Alex Brant, a talk by 5th District planning commissioner Jessica Hartzell, and, of course, a lot of refreshments! Fundraising for the airfield development issue was of prime importance.



Marianne Gawain and Alex Brant present the new CVA website.

*****ECRWSEDDM*****

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Announcing a fresh new CVA website!

by Deb Evans

Our "old" website has served us faithfully for many years, and now the time has come to update it to better serve our members and community. Luckily, thanks to the creativity and diligent work of CVA board member Alex Brant, we have a shiny new one ready to take its place.

Located at carmelvalleyassn.org, the new site provides a user-friendly online payment system to facilitate new member enrollments, annual membership renewals, event reservations, and donations. The new site also serves as a state-of-the-art portal to share timely, reliable, and actionable information about the most current issues we all care deeply about in our Valley. And of course, there are future event notices, volunteer opportunities, and our collection of Carmel Valley Voice back issues.

Please visit the new site, browse through it, and give us your feedback as we break it in. Click on the "Contact" button and send a message with your thoughts.

Happy Browsing!



CORRECTION
The professional position of CVA Director Jamison Watts was incorrectly stated in the February issues. He is the Executive Director of the Santa Lucia Conservancy.

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