



# Monterey County Planning Commission

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Agenda Item No. 1**  
**Legistar File Number: PC 21-053**

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**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

## **BIG SUR COAST LAND USE PLAN UPDATE**

Conduct a public workshop to review and provide direction on the draft Big Sur Coast Land Use Plan update prior to environmental review.

**Project Location:** Big Sur Coastal Planning Area

**Proposed CEQA action:** A planning workshop is exempt per CEQA Guidelines Section 15262.

## RECOMMENDATION

It is recommended that the Planning Commission:

1. Find that the planning workshop is a planning study for possible future action which the Commission has not approved and qualifies as a Statutory Exemption per Section 15262 of the CEQA Guidelines;
2. Receive a presentation and take public testimony on the draft Big Sur Land Use Plan Update, and
3. Provide direction to staff on the draft Big Sur Coast Land Use Plan Update.

## PROJECT INFORMATION

**Planning File Number:** REF210024

**APN:** Multiple

**Project Location:** Big Sur Coast Land Use Plan Planning Area

**Plan Area:** Big Sur Coast Land Use Plan, Coastal Zone

## OVERVIEW/BACKGROUND

The Big Sur Coast Land Use Plan (LUP) was adopted by the Monterey County Board of Supervisors on November 5, 1985 and certified by the California Coastal Commission on April 10, 1986. Since adoption of the LUP, many conditions along the Big Sur Coast have changed, new land use issues have arisen, and old concerns remain unresolved, as current policies are insufficient to address them, including: the lack of capacity on Highway 1, uncontrolled spread of invasive species, protection from wildfires, fire fuel management, private property impacts, and overcrowding of public coastal attractions and sites.

To address these and other issues, the North and South Coast Big Sur Land Use Advisory Committees (LUACs) began a long series of public meetings and deliberations beginning in January of 2013, extending through the present day. The LUACs reviewed each sentence of the 1986 LUP to update the plan to address problems that were not sufficiently remedied over the past 34 years and to address emerging concerns and conflicts due to changed conditions.

In general, the Plan update, as recommended by the LUACs, focuses on four main topics:

- The need to preserve and enhance the Big Sur community and neighborhoods by increasing the stock of affordable housing.
- Retaining visual access as the primary access to the Big Sur Coast, while working to maintain and improve physical access.
- Managing existing trails before creating new unmanaged trails.
- Fire fuel management to prepare for wildfires, and related conflicts with environmentally sensitive habitat area (ESHA).

The active engagement by the LUACs and community members during this seven-year process in updating the LUP is consistent with the Coastal Act's intent to assure effective public participation in its programs and activities. The more than 100 meetings were always open to the public and were held with the cooperation, assistance, and often presence of RMA (now HCD) county staff. The following discussion elaborates upon the main topical plan changes, and includes a discussion of county staff concerns and issues that may differ to some degree from the LUACs recommendations. To support this discussion, appended to this staff report are:

**Exhibit A** - Memorandum from the Big Sur and South Coast Land Use Advisory Committees concerning the 2020 (now 2021) Big Sur Land Use Plan Update;

**Exhibit B** - LUAC-recommended strike through (deletion) and underlined (addition) amendments to the 1986 Big Sur LUP;

**Exhibit C** - Final Draft of Big Sur LUP Plan as recommended by the LUACs;

**Exhibit D** - Recommended Land Use Maps

**Exhibit E** - Recommended Trails Maps;

**Exhibit F** - Correspondence from the California Coastal Commission staff regarding the LUP update process and issues;

**Exhibit G** - The adopted 1986 Big Sur Land Use Plan; and

**Exhibit H** - The adopted 1986 Big Sur Land Use Maps.

## DISCUSSION

**Exhibit A** (A Memorandum from the LUACs to the Planning Commission and Board of Supervisors), provides a detailed summary and explanation of the many amendments proposed to the 1986 LUP. In most instances, the HCD staff agrees with, and is supportive of, the amendments as reflected in

**Exhibit B** (the Strike Through and Underline version of the LUP Update recommended by the LUACs). HCD staff reviewed each word of proposed amendments and discussed the changes both internally and with the LUACs at public meetings. The recommended draft LUP Update, **Exhibit C** is a consensus of this staff and LUAC collaboration. However, a few, but significant, exceptions are addressed in the following discussion of key plan topics and issues, wherein HCD staff has concerns about, or does not agree with, the LUAC recommendations. The following discussion addresses key policy amendments and changes and provides staff assessment of the draft amendments.

### **Key Plan Topics**

1. The need to preserve and enhance the Big Sur community and its neighborhoods by increasing the affordable housing stock. In response to fears of overdevelopment and loss of the unique Big Sur

natural environment and community, the 1986 LUP includes multiple policies and implementation tools which resulted in the downzoning of all the Big Sur Coast from 1-5 acre parcels to much larger 40-360+ acre parcels, and established a “Critical Viewshed” which precludes any new development in undeveloped areas visible from Highway One, excepting specific commercial areas. However, these land use policies, while protecting the natural environment, and coupled with continuing purchase of private land by public agencies for park and recreation uses, have resulted in a restricted supply of development sites for housing, particularly affordable housing, for the local workforce. Moreover, the ever-increasing cost of housing, both for purchase and rental, as well as the conversion of existing housing stock to short-term rentals and timeshares, has further reduced the supply and affordability of housing in the Big Sur planning area. The recommended draft LUP Update retains the large lot and critical viewshed policies, and adds new policies to support employer-sponsored affordable housing and related density bonuses for lower income employees. The recommended plan also includes policies prohibiting short-term or vacation rentals, and any large new visitor-serving commercial development.

*Staff Comments:* HCD staff concurs with these amendments.

2. Emphasizing Visual Access over physical access or destinations. As stated in the LUAC’s Memorandum:

*“In recognition of the Big Sur coast's spectacular beauty and unique qualities, this segment of Highway One has been designated an All-America Road. An "All-American Road" is considered a destination unto itself. In order to continue to be recognized as such, Highway One must provide an exceptional traveling experience that is so recognized by travelers that they would make a drive along the highway a primary reason for their trip. Vehicular parking along Highway One, trash, human waste, traffic, overcrowding and trampling of native habitats have dampened that visitor experience. In particular, Highway One has reached its maximum capacity especially during summers and holidays, which was recognized 34 years earlier in the 1986 LUP.”*  
*Memorandum P.8.*

The LUACs recommended LUP Update builds on the 1986 LUP focus on visual access as the primary and highest priority for public access, by emphasizing visual access over physical access and deleting policy language that supports additional new physical access to the Coast. **Sections: 6,6.1.4, General Policies, 6.1.5.A.1.2.3.4, Specific Policies.**

*Staff Comments:* Staff contends that deletion of “physical access” from several sections conflicts with the existing plan’s balance between visual and physical access, and recommends adding “physical access” back into several policy statements, as follows:

- **In section 6.1 Introduction, paragraph 2,** staff recommends adding that “Protection of existing physical access, with proper management, is also a priority of this plan.” In the last paragraph, the last two sentences should be rewritten to foster a balance between both physical and visual access.
- **6.1.4 General Policies.** Paragraph 1 is recommended to be revised to replace visual with

physical access as the priority, and LUACs paragraph proposing no new physical access is recommended to be deleted.

- **6.1.5 Specific Policies. Shoreline Access Priorities, A.2.** Staff deleted: “Visual access is the highest access priority.”
- **6.1.5 B.1 Providing and Managing Shoreline Access.** Staff recommends adding back a proposed deleted policy beginning “Additional shoreline access may be provided through private property owner’s voluntary cooperation with a public agency.” In paragraph 2., staff recommends adding back the policy beginning “Siting and design of development proposals which protect shoreline access will be required in the permit process.”
- **6.1.6 Standards and Guidelines for Improvements to Accessways.**  
**4. Parking.** Staff recommends adding back the sentence beginning “Emphasis should be given to improving access on the east side of Highway 1 suitable for parking for access ways”.

3. Managing existing trails before creating new unmanaged trails.

Many of the existing trails in the Big Sur planning area lack sufficient parking, restrooms, and other public amenities. Lack of proper resources for trail management has resulted in negative impacts on natural resources, visual access and quality of visitor experience. Widespread dispersed camping has created fire safety and wildfire hazards. The draft LUP Update addresses these issues through new policies that would prohibit dispersed camping and support the planning process for the California Coastal Trail, mainly following existing coastal trails. The Plan update does not support the creation of new trails.

*Staff Comments:* HCD staff supports these amendments.

4. Reducing the incidence of wildfires and managing fire fuels in environmentally sensitive habitat areas (ESHA). As stated in the LUAC’s Memorandum:

*“Since the 1986 LUP was written, three major high-heat intensity wildfires -- the Kirk Fire in 1999, the Basin Complex Fire in 2008, and the Soberanes Fire in 2016 - have burned through the Big Sur Coastal Planning Area, mostly on federal land. An unintended consequence of the beneficial policy of suppressing wildfires is not only that vegetation has grown and accumulated in many areas undisturbed for decades, beyond the amount that would have accumulated under the natural fire return interval, including within areas the 1986 LUP designated as environmentally sensitive habitat areas ("ESHA"), but also that the fuel buildup leads to greater wildfire intensity and severity, wiping out structures, habitats and species, including protected species and old growth trees. Policies listing vegetation removal that “will not be considered removal of major vegetation,” therefore not “development” under the Coastal Act, are included in the 1986 LUP, which were intended to allow removal of accumulated vegetation without the need for a coastal permit to help maintain habitats and protect lives and property. However, those policies have been interpreted by the County to be “meaningless” due to conflicts with ESHA policies in the 1986 LUP. To avoid interpretation problems in the future, the 2020 LUP uses multiple approaches to resolve potential for*

*conflicts between policies intended to encourage maintaining Big Sur's woodlands, forests, and brushlands in healthy wildfire resilient condition. For example, because the term "removal or harvesting of major vegetation" is used in the Coastal Act but not defined in it, the 2020 LUP Update defines that term to avoid policy conflicts and to facilitate solutions in order to maintain habitats in healthy condition and to address the threat to habitats, species, structures and people from unnaturally high-heat intensity wildfires."*

The draft Big Sur Plan, as proposed by the LUACs, adds policy language in **Section 3.2.2 General Policies**, that would redefine ESHA to the extent that wildfire fire fuel modifications, as recommended by the local fire authority, and undertaken to create defensible space, do not meet the definition of ESHA; and critical habitats, endangered species, and wetlands protected under state and federal law are also deleted from the definition of ESHA. **Section 4.7.C Fire Hazards** would also contain this policy.

*Staff Comments:* In **Section 3.5.2.11 and 3.5.3.1 Forest Resources** staff recommends adding a requirement to obtain a Tree Permit Waiver for the removal of fallen or dead trees, or the removal of nonnative trees and hazardous or diseased trees. Staff also recommends adding the requirement for a Forest Management Plan which would permit removal of large amounts of dead and dying trees and address ESHA and critical and protected habitat protection. The LUACs contend the Coastal Act is silent concerning the relationships between ESHA and fire fuel management and that the Coastal Commission has approved other coastal plans, such as that certified for the City of Malibu in 2020, that provides local fire authorities authority to approve wildfire fuel management work. Staff contends such a redefinition of ESHA for the Big Sur Planning Area is not consistent with the State Coastal Act or Environmental Quality Act, and could only be accomplished by the state legislature. County staff will collaborate with CCC staff to provide recommended policy language.

5. Land Use Designations. The LUP Update recommends amending the land use designations for parcels to match existing usage, to eliminate nonconforming uses for long-established properties such as the Henry Miller Library and Rocky Point Restaurant. The Update also amends the land use designations in the plan to align with the land use designations in Title 20, the Coastal Zoning Ordinance. Properties purchased for public use using Habitat Conservation Funding and purchased for conservation purposes are recommended to be amended to the "Resource Conservation" land use designation. Public lands currently used and developed for active recreation have been amended to "Public and Quasi Public" land use designation. A new land use designation, "Visitor and Community Serving Commercial" is recommended to replace "Rural Community Center."

*Staff Comments:* HCD staff concurs with these amendments.

6. Table 1 Summarizes the land uses and their densities and intensities in the LUP. It is recommended to be amended to update the maximum number of new visitor serving units to 500 units from 300 units in the existing plan. The LUACs have estimated that there are currently existing or pending 500 visitor serving units in the planning area, and that no more should be allowed due to the overcapacity of all the environmental and human infrastructure in the community.

*Staff Comments:* HCD records show substantially fewer permitted visitor serving units in the planning area, so this inconsistency requires resolution by the time the plan is finalized, as it has major relevance for both community and environmental impacts.

7. Water Supply. The LUP Update recommends policy changes to allow transfer of water from one water basins to another that has low flows during droughts provide all permit necessary permits are obtained and all requirements are satisfied.

*Staff Comments:* HCD staff supports this policy, but other County agencies have yet to evaluate this policy change.

The 7 (seven) issues discussed above capture the major changes proposed within the plan. Other policy amendments and updates are recommended to bring the Big Sur LUP up to date, by deleting policies and actions that have already been implemented or are no longer relevant. Staff is presenting these items to the Planning Commission in a workshop format to obtain early feedback and direction before environmental review is performed and the ability to change policies becomes more difficult.

#### ENVIRONMENTAL REVIEW

This workshop is intended to seek input and direction from the Planning Commission and the public to develop a land use plan that will be formally considered at a later stage by the Planning Commission, Board of Supervisors, and California Coastal Commission. This information gathering qualifies for a statutory exemption from environmental review pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies. Furthermore, the workshop, and its outcome, is not a project as defined in CEQA Guidelines Section 15378. The policies being developed will be analyzed as a portion of the project description in environmental assessment being prepared for the draft Big Sur Coast Land Use Plan.

#### NEXT STEPS

After the Planning Commission has completed its workshop(s) on the draft Plan, staff will prepare a final draft plan as recommended by the Planning Commission. Additional policy direction may also be provided by the Board of Supervisors to finalize the draft Plan. Staff will also prepare corresponding land use regulations (Coastal Implementation Plan or CIP) and prepare and conduct an environmental assessment pursuant to the California Environmental Quality Act (CEQA) which will analyze the draft Plan for environmental impacts. Once this process is completed, the Draft Plan, CIP and environmental assessment will be brought back to the Planning Commission for public hearing(s). The Planning Commission role will be to recommend to the Board of Supervisors. Once the Board of Supervisors holds a public hearing(s) on the Draft Plan, they may adopt the plan and convey it to the California Coastal Commission for their review and final certification as consistent with the California Coastal Act.

#### OTHER AGENCY INVOLVEMENT

California Coastal Commission

Prepared by: John M. Dugan FAICP, Management Specialist HCD  
Reviewed by: Craig Spencer, Planning Services Manager  
Approved by: Erik Lundquist, AICP, Director HCD

The following attachments are on file with HCD:

Exhibit A - Memorandum from the Big Sur and South Coast Land Use Advisory Committees  
Exhibit B - LUAC-recommended strike through deletion and underlined  
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Exhibit F - Correspondence from the California Coastal Commission staff  
Exhibit G - The adopted 1986 Big Sur Coast Land Use Plan  
Exhibit H - The Adopted Big Sur Land Use Maps

cc: Front Counter Copy, Planning Commission, Supervisor Adams, Kevin Kahn and Mike Watson,  
California Coastal Commission, Land Watch, Arden Handsly, Bede Healey, Charlie Kelsey, Keith  
Vandevere, Patrick Orosco, Raniero Hoffman, Robert Carver, Joe Sidor, Tim Billis, Sarah  
Hardgrave, Big Sur and South Coast LUACs