

# Attachment A

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## Discussion

### Introduction

Government Code Section 65400 (a)(2) requires cities and counties to provide an annual report to the legislative body regarding the status of the General Plan and progress in its implementation and the degree to which the General Plan is consistent with the General Plan Guidelines adopted by the Governor's Office of Planning and Research (OPR). On April 1, 2014, the Board of Supervisors approved the 2013 Annual Progress Report for the 2010 General Plan and it was submitted to the State Office of Planning and Research (OPR) as required. The Board directed that staff return with more information related to the status of the tasks. On June 17, 2014, Supervisor Parker submitted Board Referral 2014.04 requesting a more detailed explanation and supporting material on progress toward the development of certain General Plan implementation ordinances.

In January 2011 the Resource Management Agency (RMA) – Planning Department created a Long Range Planning Team (LRPT) to address the implementation activities associated with the 2010 General Plan and other tasks involving the preparation and processing of policy and regulatory documents. In order to help manage this program a tracking system, called the Long Range Planning Work Program (LRPWP), was developed. The LRPT status matrix currently contains over 160 individual tasks with varying priority and complexity. LRPT developed a Work Program that identifies all the tasks assigned to be processed. This includes tasks of the General Plan Implementation, Board of Supervisors' Referrals, and Local Coastal Program Updates. A revised Long Range Planning Work Program is attached. (Attachment B.) The categories are: Completed/On-going; Board of Supervisors: In Process; Planning Commission: Hearings and Workshops; Under preparation & Public Outreach; Internal Development and Unassigned: Not in process. The matrix previously provided included a short description and provided a status expressed as a percentage completed.

Over the past several years the workload assigned to the LRPT has grown in both number of tasks and complexity. Some tasks require extensive technical work which must be performed by qualified consultants and others required continual monitoring and reporting. In addition, others involve major policy decisions that must include extensive outreach to stakeholders, including multiple public workshops and hearings. This extensive workload requires careful prioritization and management in order to focus the limited staff and budget resources to the most critical tasks. It must be recognized that new tasks continually surface, some of which are urgent, and must be addressed immediately which results in adjustments to priorities and workload. This can be confusing for the public to follow.

Staff received comments, including at the April 1, 2014 Board meeting, suggesting refining the methods used to report progress/status of the individual tasks. In response, staff modified our approach in an attempt to improve communication of the status and next steps for each task (**Attachment B**). If the Board agrees with this new system the Revised LRP Work Program will be finalized and posted on the County's website for public access. Staff will continue to update the matrix on a periodic basis, and staff

intends to create links to a County webpage where more detailed information will be available. If the revised Long Range Planning Work Program is acceptable to the Board, RMA staff will submit an Amended 2013 Annual Progress Report to the State Office of Planning and Research.

The following is a summary of status on some of the most critical tasks that are currently being processed:

- **Cultural Resource Protection Guidelines (REF110065), LRPWP Task No. 10, 20 & 68**

Policy LU-9.2 requires the adoption of guidelines to implement cultural resource protection, along with a resource inventory and data recovery program and standards for the preparation of surveys relative to natural resources as they relate to cultural resources. Policies OS-8.5 and OS-8.7 requires the establishment of a technical advisory committee consisting of appropriate tribal representatives and qualified archaeologists to provide assistance to county staff in determining how best to address monitoring and site treatments. In 2011 staff commenced working with local archaeologists and tribal representatives to prepare draft documents to fulfill the General Plan policies relative to cultural resource protection. On June 27, 2012 the Planning Commission held a public workshop. Based on direction received at the workshop along with numerous meetings with technical experts staff presented a draft ordinance for consideration by the Planning Commission at a public hearing on June 25, 2014. Based on testimony received, the Planning Commission continued the hearing to August 27, 2014. We will return to the Planning Commission after addressing the input received.

- **County Traffic Impact Fee (REF130108), LRPWP Task No. 11**

In 2013, the Transportation Agency for Monterey County (TAMC) adopted a revised Regional Traffic Fee program that was developed in coordination with County staff (Policy C-1.11). Policies C-1.2.C and C-1.8 requires the preparation of a County Traffic Impact Fee Program. County staff has coordinated with TAMC to avoid any overlap or duplication of improvements within our respective fee programs. Kimley-Horn was selected to assist in developing the County traffic fee program, which includes a capital financing plan for Agricultural and Wine Corridor Plan (AWCP) traffic impacts (Policy C-1.12) and a Carmel Valley Traffic Improvement Program (CVTIP).

In February 2014, a draft Nexus Study was completed and was presented to the Planning Commission and the public for review and discussion. The study identifies the transportation projects to be funded by the fee program, the fees to be implemented and documents the relationship between anticipated development impacts and fee rates. Currently, the Nexus study is being revised and updated. Once this is completed, an environmental analysis will be prepared and the County traffic fee program ordinance can be considered.

**•Community Climate Action Plan (CCAP) and Greenhouse Gas (GHG) Reduction Plan (REF120045), LRPWP Task no. 14**

Policies OS-10.11 and C-3.1 of the General Plan provides the framework to establish a program and specific implementation actions that will result in a county-wide reduction in GHG. As directed by Policy OS-10.11, the goal of the development and implementation of a Greenhouse Gas (GHG) Reduction Plan is to reduce County-wide emissions by 2020 to a level that is 15 percent less than 2005 emission levels.

On October 25, 2012, RMA staff briefed the Alternative Energy and Environment (AEE) Committee on the planned approach and received a favorable response. In December 12, 2012, RMA staff conducted a workshop at the Planning Commission, presented an approach and received valuable feedback. Staff will develop a draft CCAP and will take it back to the AEE and PC for further discussion and consideration in late 2014.

**•Tracking System (REF120031), LRPWP Task No. 16**

The 2010 General Plan includes various limits and thresholds that require monitoring. For example, Carmel Valley Master Plan policies CV-1.6 and CV-1.15 place a cap on residential and visitor serving units, and the Agricultural and Winery Corridor Plan places limits on certain winery related development.

Policy LU 1.20 requires the preparation of a tracking system to monitor development build-out, based on specific land use/density designations, as identified in the adopted Area Plans of the 2010 General Plan. In October 2012, staff presented the Board of Supervisors with a tracking system. This tracking system will continue to evolve with available technology in data tracking and collection. In 2015, a status report with current data of items we are to monitor will be part of the annual reports presented to the Planning Commission and Board of Supervisors.

**•Development Evaluation System (REF120030), LRPWP Task No. 35**

Community Areas, Rural Centers and Affordable Housing Overlay Districts are identified as areas of top priority for future development. Policy LU-1.9 of the General Plan requires a Development Evaluation System be established to provide a systematic, consistent, predictable and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments that will have the equivalent of greater impact regarding traffic, water or wastewater outside of those areas.

Over the past two years staff has been working on developing the evaluation system and has received input from various industry stakeholders during preliminary scoping. In July 2013 staff conducted a Planning Commission workshop and received additional input from the public and direction from the Planning Commission to be incorporated in the preparation of the evaluation system. Staff is currently working on refining this system and will be presenting a revised draft DES for consideration by the Planning Commission in late 2014.

**•Solar Ordinance (REF110059), LRPWP Task No. 48**

In 2013, a State Model Solar Ordinance was developed by the California County Planning Directors Association (CCPDA) in coordination with industry and agricultural stakeholders. Monterey County staff participated in that development.

General Plan policies OS-9.1 and OS-10.13 encourage the use of alternative energy sources and require the County to adopt an Alternative Energy Promotion ordinance. To partially implement these policies, staff began to draft a solar ordinance that was based on the State Model Solar Ordinance. Although work on the proposed ordinance is not complete, staff brought the concept and State Model Ordinance to the AEE Committee on May 24, 2012 and to the Agricultural Advisory Committee (AAC) on October 25, 2012. Staff is refining the approach and intends to conduct a Planning Commission workshop in 2014 to introduce the proposed approach and solicit comments and recommendations from the Planning Commission and members of the public.

**•Agricultural and Wine Corridor Plan (AWCP), LRPWP Task No. 53**

The adopted AWCP outlines a planned approach for how the wine industry and wine related uses develop in the areas that comprise the Corridor, which spans three Area Plans: Toro, Central Salinas Valley and South County. The AWCP details uses allowed, provides regulatory guidance, identifies required environmental review or analysis along with permits necessary for proposed development.

In 2011, staff developed an Agricultural and Winery Corridor Interim Process Review Form and an Agricultural and Winery Corridor Application Submittal Checklist that were incorporated into the permit review process for ministerial and discretionary permits. In addition, staff modified the Accela Automation Permit System to track and document development within the AWCP. On-going tracking of development in the AWCP area is required as it pertains to Artisan Wineries, Full –Scale Wineries; Wine Tasting Rooms, Restaurants, Delicatessen and Inns along with the creation 5-acre lots in conformance with allowable uses identified in the AWCP. The remaining task, besides the consistent tracking of development in the AWCP, is the adoption of the AWCP zoning Overlay. Staff intends to bring an ordinance updating zoning classifications to the Planning Commission and Board of Supervisors for hearing in late 2014.

**• Conservation Strategic Plan (REF120060) [Biological Cluster], LRPWP Task No. 9, 25, 26, 27, 28, 29, 41, 58, 69 & 70**

The General Plan includes a number of biologically-related tasks. A contract with EMC Planning provides technical support for completing these tasks. In 2013 RMA staff presented, to the Planning Commission, the concept of combining these tasks for a more comprehensive and efficient approach to address biologically related tasks. Staff is working with EMC to clarify draft work product to be considered at Planning Commission workshop(s) in late 2014

**• Water and Energy Efficient Landscape Ordinance (REF110056), LRPWP Task Nos. 97, 42, 47 (portion), 61(portion) & 89**

The State Water Conservation in Landscaping Act requires local jurisdictions to either adopt the State Model Water Efficient Landscape ordinance or a local ordinance that is at least as effective in water conservation. Staff has been working on developing an ordinance that is unique to Monterey County yet still meets the State requirements, including planting with low water use, drought tolerant, and native or native compatible vegetation; designing irrigation systems to be water efficient; and incorporating Low Impact Development landscape techniques to capture and maintain stormwater onsite.

Water conservation is critical to Monterey County and its residents and landscaping is a key area where this can be achieved. Six General Plan policies relate to landscaping and landscape activities. Four policies (PS-2.8; PS-3.11; PS-3.12; and OD-5.6) address conservation of water resources. Policies OS-5.14 and S-2.4 encourage the exclusion and eradication of invasive plants and incorporating the use of fire-resistant plants.

Staff developed a draft Water and Energy Efficient Landscape ordinance and an accompanying design manual that encompasses the requirements of the General Plan and state law. These were brought before the Planning Commission at a workshop on December 12, 2012 and again on April 9, 2014. Staff has also presented this to the Board of Supervisors Alternative Energy & Environment Committee (AEE). Due to the technical nature of the regulations, the design manual was distributed to local landscape architects, contractors and nurseries. Input and comments received are being incorporated by staff into a revised draft ordinance and manual. In late 2014 staff will bring them to the Planning Commission for recommendation to the Board of Supervisors.

**•Proof of Access Ordinance (Private Roads/Easements BOS Referral #: 2005.01 (PLN060127 – Inland) & (REF130084 – Coastal), LRPWP Task No. 110**

In 2006, the Board of Supervisors made a referral to develop a county-wide ordinance that would address the County's role in the use of private roads related to the granting of entitlements. Policy C-3.6 was added into the 2010 General Plan as a partial response to the referral. This policy requires the establishment of regulations for new development that would intensify the use of a private road or access easement to provide proof of access.

Over the past nine years staff has presented several draft ordinances at the Planning Commission and the Board of Supervisors. On February 25, 2014, the Board directed staff to again meet with concerned citizens. RMA staff has held several meetings which has resulted in a revised draft Ordinance. On July 9, 2014 staff presented the ordinances to the Planning Commission at a public hearing for consideration of a recommendation to the Board of Supervisors. The Planning Commission recommended that the Board adopt them with minor modifications. The Ordinances are scheduled to be considered by the Board in August 2014.

**•Discretionary Permit Process for Well Ordinance (REF120022), LRPWP Task No. 32, 33, 34 & 111**

The 1982 and 2010 General Plans along with the Certified Local Coastal Program include technical criteria and land use regulations that address wells. Policies PS-2.4, 2.5, 3.3, 3.4, 3.5 & 3.9; CV-3.20; NC-3.8 & 5.4 of the 2010 General Plan addresses regulations for new wells, water quality testing of individual domestic wells, criteria for high capacity wells and long-term sustainable water supply. Monterey County Code Chapter 15.08, and Titles 20 and 21 need to be updated to implement policies of the 2010 General Plan and address the unique conditions of Monterey County.

Since 2011 staff from RMA, Environmental Health Bureau, Monterey County Water Resources Agency, and County Counsel have been coordinating efforts to develop the needed well regulations and guidelines. EMC Planning Group Inc. provided some initial technical support, and County staff drafted regulations. As a result of public response to the draft regulations, staff identified key policy issues, and this issue document was presented to the Agricultural Advisory Committee, Planning Commission, and Board of Supervisors for direction to staff in developing the regulations. Staff facilitated multiple stakeholder meetings and numerous Planning Commission and Board of Supervisor's workshops.

On October 22, 2013, at a workshop with the Board of Supervisors, staff presented a list of issue with options and recommendations from the AAC and PC. There were a couple significant outstanding issues with the Board and staff was directed to meet with industry stakeholders. Staff continues to meet with the stakeholders.

**•Salinas Valley Zone 2C Groundwater Basin Study (BOS Referral # 2014.01), LRPWP Task No. 155**

2010 General Plan policy PS-3.1 as amended in 2013 requires a 5-year study. In January 2014, the Board of Supervisors also made a referral concerning the Salinas Valley Zone 2C ground water basin study. On July 1, 2014 a contract with a consultant to perform the study was approved.

## **Local Coastal Program (LCP) Update**

RMA Planning staff has been working with community groups on three specific LCP items: North County Land Use Plan, Moss Landing Community Plan, and Big Sur Coast Land Use Plan.

### **•Local Coastal Plan Update: North County Land Use Plan – (REF130059), LRPWP Task No. 104**

RMA Planning staff met with community representatives on the LCP update for the North County Land Use Plan. From February 2013 to November 2013 informational issues regarding the California Coastal Commission 2004 Informal Periodic Review, Traffic, Land Use Development, Public Services, Wetland and Riparian Resources and Maritime Chaparral were discussed. Staff will work with the North County Coastal Land Use Advisory Committee as we proceed with updates to the plan. No firm schedule has been established to date.

### **•Local Coastal Plan Update: North County Land Use Plan - Moss Landing Community Plan (GPZ090005), LRPWP Task No. 105**

A revised Draft Moss Landing Community Plan is expected to be released in July 2014. Staff will discuss the revised plan at a community meeting in late July. Shortly thereafter, RMA Planning expects to release a Draft Environmental Impact Report for public review.

Following the EIR comment period, a Planning Commission workshop will be conducted in fall of 2014, followed by formal hearings before the Planning Commission and Board of Supervisors. Adoption of a resolution of intent by the Board of Supervisors is targeted for the end of 2014. As an amendment to the LCP, this Plan must be submitted to the California Coastal Commission for review and certification, which we expect to accomplish in 2015.

### **•Local Coastal Plan Update: Big Sur Coast Land Use Plan (REF130060), LRPWP Task No. 106**

The Big Sur Land Use Advisory Committee has been meeting and preparing an update to the Big Sur Coast Land Use Plan. Staff has met with the Committee on several occasions. Staff plans to meet with the committee once a month to discuss the proposed modifications. The first monthly meeting is scheduled for Monday, July 21, 2014.

Staff has not commenced work on Local Coastal Plan Update LCP: Part IV - Carmel Area Land Use Plan, LRPWP Task No. 107.

## **Conclusion**

In revising the LRPWP, staff found that there are many methods to report progress of assigned tasks. Staff believes that the revised matrix coupled with the summaries above effectively communicates the status and progress to the Board of Supervisors and the public. It is staff's goal to be transparent in reporting the status and next steps of this large body of work.

Staff recognizes that public outreach can be improved and directed at the stakeholders and interested groups specific to each task. However, interested parties/groups are not always easily identified until the item gets to a public hearing. In 2010, the Board of Supervisors directed RMA staff to utilize Planning Commission workshops as the venue for public outreach and participation. Since that time, a number of items have been returned for staff to perform additional outreach, once interested parties or stakeholders were identified.

In response to staff observations and public comments, staff has expanded the work program to document the various outreach meetings. This extensive workload requires careful prioritization and management in order to focus the limited staff and consultant resources to the most critical tasks. If the Board agrees with the Long Range Planning Work Program Summary Matrix, RMA staff will submit an Amended 2013 Annual Progress Report to the State Office of Planning and Research and, for the 2015 Annual Report, staff will combine the required Annual Report with a Status of the Long Range Work Program.