

Exhibit A

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EXHIBIT A DISCUSSION

COASTAL ACT BACKGROUND INFORMATION

Staff is providing the following background information, which describes the legislative intent for the Coastal Act. The Act provides the overarching guidance to the County in preparation, and to the Coastal Commission related to certification, of local coastal programs and in implementing certified programs.

The State Legislature passed the Coastal Act in 1976, taking effect on January 1, 1977. The Coastal Act replaced the original Coastal Act initiative adopted by the voters (Proposition 20—1972). The Legislature declared that the 1977 Coastal Act basic goals were as follows:

- Protect, maintain and, where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and man-made resources.
- Assure orderly, balanced utilization and conservation of Coastal Zone resources taking into account the social and economic needs of the people of the State.
- Maximize public access to and along the coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent development over other development on the coast.
- Encourage State and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including education uses, in the Coastal Zone.

The Coastal Act established a framework for resolving conflicts among competing uses for limited coastal lands. The highest priority is placed upon the preservation and protection of natural resources, including environmentally sensitive habitat areas, where only uses dependent on those resources are allowed. For agricultural land, the Act's intent is to keep the maximum amount of prime land in production. On lands not suited for agricultural use, coastal-dependent development (i.e., development that requires a site on or adjacent to the sea for its operation) has the highest priority. Public recreational uses have priority on coastal sites that are not habitat areas and not needed for coastal-dependent uses. For sites that are not reserved for habitat preservation, agriculture, coastal-dependent uses or public recreation, other types of development are permitted. However, visitor-serving commercial recreation has priority over private residential, general industrial and general commercial development.

These priorities were reflected in the four land use plans (LUP) certified by the Coastal Commission for the Monterey County portion of the Coastal Zone: Big Sur Coast, Carmel, Del Monte Forest, and North County. Land use designations were established for each of these areas of the Coastal Zone to reflect areas for natural resource preservation, agricultural uses, coastal-dependent development, recreation sites, and visitor serving commercial recreation. Residential, general industrial and general commercial development is then allowed in areas not needed for the priority uses. Each of those categories was identified for specific locations throughout the Monterey County Coastal Zone in the four certified LUP areas.

The proposed Moss Landing Community Plan is drafted to be consistent with the Coastal Act goals identified above.

1982 NORTH COUNTY LAND USE PLAN BACKGROUND INFORMATION

The 1982 North County Land Use Plan (North County LUP), of which the Moss Landing Community Plan is a chapter, is currently in effect (**Attachment B**). The majority of the 1982 LUP is proposed to remain in effect as part of this Update effort. Chapter 5, the Moss Landing Community Plan (MLCP) chapter of the North County LUP, is proposed to be amended at this time. Minor amendments may need to occur to other portions of the plan to ensure internal consistency and to correct or update outdated information as identified at community meetings or through other source materials.

The North County Land Use Plan contains the overarching policies applicable to all development in the North County Coastal Zone. The Moss Landing Community Plan chapter contains policies supplemental to the policies found in the North County LUP and that only apply to the Moss Landing Community. All development in Moss Landing must be considered in light of all the policies in the North County Land Use Plan. Development proposals outside of Moss Landing are not subject to the supplemental policies found in Chapter 5 (MLCP).

Each of the North County LUP chapters address specific topic areas and contain an introduction that lays out the general background and need to address the specific topic area. Policies are established within each chapter to guide decision-making and help implement the Community plan's vision. These policies are structured in a hierarchy of Key Policy, General Policies, and Specific Policies. The Plan also identifies Recommended Actions for each chapter topic.

Below is a summary of the information provided in the introduction for each North County LUP Chapter:

Resource Management Chapter 2 identifies the importance of the natural resources in North County, lists many of the significant resource areas, and states that “effective resource management will be increasingly vital in protecting the coast’s natural resources as stressed in the California Coastal Act of 1976.” The chapter introduction points out that residential development intensity in areas without community sewer or water service has, in some cases, resulted in public health and groundwater contamination issues. The section identifies saltwater intrusion as a major concern, that slough water quality has been severely altered by human activities, degradation of visual resources, and that much of the North County area, particularly areas without existing or proposed public services, is not appropriate for intensive development. The North County LUP policies were established to address and guide development in light of the desire to protect these natural resources.

Public Service System Chapter 3 identifies the prime transportation emphasis of the Coastal Act is to preserve highway capacity for coastal access and coastal-dependent uses. For North County, the concern is, “the improvement of Highway 1 for safety and efficiency in carrying the increasingly large volumes of traffic...” This chapter also discusses the adequacy of Highway 156 and other county roads, the development of bicycle paths, and the improvement of the public

transit system. The introduction states that “the best alternative may be the construction of a four lane, divided highway on the existing alignment” of Highway 1. In more recent years, the Coastal Commission staff has informed the County that widening of the Highway to four lanes would be inconsistent with the Coastal Act and would not be allowed. This chapter also describes the need to: 1) upgrade the highways in North County, in particular Highway 156, and other North County roads; 2) develop a more comprehensive transit network; and 3) improve bicycle paths and recreational area connectivity.

Land Use and Development Chapter 4 identifies the diversity and importance of the natural areas of North County, which support extensive estuarine and wetland habitat areas. The chapter identifies that these natural areas support a diversity of vegetation and wildlife and are important breeding areas for fish and birds. The chapter introduction also describes the setting at the time the North County LUP was drafted for the existing Recreational, Residential, Housing, Commercial, Industry, and Public Facilities land uses. Section 4.3 states that the

“prime objective of the North County Local Coastal Program is to plan for appropriate levels of land use and development in the coastal zone while protecting coastal resources and providing or maintaining coastal access and recreation opportunities. A second objective is to maintain the rural character of North County with its predominant agricultural, low density residential and open space uses while clustering medium and high density residential development in areas where water, sewer, and transportation services are available.”

Furthermore, it is stated that the only commercial center identified in Moss Landing and the only industrial facilities appropriate for North County are those that are coastal or agriculture dependent. The Land Use Diagram adopted as part of the plan is based on “the capabilities and constraints of areas of North County to support various types and densities of land uses...”

Moss Landing Community Plan Chapter 5 includes a background section that describes the process of developing the Community Plan. Section 5.2 states the land use plan “illustrates the arrangement of land uses at the time when the community will be fully developed.”

Public Access Chapter 6 identifies the importance of public access, but also “recognizes that public demand for access must be balanced against the need for preservation of the fragile natural environment.” The chapter identifies existing and potential access locations and access management strategies that direct public access to specific trails or areas to protect sensitive resource areas. Agricultural lands are also discussed as a priority use and “could preempt public access to the shoreline.” Public access is also restricted in the industrial lands, certain residential areas, and for aquaculture operations. The chapter introduction closes with a call to emphasize “improving existing access destinations with the greatest capacity and the fewest conflicts.”

Implementation Chapter 7 identifies the use of the plan by different agencies, with primary responsibility assigned to the County of Monterey.

As stated earlier, the only chapter being updated is the Moss Landing Community Plan Chapter 5. Occasional policy changes may be required in other sections of the plan to ensure internal consistency for the entire document and to correct or update outdated information.

VISION FOR MLCP UPDATE

The current draft Moss Landing Community Plan (Update) is being prepared to provide a comprehensive planning framework to improve and enhance the coastal community while conserving natural resources and providing public access and public recreational opportunities. As stated in the Coastal Act discussion above, conserving natural resources, public access and public recreational uses are identified as priorities under the Coastal Act. It is also the County's priority to ensure better project design consistent with coastal priorities, streamline processes, provide clear direction through policy and regulations, and improve access and use of available resources.

The Update is also provided partly to reflect substantial changes in the community since 1982 when the current Community Plan was adopted. The community has seen a dramatic increase in marine research facilities, increased commercial development, the closure of the old National Refractories operations, and substantial changes in the power plant operations. Recent studies and investigations have demonstrated the potential effects of climate change on the community and the harbor.

As with the current plan, this draft plan update will provide policies supplemental to those found in the other chapters of the North County LUP. The policies found in the North County LUP contain overarching and specific policies that will be applicable to all development proposals in Moss Landing, in addition to the supplemental policies found in the draft Community Plan Chapter 5. The North County LUP policies require that resource protection, public access, and adequate public services are provided to the community and are considered as part of any proposed development.

The intent of Community Plan Chapter 5 is to protect the community character, prevent resource damage, update land use designations to reflect changes in land use, and to allow some land use flexibility for unknown future needs while still being aligned with the vision for how the community will grow and that reflects the community's priorities and values. In this effort, staff and the community have identified appropriate locations, density, and intensity for existing and proposed land uses.

The steps taken in drafting the plan are described in the next section. Consensus has not been achieved with the community on each policy drafted. As each section is provided to the Planning Commission for discussions, staff attempts to identify the differing opinions related to each policy.

MLCP PROCESS & VISION DEVELOPMENT

2009 Board-Directed Committee

In July 2008, the Board of Supervisors formed a Committee made up of community members and stakeholders of Moss Landing to develop a vision for future development in Moss Landing and, by doing so, provide recommendations on the Plan Update consistent with their vision. The Committee and staff worked extensively for over a year to develop a set of recommendations for

the Moss Landing Community Plan Update (**Attachment D**). The Committee established two subcommittees: Land Use and Infrastructure. The Committee came to consensus that, overall, development be allowed consistent with the 1982 plan, and suggested retaining goals, updating policies, ideas and references, and provide clarification where needed.

The work of the Committee was presented at a public meeting in December 2008 to allow members of the community an opportunity to participate in the Community Plan Update process and include their input to the vision of the Community. The public meeting resulted in a community vision that allowed development to occur at the intensity allowed by the 1982 Plan, a level they called the Moderate Growth Scenario. The Community provided a number of comments, found on page 3 of **Attachment D**).

The Committee provided a detailed list of recommendations to the Board of Supervisors to be addressed in the MLCP that would assist in achieving their vision for the future development of the Moss Landing Community. The recommendations are summarized as follows, with full text found in **Attachment D** “2009 Board Committee Recommendations”:

1. Changes to the Land Use Map (pages 4-6)
2. Text Changes for Land Use (pages 6-9)
3. Create Design Guidelines (page 9)
4. Evaluate methods to encourage safe agricultural applications near the residential neighborhood (pages 9 and 10)
5. Repair and maintain the sewer system and expand sewer allocation system by 75% (pages 10-12)
6. Require Moss Landing Business Park be responsible for providing improvements necessary to accommodate the business park connecting to the existing sewer system (pages 10-13)
7. Move away from sewer allocation system (pages 10-13)
8. Develop an approach to phasing development based on groundwater overdraft (page 13)
9. Develop methods to provide and conserve water for use and to protect water quality (pages 13 and 14)
10. Provide better pedestrian and bicycle circulation and amenities within and outside the community while avoiding environmentally sensitive habitat (pages 14 and 15)
11. Provide access to beach for people with disabilities (pages 14 and 15)
12. Plan for and implement transportation planning consistent with a Corridor System Management Plan (pages 15 and 16)
13. Provide multiple viable modes of transportation (pages 15 and 16)
14. Connect all parts of the community with safe circulation methods (pages 14 to 16)
15. Install street lights that protect the night sky but add safety (page 16)
16. Expand Urban Services Line to include the Heavy Industrial areas east of Highway 1 (pages 16 and 17)
17. Incorporate provisions for wireless communications facilities (page 17)

The current update seeks to preserve the basic tenets of the 1982 plan, include allowing development within the Moss Landing community while protecting natural resources. Staff agrees with the key direction provided by the 2009 Board-directed Committee: a moderate growth scenario, with recognition of how the community’s land uses have evolved since

certification of the 1982 plan. The Committee also studied specific requests for projects and long-term plans of property owners and made recommendations on land use designation changes to better recognize these desires. See recommendations numbered 1-5, 8, and 12 for those specific land use designation changes.

The recommendations from the 2009 Committee preserve the resource protection and public access policies found in the North County Land Use Plan and have been incorporated into draft policies that were presented to the Community.

Additional Community Meeting Vision Suggestions

Community Meetings have occurred over the past several years, with different drafts of the Moss Landing Community Plan. The latest set of meetings, held between 2017 and 2019, have focused on updating the latest draft plan released for public review in August 2017 (**Attachment C**). This version has also been provided to the Planning Commission for review as part of the Planning Commission Workshop discussions. As a result of recent discussions with the Community and agencies that have attended community meetings, additional recommendations have been made to include policies that address the following desires of the community:

- Utility Undergrounding in existing residential neighborhoods
- Pedestrian Connections (Moss Landing Road and across Highway 1)
- Community Park near downtown
- Protect the harbor in place against climate change impacts, including sea level rise
- Restrictions to Water Infrastructure
- Protection of Migratory Birds
- Prohibition of new points of access to Highway 1

Additional Staff Vision Suggestions

As a result of discussions with the Community and agencies that have attended community meetings, additional recommendations have been made to include policies that address the following topics:

- Allow development within Moss Landing without capacity limitations resulting from regional traffic volumes
- Allow potable water system for on-site use
- Specify details of “moderate growth” scenario for Moss Landing Business Park site
- Address climate change/sea level rise
- Regulating new noise-inducing land uses

CURRENT MLCP VISION

Ten years after the recommendations provided by the 2009 Committee, and supported by staff, there is now a more diverse focus for the community as vacant properties have been developed and changes to land uses have occurred. The current recommended policy changes will allow a focus on oceanographic research and education, in addition to providing the ability to preserve

the commercial fishing industry and visitor-serving and recreational uses so vital to the community. Public access opportunities are being updated to reflect several existing beach access locations. Commercial changes are also being recognized, such as updating the number of visitor serving units allowed in the community.

The following discussion describes some of the more substantial changes being recommended in the MLCP Update as related to specific land use designations and significant resources:

Light Industrial

The Monterey County Coastal Zone only includes three areas for Light Industrial land use designation/ zoning district. One of the areas, along Dolan Road, has substantial development on the site. The area close to Marina is anticipated to be developed as part of an expansion of the City, as explained below. For the light industrial area within Moss Landing, staff has taken the approach of allowing specificity to reflect the educational and research vision within the area included in the Community Plan Update, while maintaining the commercial fishing industry opportunities (see figures below). Light Industrial areas within the Moss Landing community are the Island neighborhood and a small area south of the Island neighborhood that was envisioned to support a harbor expansion south of Sandholdt Bridge.

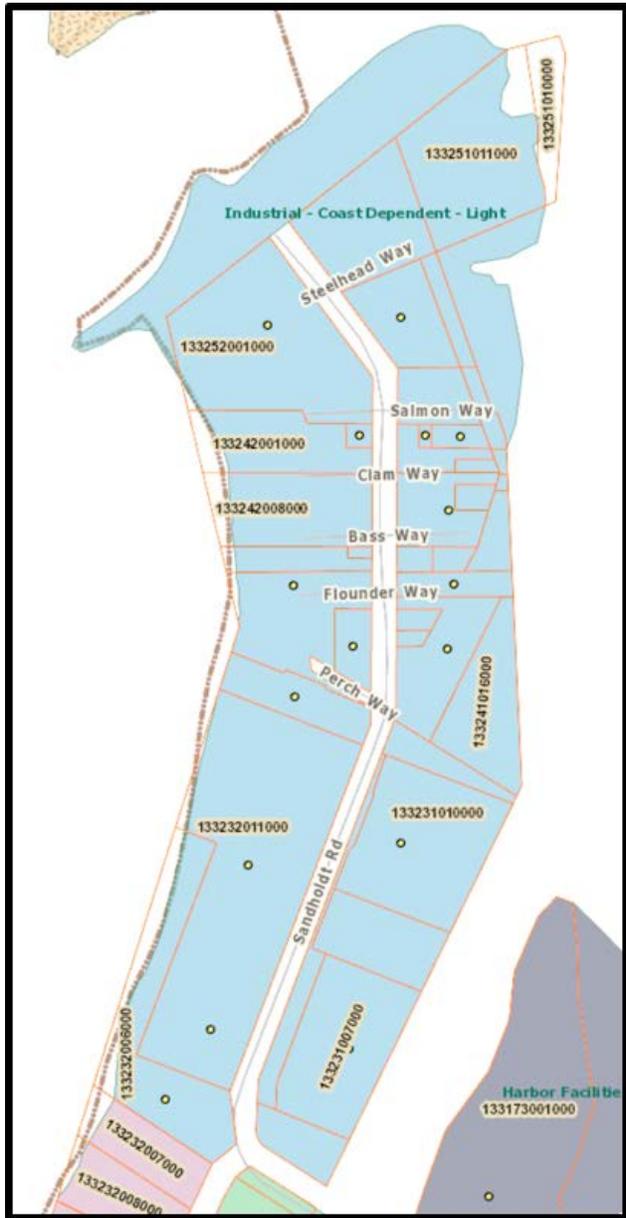


Figure 1- Light Industrial (Island Neighborhood)

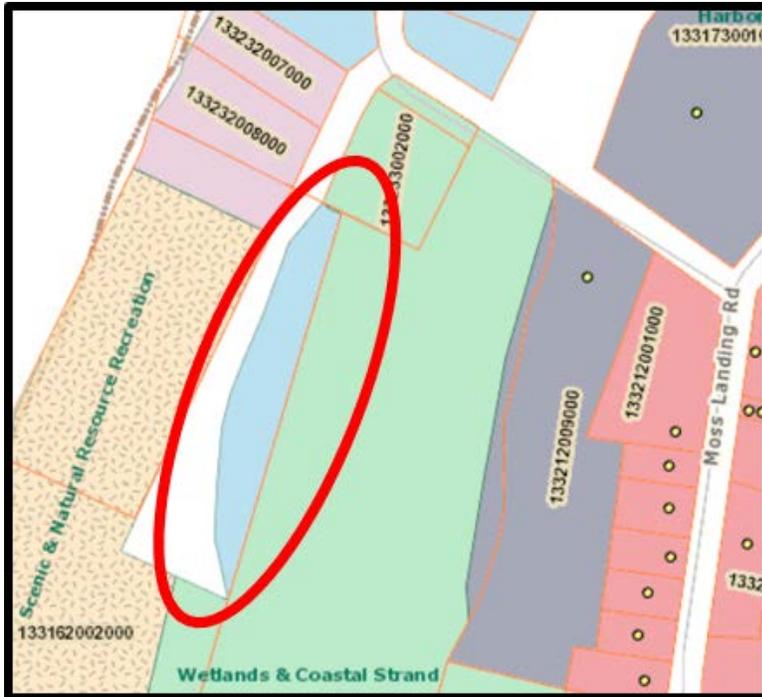


Figure 2 - Light Industrial (South of Sandholdt Rd)

Staff is recommending changing the designation to Wetlands and Coastal Strand for the small area south of the Island neighborhood as harbor expansion is no longer possible, or planned by the Harbor District, for this area.

Staff is recommending conversion of the Light Industrial designation found on the Island area to Waterfront Industrial, a new land use classification that would better define the unique character of the Island area. A new zoning ordinance section would be

developed as part of the accompanying Coastal Implementation Plan to describe the allowed uses and regulations applicable to a new Waterfront Industrial zoning district. The regulations are expected to specifically allow uses identified in the Land Use Plan, including commercial fishing, harbor uses, industrial uses, public access, recreation, and marine research. These changes would result in the elimination of a Light Industrial district within the Moss Landing community. An alternative would be to revise the list of land uses allowed within the Light Industrial zoning district; however, that could have unintended consequences for the two other Light Industrial areas near Marina and east of the Moss Landing Community.

One of the two light industrial areas outside of the Moss Landing Community Plan area is just north of the City of Marina and is designated as a Special Treatment Area in the North County LUP. This area is described in North County LUP section 4.1.5 as “a potential industrial expansion area for the city.” The property is within the City of Marina Sphere of Influence. As described in the Municipal Service Review document prepared by the Local Agency Formation Commission of Monterey County regarding the City of Marina in 2011, “[a] Sphere of Influence is the probable extent of the City’s boundary and service area. The Sphere is an important tool used by LAFCO to encourage the orderly formation and growth of local government agencies, preserve open space and agricultural lands, discourage urban sprawl, and encourage the efficient provision of services.” It is expected that this site would develop under the jurisdiction of the City of Marina including a process to annex the site to the City. If property owners apply for development without annexation to the City, the application would be subject to all County policies, including Policy 4.3.6.F.5:

“The Light Industrial Area north of the City of Marina is designated as a Special Treatment Area in order to encourage planned development of agricultural-related or coastal dependent industries. Development proposals for this area should emphasize protection of the site’s

vernal ponds and adjacent agricultural lands, and should be designed and landscaped to be aesthetically pleasing to travelers on Highway One.”

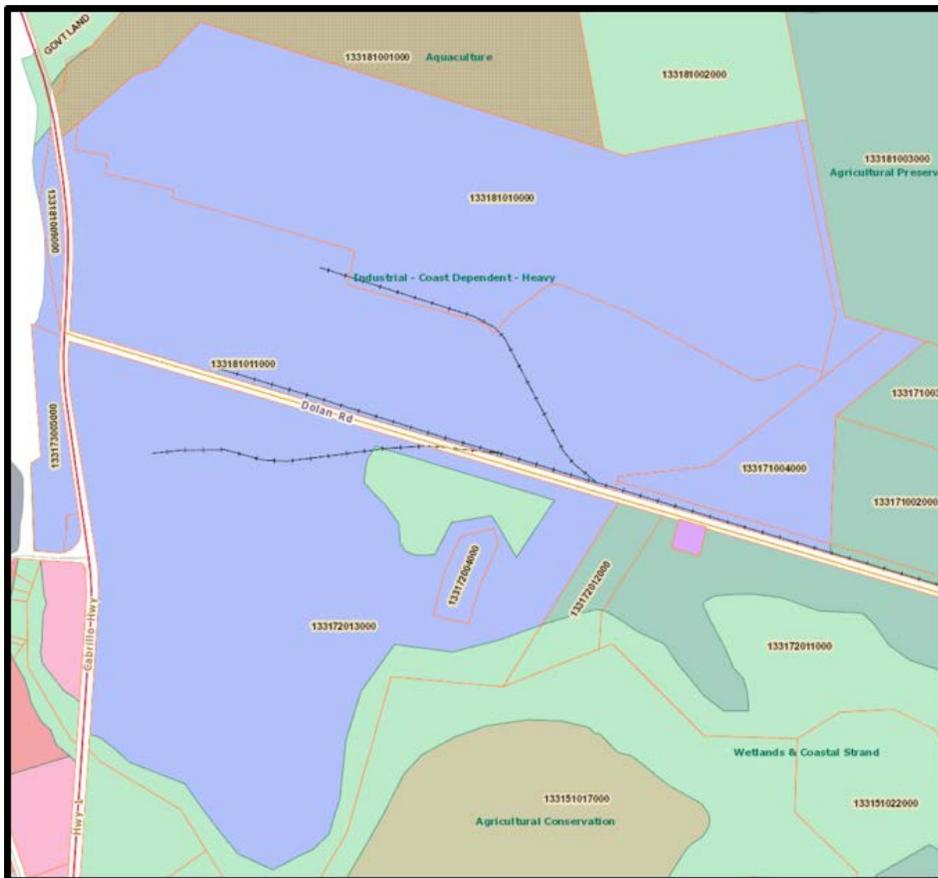
One other industrial area is just east of the Moss Landing Community Plan area, the Dolan Industrial Park, and is also designated as a Special Treatment Area. The North County LUP, in section 4.3.2, describes these Light Industrial Special Treatment Areas:

“Special Treatment Areas are designated for the Dolan property and the Armstrong Ranch. Agriculture-related or coast-dependent industries are recommended for these light industrial special treatment areas. In the case of the Dolan property, this designation is not intended to prohibit the wrecking yards from continued operation. Renewal of use permits for these operations will be based on the merits of the specific proposal and feasible mitigation measures to offset any adverse impacts of continued operation.”

Heavy Industrial

The Monterey County Coastal Zone only includes two areas with the Heavy Industrial land use designation/zoning district: 1) the areas within the Moss Landing Community Plan area that were utilized by the Power Plant operations and the former National Refractories site and 2) a parcel east of the Moss Landing Community Plan area near the Southern Pacific main line (see figures below).

Figure 3 Heavy Industrial Land Use Areas



This eastern parcel includes a large area of PG&E transmission lines and historically included oil tanks used to provide fuel for the power plant. Those oil tanks were removed, as the power plant no longer utilizes oil to generate power. No applications have been submitted post tank removal to utilize this site for industrial uses.

The 1982 plan did not anticipate the significant changes caused by closing the National Refractory site. Its subsequent clean up and conversion to a business park require a different look at one of the properties within the Community Plan area that could significantly expand land uses and associated potential impacts. The current regulations for the site would allow up to approximately 12 million square feet of floor area (assuming maximizing the approximately 4 million square feet of coverage allowed and three story buildings). See the discussion below, under Wastewater, as to the recommended limitation for two million square feet of development at the Moss Landing Business Park site. Expansion of this recommended limitation on square footage at the Business Park would also have effects on water use and traffic.

Staff is recommending that the Heavy Industrial land use designation/zoning district remain the same but with an updated list of allowed heavy industrial uses. The 1982 plan did not anticipate the changes at the Power Plant utilizing new technologies that utilize natural gas instead of oil, make obsolete the large structures utilized in the past, and the utilization of the site for battery storage. In recent years, the state has required that PG&E provide a greater percentage of renewable energy as part of their power generation infrastructure.

In addition, preservation of the harbor infrastructure in the face of climate change impacts and changes in economic conditions is considered important to preserve not only the economic viability of the community, but as a California Coastal Act priority.

Wastewater

A sewer allocation plan, adopted due to limitations of capacity at a former wastewater treatment plant in Castroville, constrained land uses within the community. A regional treatment plant in Marina, which has sufficient capacity to allow buildout of the Moss Landing community, now processes wastewater. Staff had a technical study prepared in 2018 to analyze the capacity of the sewer system within the community; the study determined that the sewer system would have additional capacity for buildout of the Moss Landing Community Plan. The Committee recommended the allocation would need to be 182,000 gpd to accommodate full buildout based on presentations made to the Committee. The technical study, and confirmation from the Castroville Community Services District (service provider) as well as Monterey One Water (treatment plant operator), determined that the Community can utilize up to 309,000 gpd with the current wastewater system without upgrading sewer lines or pump stations. Buildout of all vacant or underutilized parcels can be accommodated with the system's capacity limitations, with the possible exception of development of the Heavy Industrial sites, as explained below.

The Heavy Industrial designated properties within the Community are not currently served by a sewer system. The property owner for the Moss Landing Business Park, when meeting with the Committee, estimated that they would need 25,000 gallons per day of sewer system capacity. The 2009 Committee recommended that the Moss Landing Business Park site connect to the sewer system. Based on flexibility in the future land uses that could occur on the site pursuant to

the Special Treatment Area and the Heavy Industrial designation, staff has identified that 25,000 gpd would translate to approximately 1,400,000 square feet of habitable space. In the last year or so, the property owner for Moss Landing Business Park has requested increased development potential for the site beyond that calculated based on 25,000 gpd of wastewater generation.

Staff is recommending a limitation of 2 million square feet of floor area or 36,000 gpd of wastewater, whichever is more restrictive, to ensure that the site does not utilize sewer capacity at the expense of other property owners within the Community's 309,000 gpd capacity. No credit is given for existing square footage, as no sewer is currently serving the site. (See **Attachment D**, recommendations 11, 12, 16, 17, and 18 related to the Moss Landing Business Park.)

The owners of the Power Plant site, as well as the 2009 Committee, have not identified a need to connect to the sewer system based on low employment levels historically, and expected, on the property. The site is proposed to be included in an Urban Services Line boundary so that, if the need arises, sewer service could be considered for the properties.

Water

The North County Local Coastal Program contains limitations on development in the North County Coastal Zone based on groundwater overdraft. Section 20.144.140.B.3.a limits residential development to 2,043 new lots or units created after certification of the 1982 LUP. That numerical limit has not been exceeded and is not proposed to be modified as part of this Community Plan Update. In addition to this very specific residential cap limit, policies and regulations discuss the issue of groundwater overdraft in North County and whether buildout should be approved in light of significant overdraft. Those limitations may prohibit full buildout of the Community Plan, with a policy and regulatory analysis, including the amount counted against the residential cap, determined as each application for development is processed.

For the last several years, the Coastal Commission has been appealing all county-approved residential subdivisions in the North County Coastal Zone and generally does not allow new residential subdivisions in the area. Their position on whether non-residential development that increases water use can proceed is not clear. Under the Update currently recommended by staff, total buildout for the Community Plan would utilize approximately 108 acre-feet per year of additional groundwater or alternative water sources (technical study is currently being updated).

Traffic

The Moss Landing community is bisected by Highway One, with heavy industrial and resource protection lands generally on the east side of the Highway, and commercial, residential, visitor serving, and public land use found west of the Highway, including the harbor. Highway One is a significant regional corridor and is limited to two lanes between Castroville to the south and Salinas Road to the north. This two-lane section results in significant traffic congestion during peak periods, including through the Moss Landing Community. While the certified 1982 North County LUP has policies that suggest widening Highway One to four lanes (policies 3.1.1 and 3.1.2.1), Coastal Commission staff has recently informed County staff that they would no longer support that widening. No current plans exist, or funding identified, to widen Highway One in this area. The result is that congestion is likely to remain in the Moss Landing Community

through the life of the draft Community Plan Update.

With that constraint from regional traffic issues, the plan envisions finding ways to make ingress and egress between the community and Highway One safer. In addition, the plan seeks increased pedestrian and bicycle access across the highway and increased service to the community from public transit agencies. The Community Plan does not place constraints on development specifically related to the traffic congestion caused by the regional traffic on the highway. Direct highway vehicular access would be prohibited through draft policies.

Increased pedestrian connections are desired within the community and also to the east side of Highway One to safely connect the community with the rest of the county. Currently, northbound bus service is accessed only by crossing the highway. The Monterey Bay Marine Sanctuary Scenic Trail is planned through the Community. Construction of certain portions of that trail will be underway in Summer 2020, with design currently proceeding from Elkhorn Slough to Moss Landing Road. The draft Plan includes potential alignments of the trail through the community or along Highway One.

YEAR 2070 MLCP VISION

Based on the recommendations from the 2009 Committee as well as recent discussions with the Community, stakeholders, staff from many agencies, and recommendations from County staff, the following is the expected view of the community in year 2070 (50-year outlook):

- Community is well developed with pedestrian and bicycle paths providing full connectivity within the community and to regional trails. This includes a safe pedestrian connection across Highway One.
- Strong presence of marine research and education facilities, commercial fishing and harbor operations, and coastal dependent and/or related recreational uses
- Construction to mitigate and/or avoid impacts from climate change which may include significant protection measures and/or “managed retreat” uses or areas.
- Downtown area is adequately serving visitors, travelers passing through the community while providing basic services to community residents.
- Regional infrastructure improvements allowing safe access to and from Highway One
- Preservation of environmentally sensitive habitat areas and its associated biological and recreation interests
- Adequate access to public transit
- Maintain the envisioned coastal community character

While planning is not typically projected out on a fifty-year horizon, staff projected that the community would be built out under the current draft plan during this timeframe. There are significant unknowns during this timeframe include: climate change and its related effects, the possible relocation of Highway One (though not currently planned), alternative solutions to groundwater overdraft, changes in economic conditions, and unforeseen development pressures.

SPECIFIC MOSS LANDING COMMUNITY PROJECTS UNDER CONSIDERATION

Specific plans have been proposed by the Monterey Bay Aquarium Research Institute (MBARI), Gregg Drilling, and Moss Landing Marine Laboratories (MLML). Anticipated projects also include a County Street and Drainage Improvements Project. Each of these planning concepts will have to undergo project-level review and are not intended to represent the only possible way to realize the concepts and provisions set forth in the plans. Each is intended to allow the County flexibility to adjust the site plans and building design efforts to respond to ideas that may arise through more detailed design efforts and changing needs and conditions. Each of these projects is described briefly below.

The applications for Coastal Development Permits for each of these projects can proceed under the 1982 North County LUP; they do not require amendments to the existing Local Coastal Program. Each of the currently proposed projects by Moss Landing Marine Lab (MLML—California State University), Monterey Bay Aquarium Research Institute (MBARI), and Gregg Drilling are allowed, subject to obtaining proper permits, under the 1982 Land Use Plan.

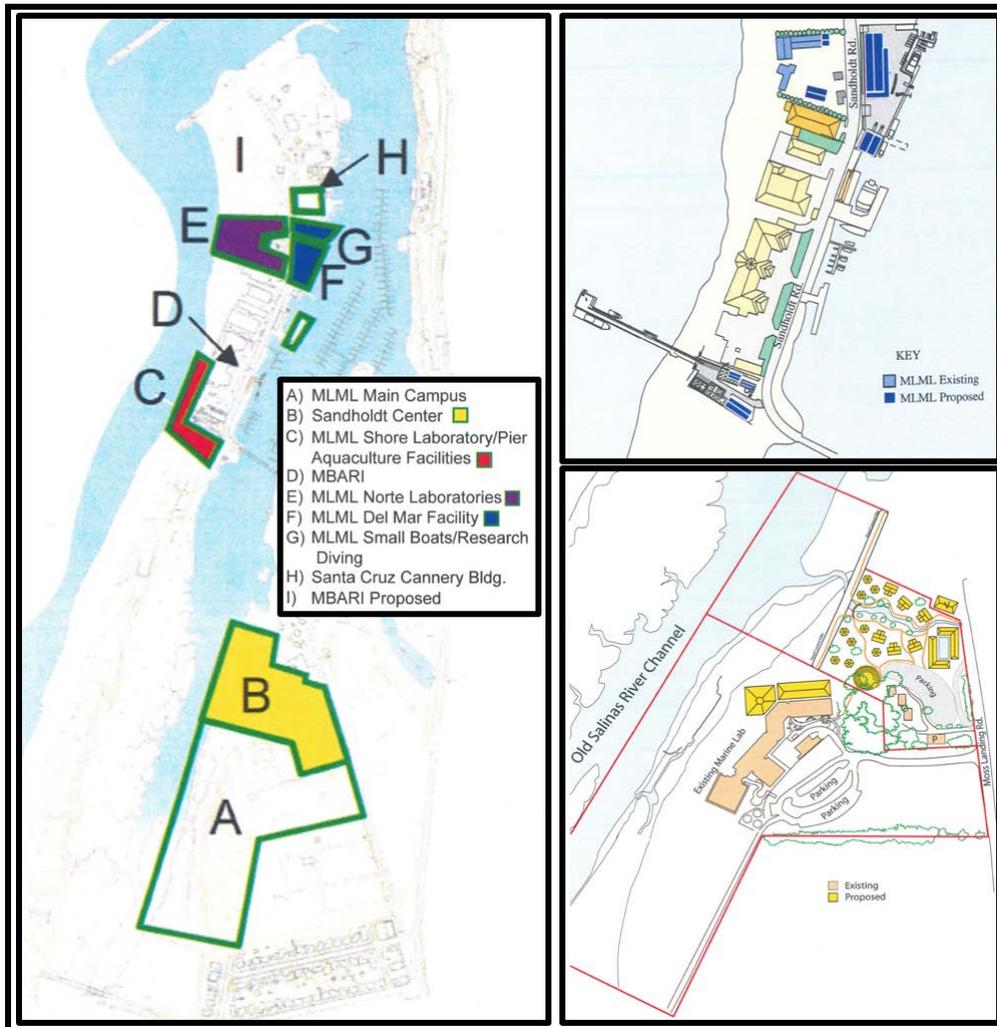
The proposed land use designations for these sites would also allow flexibility under each proposed land use designation in case the property is sold to others with a different plan for the property, with some limitations for the Moss Landing Marine Laboratories properties in the Village Center neighborhood owned by the state. Staff is recommending that the Educational-Scientific land use designation be applied to the State University properties proposed to be developed by the State in this neighborhood.

Important note: For each of the applications discussed below, the analysis to issue coastal development permits would include a policy consistency review (North County Land Use Plan, including Moss Landing supplemental policies) and conformance with County Code requirements, including the North County Coastal Implementation Plan. This staff report section addresses whether the project would be allowed pursuant to the land use designation and the zoning district regulations. The projects listed below generally fit in with the Community vision articulated by the 2009 Committee and subsequent discussions with the community. The following discussion is not based on an in-depth analysis of policy consistency or all applicable county regulations.

Moss Landing Marine Laboratories

Moss Landing Marine Laboratories is the laboratory venue for several California State University campuses (see below figure).

Figure 4 - MLML Campus



The second oldest marine lab on the Monterey Bay, MLML is the only graduate program in Marine Science in the California State University and serves as the gateway to the Monterey Bay National Marine Sanctuary for Staff, Faculty and Students of the CSU, affiliated researchers and the public.

MLML operates the largest fleet of research vessels in central California

including the R/V Point Sur, a 500 ton, 135-foot regional class research vessel, owned by the National Science Foundation. Over the last 40 years, MLML has acquired several properties in support of these activities and programs and proposes a comprehensive plan that will incorporate all the needs of the institution and more formally develop the uses and facilities at each one of these properties. In addition, MLML recognizes the opportunity to functionally and programmatically address and demonstrate issues of sustainability in the coastal zone.

A master plan request has been submitted that provides for the following proposed new campus facilities:

- Adjacent to the existing Main Laboratory, a 60-bed complex for the housing of graduate students during the academic year and SOS Center participants during the summer, will serve several needs: 1) rental income to help support program, 2) needed housing for

visiting scientists, students and visitors attending SOS Center workshops, and 3) test/training pool to accommodate the scientific diving program and to test equipment. (Academic Village)

- Located on the east (Harbor) side of Sandholdt Road:
 - Add berthing for the NSF Regional Class Research Vessel, now being planned to replace the R/V Point Sur as well as other state or federal vessels. Extensive demolition and remodeling of the existing facilities and reconstruction of the docks/seawall, would be required together with the construction of a new combined Marine Operations building. The resultant integrated facility would have 350 feet of dock space, a two story 26,000 square foot building that would provide work, warehouse and shop space in support of marine operations, mobilization and demobilization of scientific expeditions, caretaker quarters, office and meeting space for both MLML marine operations staff and MLML Small Boats and Diving staff. It would include compressor, fill station, storage banks, nitrox system, and dive lockers and showers to support approximately 30 to 40 marine lab divers.
 - The Integrated Sustainable Fisheries building would require about 10,000 square feet (two stories) for vessel offloading, fish pumps, scales, conveyors, forklifts, bins and de-watering equipment, ice machine and a HGT machine with packaging, and a public viewing area. Large truck access to both facilities is necessary. Port-side vessel support also requires the use of forklifts and cranes. Small boat docks are proposed for a minimum of four 30 to 60-foot vessels, three 20-foot whalers, and three inflatables. It also includes a launch ramp for small vessels (i.e., less than 35 feet).
- Remodel of an existing deck into enclosed office space (600 square feet) and installation of a steel building (2,000 square feet) would provide accommodations for the MLML Marine Operations group. This project seeks to consolidate the functionality of the Marine Operations group through the development of facilities for their accommodation now and throughout the construction of the new facilities. (Shore Laboratories, North Complex)
- Another project seeks to regain much of the shoreside/pier research and culturing functionality lost to the labs following the 1989 Loma Prieta Earthquake. The site's proposed uses include aquaculture, husbandry, holding, research, and education and provide public and scientist access to the nearshore environment via a pier. The proposal includes 7,400 square feet of buildings, 8,520 square feet of concrete slabs, 20-foot wide roadway, and a 500-foot pier. (Shore Laboratories, South Complex)

Current land use designations and zoning districts for the properties to be developed in the Village Center neighborhood for this Master Plan are Commercial, Low Density Residential, and Medium Density Residential for the areas proposed for development. Areas closer to the Old Salinas River channel are designated Resource Conservation. Pursuant to Monterey County Code sections 20.12.050.D (MDR) and 20.14.050.B (LDR), *Public and quasi-public uses including churches, cemeteries, parks, playgrounds, schools, public safety facilities, public utility facilities, but not including uses of a non-residential nature such as jails, rehabilitation centers, detention facilities, or corporation yards*, and Monterey County Code section 20.20.060.M (Commercial), *Public and quasi-public uses including churches, parks, playgrounds, schools, public safety*

facilities, public utility facilities, jails, rehabilitation centers and detention facilities, the proposed uses can be approved under the 1982 Plan upon obtaining coastal development permits.

The current land use designation for the property to be developed in the Island neighborhood for this Master Plan is Light Industrial; current zoning districts are Light Industrial and Resource Conservation. Areas closer to/within the harbor are designated Resource Conservation. Pursuant to Monterey County Code sections 20.26.060.X, *Public and quasi-public uses including churches, parks, playgrounds, public safety facilities, public utility facilities, jails, rehabilitation centers and detention facilities*, the proposed uses can be approved under the 1982 Plan upon obtaining coastal development permits.

Monterey Bay Aquarium Research Institute

The Monterey Bay Aquarium Research Institute (MBARI) properties provide office, laboratory, and vessel space for research projects conducted by the Institute. MBARI's principal research objective is to address ocean issues of global and societal relevance using Monterey Bay as a test bed. (see below figures)

Figure 5 - MBARI Master Plan Phases 1 and 2

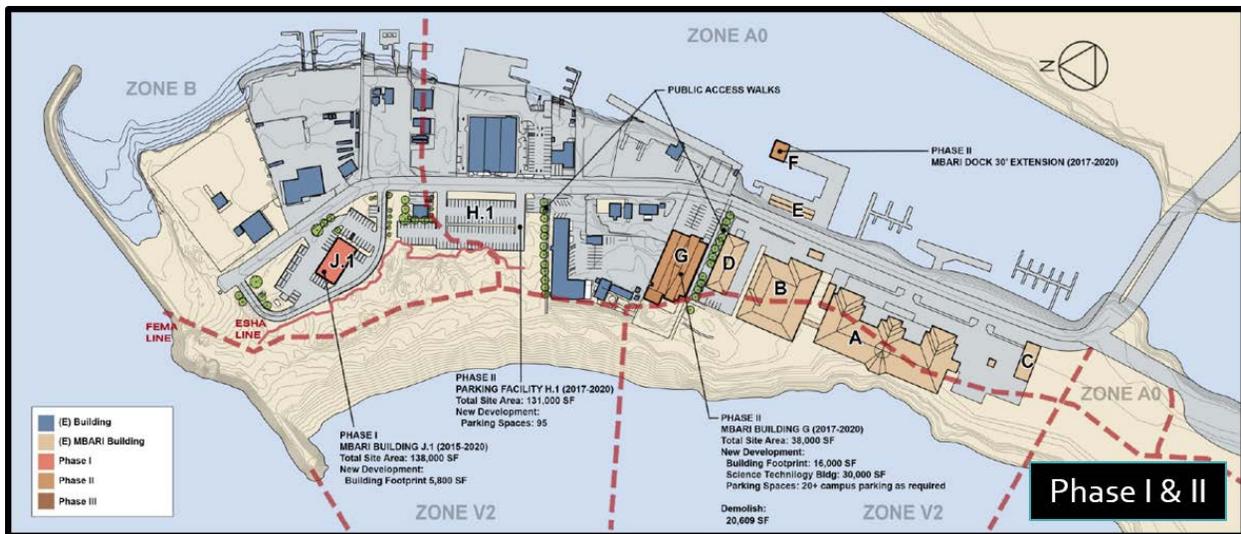
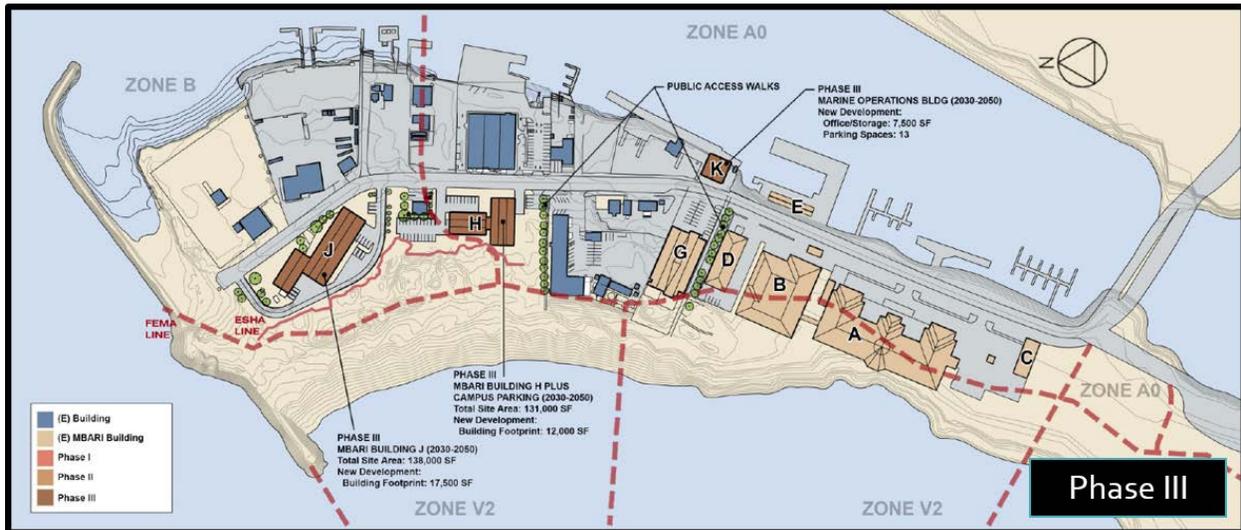


Figure 6 – MBARI Master Plan Phase 3



To enable this research MBARI scientists and engineers develop platforms, sensors, and related systems in its engineering laboratories and manufacturing facility. MBARI’s research scientists then use these new systems deployed off its dedicated research vessels operating out of Moss Landing Harbor.

A master plan request has been submitted that provides future facilities to expand their research capabilities. The MBARI General Development Plan calls for 76,791 square feet of net new structures, including a 900 square-foot dock extension, and for the demolition of an existing 20,609 square-foot structure. MBARI has identified several short-term and long-term development projects in its proposed master plan. MBARI has proposed phased development of these facilities over a 35-year timeframe.

The current land use designation and zoning district for the properties to be developed for this Master Plan are Light Industrial. Pursuant to Monterey County Code section 20.26.060.Z, *Marine related research facilities including but not limited to laboratories, offices and other reasonable related uses*, the proposed uses can be approved under the 1982 Plan upon obtaining coastal development permits.

- 22,000 square-foot two-story building (or buildings) accommodating 25 employees for administration, remote drilling, data collection, and/or fabrication;
- Demolition of selected existing structures with about 5,500 square feet of floor area, and remodel of selected existing structures;
- Relocation of existing 5,000 square-foot restaurant from nearby property (currently Phil's Fish Market);
- Parking lot(s) to accommodate new, reorganized, and relocated uses;
- Site lighting and street frontage improvements (curb, gutter, and sidewalk); and
- New and upgraded utilities, including: sewer, water, drainage, natural gas, and commercial electricity.

The current land use designation for the property, located in the Island neighborhood for this Master Plan, is Light Industrial; current zoning districts are Light Industrial and Resource Conservation. Areas closer to/within the harbor are designated Resource Conservation. The proposed project does not fit precisely within any of the particular uses listed in the Light Industrial zoning district (sections 20.26.050 and 060). The list of industrial uses found in sections 20.26.050 and 20.26.060 cover a wide range of industrial uses. In addition, the property fronts on the harbor, allowing the construction of docks and piers pursuant to approval of the applicable land-based coastal development permits. Pursuant to Monterey County Code sections 20.26.060.KK, *Other industrial uses of a similar character, intensity and density as those listed in this Section determined by the Planning Commission to be consistent and compatible with the intent of this Chapter and the applicable land use plan*, the proposed uses can be approved under the 1982 Plan upon obtaining coastal development permits.

Other Anticipated Uses

In addition to the specific projects outlined above, the Moss Landing Business Park site (former National Refractories site) is limited in the 1982 plan to coastal dependent industrial uses. The current proposal is to allow more flexibility for the Business Park site as allowing only coastal dependent uses does not provide sufficient flexibility to adjust to economic fluctuations over time. The developed portion of the site does not border on the ocean or the harbor. Coastal Dependent use is defined as “development or land use which requires a site on or adjacent to the sea in order to be able to function at all.”

The requirement that the Business Park site, which is not adjacent to the coast, serve only coastal dependent uses does not reflect market demand for the site after the refractory operations ceased. The site is approximately 182 acres in size. While some of the property is not developable due to environmentally sensitive areas, much of the site can be developed. As stated above, the zoning would allow up to 12 million square feet of floor area using typical construction methods. As such, the potential development of just the Business Park site would be approximately 97% of all new commercial and industrial development that could occur within the Moss Landing

Community Plan. Due to infrastructure limitations, specifically related to wastewater capacity, water supply, and traffic, and in discussions with the landowner, staff is recommending that the site be limited to 2 million square feet of structural development. The property owner is requesting that the 2 million square feet be applicable to only habitable space. Staff has taken the position that the 2 million square foot limitation be applicable to all structures on the property as non-habitable space may also generate impacts to traffic, water and wastewater use, which are significant limiting factors at this time for Moss Landing.

To summarize, individual projects are not driving development of the draft Community Plan Update, but are certainly informing the discussions occurring as part of the Update. Each of the proposed applications can be approved under the existing 1982 North County LUP and its companion Coastal Implementation Plan, as described above. The new plan is being drafted to continue to allow those proposed uses to proceed as development applications. They will be considered on their own merits as part of coastal development permit processing to ensure consistency with all applicable policies and regulations.