

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. _____

Resolution of the Monterey
County Board of Supervisors
Adopting the 2010 Monterey
County General Plan

RECITALS

GENERAL

WHEREAS,

- A. Monterey County (“County”) is a political subdivision of the State of California, and is located on California’s central coast bounded by the Pacific Ocean to the west, Santa Cruz County to the north, San Benito, Fresno, and Kings Counties to the east, and San Luis Obispo County to the South.

- B. Pursuant to Government Code section 65300, each city and county must adopt “a comprehensive, long term general plan for the physical development of the county and city.” The County last comprehensively updated its general plan when, on September 30, 1982, the Board of Supervisors for the County (“Board”) adopted a comprehensive General Plan update (the “1982 General Plan”) of the 1968 General Plan. The 1982 General Plan contains countywide policies to address all aspects of future growth, development, and conservation within the County. Subsequent amendments to the 1982 General Plan enacted “Area Plans” for specific geographic areas of the County within the unincorporated inland area of the County, specifically, the Toro Area Plan (December 13, 1983), Carmel Valley Master Plan (July 31, 1984), Greater Monterey Peninsula Area Plan (December 17, 1984), North County Area Plan (July 2, 1985), Greater Salinas Area Plan (October 14, 1986), Central Salinas Valley Area Plan (November 24, 1987), South County Area Plan (December 15, 1987), and Cachagua Area Plan (November 29, 1988). In addition, the Castroville Community Plan (April 10, 2007) (“CCP”) was adopted for the unincorporated inland area as part of the North County Area Plan. Pursuant to the state Coastal Act (Public Resources Code section 30000 et seq.), for that portion of the County within the coastal zone delineated pursuant to Public Resources Code section 30103, the Board adopted the North County Coastal Land Use Plan (April 28, 1982), Del Monte Forest Land Use Plan (July 5, 1983), Carmel Area Land Use Plan (October 19, 1982), and Big Sur Coast Land Use Plan (November 5, 1985). These coastal Land Use Plans, together with Coastal Implementation Plans for each of these coastal areas, comprise the County’s Local Coastal Program (LCP) certified by the California Coastal Commission (those portions of the Castroville Community Plan within the coastal zone will require an amendment to the LCP).

- C. Pursuant to Government Code section 65358, the Board may amend all or part of the adopted general plan if deemed to be in the public interest. The 2010 Monterey County General Plan (“2010 Plan”), attached hereto as Exhibit A, is a comprehensive update of the 1982 General Plan and Area Plans for the inland unincorporated area of the County. The 2010 Plan is intended to comprehensively update the 1982 General Plan and the Area Plans for the inland unincorporated area of the County, except for the Housing Element and the Castroville Community Plan.
- D. Throughout the development and environmental review of the 2010 Plan, the terms “General Plan Update 5 (GPU5),” “2007 General Plan,” “2008 General Plan,” “2010 draft Monterey County General Plan,” “2010 Monterey County General Plan,” and “2010 General Plan” have been used to refer to the plan under review. All of these terms describe the General Plan update that is the subject of this resolution.

BACKGROUND

WHEREAS,

- E. The 2010 Plan is the culmination of more than a decade of effort to prepare a comprehensive update of the 1982 General Plan, which effort is summarized below.
- F. In November of 1999, the Board directed County staff (“Staff”) to undertake preparation of a new General Plan to comprehensively update the adopted 1982 General Plan. In accordance with the Board’s direction, Staff prepared a first draft entitled “21st Century Monterey County General Plan” (“2001 Draft GPU”). On or about December 18, 2001, the County published and circulated the 2001 Draft GPU. A Draft Environmental Impact Report (“DEIR”), dated March 27, 2002 (“2002 DEIR”) was published and circulated for public review and comment between April 1 and May 28, 2002.
- G. Between April 17 and August 26, 2002, the Planning Commission held multiple duly noticed hearings to consider the 2001 Draft GPU. Having considered the draft, all of the testimony and comments, and the 2002 DEIR, the Planning Commission formulated recommendations on the 2001 Draft GPU and forwarded its recommendations to the Board.
- H. Between July 15 and November 26, 2002, the Board held multiple duly noticed public hearings on the 2001 Draft GPU. Having considered the 2002 DEIR and 2001 Draft GPU, the Board received and considered public testimony, and considered the Planning Commission recommendations. The Board directed Staff to revise the 2001 Draft GPU in accordance with various recommendations.
- I. In April of 2003, Staff provided a revised general plan update in accordance with the direction of the Board, entitled “Preliminary Discussion Draft of the 21st Century Monterey County General Plan,” also referred to as “GPU 2”. The Board considered GPU 2 at a series of public workshops between May and October of 2003. On October 7

and October 28, 2003, the Board and Planning Commission held joint workshops to provide further direction to Staff.

- J. On November 4, 2003, after duly noticed public hearings before the Planning Commission and the Board, the Board adopted Housing Element 2002-2008, which updated the Housing Element of the 1982 General Plan for the 2002-2008 planning cycle. In January of 2004, the state Department of Housing and Community Development certified the 2002-2008 Housing Element.
- K. On or about January 21, 2004, a “Public Review Draft” of the 21st Century Monterey County General Plan, or “GPU 3”, was published and circulated for public review. A DEIR for GPU 3 (“2004 DEIR”) was published on or about February 17, 2004 and circulated for public review between February 17 and April 2, 2004. The Planning Commission held a series of duly noticed public hearings on GPU 3 between March 3 and April 28, 2004. On April 28, 2004, having considered GPU 3, the 2004 DEIR, and all of the comments and testimony received, the Planning Commission recommended that the Board make certain changes to GPU 3 and further recommended that, subject to making those changes and certifying a Final Environmental Impact Report (“FEIR”) for GPU 3, the Board adopt GPU 3 with modifications. On May 18, 2004, however, the Board rejected the recommendation, did not adopt GPU3, and directed Staff to return with options and a modified approach to updating the General Plan.
- L. At a series of meetings beginning May 25, 2004, and continuing through November 9, 2004, the Board gave direction to Staff on an approach to for updating the General Plan and preparing a revised DEIR.
- M. On February 23, March 31, April 1, April 19, May 5, May 19, May 24, June 20, July 7, and July 21, 2005, the Board conducted public workshops and study sessions. The purpose of these workshops and study sessions was to review major policy issues and provide tentative direction to Staff as to how to address those issues in a new General Plan update. The 2005 workshops were followed by additional workshops on September 19, October 31, November 14, November 28, December 12, and December 13, 2005, and January 6, and February 14, 2006, during which the Board reviewed draft language presented by Staff in response to policy direction.
- N. A Tribal Consultation List Request was faxed to the Native American Heritage Commission in Sacramento, California on February 15, 2006. The County received a list of all California Native American Tribes within the project area (Monterey County) on March 7, 2006. The draft 2006 General Plan (GPU4) was forwarded, with offer for consultation, to the California American Native Tribes on March 30, 2006. Staff initiated consultation with interested California Native American Tribes in April 2006, and attended meetings with the Ohlone/Costanoan-Esselen Nation (“OCEN”) on April 20, 2006 and July 10, 2006. A letter was received from the Amah Mutsun Tribal Band on September 14, 2006 regarding the Agricultural and Winery Corridor Plan (AWCP). All requests were considered as part of the Planning Commission’s review.

- O. An initial draft of a new General Plan (“2006 General Plan” or “GPU4”) was released to the public on or about March 21, 2006. A corrected draft was issued on or about August 1, 2006. The 2006 General Plan provided a framework for future growth in the unincorporated inland areas of the County through the year 2030. It was an update of the 1982 General Plan, inland Area Plans, and the Carmel Valley Master and Fort Ord Master Plans. The 2006 General Plan also included an Agricultural and Winery Corridor Plan. The 2006 General Plan did not amend the 2002-2008 Housing Element. The 2006 General Plan also did not apply in the coastal zone and did not amend the County’s coastal Land Use Plans.
- P. On or about March 21, 2006, the 2006 General Plan was referred for review and comment to federal agencies (including the military), State agencies, regional agencies, local agencies (including cities and counties, local districts, schools, water agencies), and other special districts and agencies.
- Q. The 2006 General Plan was also forwarded, with offer for consultation, to neighboring counties on March 29, 2006, and incorporated cities on March 30, 2006. As part of the consultation, County staff conducted a general meeting for all 12 cities within Monterey County on April 18, 2006. Upon request, County staff also attended Planning Commission and/or City Council meetings at the cities of: Salinas (August 15, 2006), Marina (September 12, 2006), Monterey (September 26, 2006), Seaside (November 2, 2006), and Gonzales (November 6, 2006) to address their specific issues.
- R. In 2006, the Monterey County Airport Land Use Commission (“ALUC”) received reports on the 2006 General Plan. A few areas of concern were identified and addressed in the plan.
- S. On or about August 18, 2006, a DEIR for the 2006 General Plan was published and distributed to the State Clearinghouse as well as responsible and trustee agencies for a 49-day comment period, ending on October 6, 2006.
- T. The Planning Commission held duly noticed public hearings on the 2006 General Plan on July 19, August 16, August 23, August 30, September 13, September 14, September 20, September 27, September 28, October 4, October 5, October 11, October 12, October 18, October 19, October 24, and October 25, 2006. On October 25, 2006, having considered the 2006 General Plan, the DEIR for the 2006 General Plan, and all the comments and testimony, the Planning Commission adopted its recommendation on the 2006 General Plan. The Planning Commission recommended certain modifications to mitigation measures proposed in the DEIR and certain modifications to the draft 2006 General Plan, and further recommended that the Board of Supervisors adopt the 2006 General Plan with the recommended modifications, subject to completion and Board certification of the FEIR. A Final Environmental Impact Report for the 2006 General Plan was issued on December 20, 2006, and errata to that FEIR were issued prior to its consideration by the Board.

- U. On January 3, 2007, the Board certified the FEIR for, and adopted the 2006 General Plan (Resolution Nos. 07-006 and 07-007, respectively). At the same time, the Board made adoption of the 2006 General Plan subject to voter repeal at the June 2007 election.
- V. During the County's preparation of the 2006 General Plan, a citizens' group had circulated and gathered signatures on an initiative measure to amend the 1982 General Plan and North County Land Use Plan. Sufficient signatures were gathered, and, pursuant to the California Elections Code, on January 16, 2007, the Board called for the question of whether or not to repeal the 2006 General Plan adopted by the Board, and whether or not to adopt the citizen-circulated general plan initiative, to be presented to the electors of the County also on the June 5, 2007, ballot. Additionally, following the Board's adoption of the 2006 General Plan, a referendum petition concerning that action circulated and qualified for the ballot. Pursuant to the California Elections Code, the Board ordered the referendum question to also be submitted to the voters at the June 5, 2007, election. Accordingly, the June 5, 2007, election ballot presented three competing general plan measures to County voters: Measure A, asking whether the citizen-circulated general plan initiative entitled "Amendment of the Monterey County General Plan, Including the North County Land Use Plan" should be adopted; Measure B, asking whether the 2006 County General Plan enacted by the Board of Supervisors on January 3, 2007, should be repealed; and Measure C, asking whether the 2006 County General Plan enacted by the Board of Supervisors on January 3, 2007, should be approved. The election ended in uncertainty with respect to the status of the 2006 General Plan. Measure C was defeated, clearly indicating that the voters did not want to adopt the general plan initiative; however, both Measures A and B also received a majority of "no" votes, showing that the majority of the voters did not want to repeal or adopt the Board-approved 2006 General Plan.
- W. As a result of the uncertainty created by the June 5, 2007, election the Board directed Staff to develop modifications to the 2006 General Plan. On July 17, 2007, the Board of Supervisors provided parameters to the Planning Commission to use the 2006 General Plan as a template for proposing possible amendments. On July 18, 2007, the Chairman of the Planning Commission appointed an ad hoc committee, representing diverse community interests throughout the County, to develop recommendations for GPU5. This committee held multiple meetings that included technical input from County staff. On September 12, 2007, the full Planning Commission received the committee's report and voted 10-0 to forward recommendations to the Board of Supervisors. The Planning Commission also forwarded comment letters it had received from the public for the Board's consideration.
- X. On September 25, October 16, and November 6, 2007, the Board conducted duly noticed public hearings to provide direction to Staff regarding revisions to be incorporated into the 2006 General Plan.

PREPARATION OF
THE 2010 MONTEREY COUNTY GENERAL PLAN AND EIR

WHEREAS,

- Y. Based on the direction from the Board, staff prepared a new draft general plan that was released to the public on about December 21, 2007, entitled the “draft 2007 Monterey County General Plan” or “GPU5.” In September and December of 2008, Staff issued “errata” to GPU5 consisting of text and map corrections as well as revisions to correspond to state law requirements.
- Z. As lead agency under the California Environmental Quality Act (“CEQA”), the County issued a Notice of Preparation (“NOP”) of a DEIR for GPU 5. The NOP was submitted to the State Clearinghouse (State Clearinghouse No. 2007121001), all responsible and trustee agencies, and interested groups and individuals on December 3, 2007 for a 34-day review period ending on January 5, 2008. Availability of the NOP was advertised through certified, direct mailing to federal agencies (including the military), state agencies, regional agencies, local agencies (including cities and counties, local districts, school districts, water agencies), other special districts and agencies, as well as private groups and individuals requesting notification. The County also posted the NOP on its website and published it in the following local newspapers: the Monterey County Herald, Watsonville Register-Pajaronian, South County News, and Salinas Californian.
- AA. The County held an EIR scoping meeting on December 12, 2007 to provide information about the General Plan, the potential environmental impacts and the CEQA review process, as well as a schedule for General Plan adoption and implementation. Members of the public and other interested parties had the opportunity to ask questions and provide their input as to the scope and content of the environmental information to be addressed in the EIR.
- BB. On December 21, 2007, GPU5 was referred for review and comment to federal agencies (including the military), State agencies, regional agencies, local agencies (including cities and counties, local districts, schools, water agencies), and other special districts and agencies, and was forwarded, with offer for consultation, to neighboring counties and incorporated cities. As part of the consultation, Staff conducted a general meeting for all 12 cities within the County on January 31, 2008. Upon request, County staff also held separate meetings with individual city representatives.
- CC. Also on December 21, 2007, GPU5 was forwarded, with offer for consultation, to the California American Native Tribes. OCEN had attended the EIR Scoping meeting on December 12, 2007, but no requests for consultation were received within the 90-day consultation period.
- DD. The County published a DEIR for GPU 5 and distributed it to the State Clearinghouse as well as responsible and trustee agencies, citizen groups, and individuals for a public review period beginning on September 5, 2008. A Notice of Completion (“NOC”) and

Notice of Availability (“NOA”) of the DEIR were prepared, published, and distributed, as required by CEQA Guidelines Sections 15085 and 15087. Because DEIR Appendix C (traffic data) had been inadvertently omitted from the first publication of the DEIR, a new NOC and NOA were distributed, and the public comment period recommenced on September 13, 2008 and was scheduled to end on October 28, 2008. As a result of public concerns over the availability of reference documents and to correct minor typographical errors, the County issued an updated list of citations and references and other corrections to the Draft EIR on December 6, 2008 (“December 2008 errata”). The County issued a new NOC and NOA and began a second public review period on December 16, 2008, which ended on February 2, 2009. The DEIR with the December 2008 errata were submitted to the State Clearinghouse for circulation to state agencies for their review. Copies of the DEIR were available for public review during normal business hours at the County Planning Department in Salinas. Copies of the draft General Plan and DEIR were also available for review at libraries in Monterey County, in the County Permit Centers and on the County’s website. . The County distributed notices and documents based on a distribution list (“General Plan Distribution List”) that included 9 federal agencies, 13 state agencies, six regional agencies, 12 cities within Monterey County, five neighboring counties, 10 local water agencies, seven local Native American groups, 25 local districts, 16 fire districts, and 19 libraries within Monterey County. Notices and documents have also been posted locally with the County Clerk and on the County website as well as published in newspapers of general circulation, including the Salinas Californian, Watsonville Register-Pajaronian, South County News, and Monterey County Herald. The GPU5 DEIR proposed mitigation measures in the form generally of modifications to the text of, and new policies to be added to, GPU5.

- EE. The County received numerous letters commenting on the DEIR and GPU 5 during the public comment period ending on February 2, 2009, totaling almost 1,100 pages. Additionally, the County received a number of letters on the DEIR after the close of the public comment period prior to issuing the Final EIR.
- FF. On September 10, 2008, during the initial comment period on the DEIR, the Planning Commission held a workshop to receive a presentation from Staff on GPU 5, errata to the draft Plan, and mitigation measures proposed by the DEIR. Following the close of the public comment period on the DEIR, the Planning Commission held a duly noticed public hearing on February 11 and 25, 2009 to receive a staff report and receive public testimony. In response to comments received on the DEIR, the Planning Commission conducted workshops on May 27, June 10, July 8, and July 29, 2009 to consider draft General Plan policies and mitigation measures proposed by the DEIR, and possible revisions to policies and mitigation measures. Additionally, the Planning Commission regularly included an agenda item to discuss the schedule and hearing process for the draft General Plan.
- GG. On September 15, 2008, GPU5 was presented to the ALUC for review and consideration as part of the review process. While the language recommend by the ALUC in GPU4 remained unchanged in GPU5, GPU5 added an Affordable Housing Overlay program that specifically identifies 85-acres (only approximately 30 acres are unconstrained for

development) on the east side of Highway 68 at Olmstead for potential development of affordable housing at a density of up to 30 units/acre. Part of developing this site included review of the Comprehensive Land Use Plan (CLUP) for the Monterey Peninsula Airport. The ALUC addressed this matter and had no additional recommendations for GPU5.

- HH. In response to issues raised by comments on the DEIR and in the consultation with cities, and further guided by Planning Commission discussion at workshops and hearings, Staff refined the text of some of the mitigation measures and made other clarifications and corrections to the text and figures (graphics) of GPU5. On or about March 8, 2010, in conjunction with publication of the FEIR, Staff released to the public GPU5 as revised to incorporate the errata, corrections, revisions, and proposed mitigation measures, and updated the title to the “2010 draft Monterey County General Plan.”
- II. A Final EIR for GPU 5 (now entitled the “2010 draft Monterey County General Plan” or “2010 draft Plan”) was issued on March 21, 2010. The FEIR included the 2007 Monterey County General Plan Draft EIR, Volumes 1 and 2, dated September 2008; the December 2008 errata; all comment letters received on the DEIR during the public comment period and late letters received prior to release of the Final EIR in March 2010; a list of persons, organizations, and public agencies commenting on the Draft EIR; the County’s written responses to all significant environmental points raised in the comments; the DEIR; changes to the text of the DEIR made in response to comments; the March 8, 2010 draft Plan showing the incorporation of proposed mitigation measures as policy and other corrections and clarifications; updated references to include references cited in the FEIR; and technical supporting data (“Monterey County General Plan Final Environmental Impact Report, dated March 2010” or “March 2010 FEIR”). The County prepared and circulated an NOA for the March 2010 FEIR on March 21, 2010 to all commenters, any person who filed a written request, and the General Plan Distribution List. The March 2010 FEIR was made available for public review at the Monterey County RMA-Planning Department (Salinas and Marina offices); Steinbeck Library (City of Salinas); and County libraries and for purchase upon request, and the FEIR was posted on the County’s website. In addition, copies of the FEIR were sent to all cities within Monterey County as well as public agencies that had submitted comments on the DEIR, including but not limited to U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, California Coastal Commission, California Department of Toxic Substances Control, California Public Utilities Commission, CalTrans, Association of Monterey Bay Area Governments, Monterey Bay Unified Air Pollution Control District, Monterey Regional Waste Management District, the Transportation Agency of Monterey County, Monterey Local Agency Formation Commission, County of San Benito, Monterey County Cities (12), Pajaro Valley WMA, Monterey-Salinas Transit.
- JJ. Following publication of the FEIR, the Planning Commission conducted a workshop on the 2010 draft Plan and FEIR on March 31, 2010.

PUBLIC HEARINGS ON THE 2010 DRAFT PLAN AND FEIR

WHEREAS,

- KK. Subsequently, pursuant to Government Code section 65353, the Planning Commission held a duly noticed public hearing on the 2010 draft Plan and FEIR beginning on April 14, 2010 and continuing on April 28, 2010, May 12, 2010, May 26, 2010, June 9, 2010, June 30, 2010, July 14, 2010, July 21, 2010, July 28, 2010, and August 11, 2010. Notice of the April 14, 2010 hearing was published as 1/8-page display ads in the Salinas Californian and Monterey County Herald on March 20 and March 21, 2010 (respectively), at least 10 days prior to the hearing. Notice of the hearing was also provided on the County webpage for the General Plan. At the hearing on April 14 and at the hearing on each of the above dates listed until the close of the hearing on August 11, 2010, the Planning Commission continued the hearing to the following date certain. At each of the hearings, the Planning Commission considered the 2010 draft Plan and FEIR, discussed possible revisions to the draft Plan, and took public testimony.
- LL. The 2010 draft Plan presented to the Planning Commission included all revisions and modifications made since the initial release of the DEIR in December of 2007, including errata, responses to comments received from the public, revisions to mitigation measures and changes to text recommended in the DEIR, revisions recommended in the FEIR in response to comments received on the DEIR, and modifications made by the Planning Commission.
- MM. The Planning Commission reviewed and considered the Final EIR, including mitigation measures and alternatives identified therein. The mitigation measures identified in the EIR are generally set forth in the form of new policies to be incorporated into the General Plan or modifications to policies already in the General Plan. The 2010 draft General Plan before the Planning Commission included policies added by and/or modified by the feasible mitigation measures identified in the EIR.
- NN. On August 11, 2010, following the conclusion of the public hearing before the Planning Commission, the Commission recommended that the Board certify the FEIR and approve the 2010 draft Plan; however, after much public testimony and debate, and consideration of many options, the Commission was unable to reach a consensus with respect to a definition for “Long Term Sustainable Water Supply” and the criteria to be used in Policy PS-3.2 pertaining to that term, and recommended that the Board address these issues. The 2010 draft plan and the FEIR were accordingly transmitted to the Board for consideration.
- OO. The 2010 draft Plan presented to the Board included all revisions and modifications made since the initial release of the DEIR in December of 2007, including errata, responses to comments received from the public, revisions to mitigation measures and changes to text recommended in the DEIR, revisions recommended in the FEIR in response to comments received on the DEIR, and modifications recommended by the Planning Commission.

PP. Pursuant to Government Code section 65355, the Board commenced a public hearing on the 2010 draft Plan on August 31, 2010, and continued the public hearing to September 14, 21, and 28, and October 12 and 26, 2010, during which time the Board heard presentations on the 2010 draft Plan and FEIR, heard testimony from the public, and deliberated on the content of the 2010 draft Plan and FEIR. During this time the board determined language for the definition of “Long Term Sustainable Water Supply” and Policy PS-3.2, and made other modifications to the language of the policies in the 2010 draft Plan. Notice of the August 31, 2010 hearing was published as 1/8-page display ads in the Salinas Californian and Monterey County Herald on August 18, 2010, at least 10 days prior to the hearing. Notice of the hearing was also provided on the County webpage for the General Plan. At the hearing on August 31 and at the hearing on each of the above dates listed until the close of the hearing on October 26, 2010, the Board of Supervisors continued the hearing to the following date certain.

FINDINGS

- QQ. The Board has reviewed and considered the 2010 draft Plan and FEIR. The Final EIR, dated October 2010, consists of: the complete contents of the March 2010 Final EIR, as set forth above, and the “Revised Supplemental Materials to the Final EIR,” dated October 15, 2010. The mitigation measures identified in the EIR are generally set forth in the form of new policies to be incorporated into the General Plan or modifications to policies already in the General Plan. The 2010 draft General Plan before the Board includes all policies added by and/or modified by the feasible mitigation measures identified in the EIR. Additional mitigation measures are adopted through the Board’s adoption of the Mitigation Monitoring and Reporting Program.
- RR. GPU 5 has been revised, resulting in the 2010 Plan now before the Board. Many of the revisions are intended to clarify the text and make grammatical and other corrections without changing the substantive meaning of the original draft language. Other revisions are the result of policy discussion and deliberation and public input. All matters addressed in the 2010 Plan, including all revisions and additions made by the Board, and specifically the definition of “Long Term Sustainable Water Supply” and Policy PS-3.2, were reasonably considered by the Planning Commission, and the 2010 Plan need not be remanded to the Commission for further consideration.
- SS. The 2010 Plan will be a comprehensive, long-term plan for the physical development of the inland unincorporated area of the County of Monterey which seeks to and does balance the competing interests and needs of a diverse County.
- TT. The 2010 Plan contains development policies and diagrams and text setting forth objectives, principles, standards and plan proposals as required under the law.
- UU. All requirements of Government Code section 65302 et seq. have been satisfied in the 2010 Plan. The 2010 Plan contains the mandatory general plan information required under the law. State law requires seven elements, including: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety Elements. The 2010 Plan

combines some of the mandatory elements and includes the following required elements: Land Use, Circulation, Conservation and Open Space, Public Services, and Safety (includes Noise). The 2010 Plan also contains additional optional elements, area plans, master plans, and an Agricultural and Winery Corridor Plan, as described above. A matrix is included that summarizes where and how these requirements are met (*Exhibit GP-1*).

- VV. The 2009-2014 Housing Element was separately adopted by the Board on June 15, 2010, and the adoption of the 2010 Plan does not amend the 2009-2014 Housing Element. As found by the Planning Commission when it recommended adoption of the Housing Element, and as found by the Board when it adopted the Housing Element, the Housing Element is consistent with the 2010 Plan.
 - WW. The Board of Supervisors adopted the Castroville Community Plan (CCP) on April 10, 2007; action on the 2010 Plan does not amend the CCP and leaves the CCP in place and in effect.
 - YY. The County is not amending the County's certified Local Coastal Program through adoption of the 2010 Plan. Adoption of the 2010 Plan does not amend the governing plans in the coastal zone, which include the certified Local Coastal Program and the 1982 General Plan to the extent the LCP relies on the 1982 General Plan. This approach recognizes, in accordance with the California Coastal Act (Public Resources Code section 30000 et seq.), that the coastal zone is a distinct and valuable natural resource that requires unique planning considerations, has unique procedural requirements, and may require different standards and policies than may apply in the inland areas of the County.
 - ZZ. Based on all of the foregoing, the 2010 Monterey County General Plan, together with the 2009-2014 Housing Element and the CCP, comprises an integrated, internally consistent, and compatible statement of policies governing the inland unincorporated area of the County and satisfies all requirements of the law.
 - AAA. Prior to taking this action to adopt the 2010 Monterey County General Plan, the Board of Supervisors by separate resolution of even date herewith certified the Final EIR, adopted findings for each significant environmental effect of the project, adopted a Statement of Overriding Considerations, and adopted a Mitigation Monitoring and Reporting Program as required by CEQA.
- NOW, THEREFORE**, having independently reviewed and considered the FEIR for the 2010 Monterey County General Plan; having reviewed and considered the 2010 Monterey County General Plan and all evidence including all of the comments and testimony received; and having certified the FEIR and adopted appropriate findings, a statement of overriding consideration and a mitigation monitoring and reporting program, as required by CEQA,

BE IT RESOLVED, by the Board of Supervisors of Monterey County, as follows:

1. The foregoing recitals and findings are true and correct.
2. All requirements of Government Code section 65302 et seq. have been satisfied in the 2010 Plan (*Exhibit GP-1*).
3. The 2010 Monterey County General Plan, attached hereto as *Exhibit GP-2* and incorporated herein by reference, is hereby approved and adopted.

PASSED AND ADOPTED on this 26th day of October, 2010, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

I, Gail Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____, for the meeting on _____.

Dated:

Gail Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By: _____
, Deputy

EXHIBIT GP1 GOVERNMENT CODE COMPLIANCE

Government Code Section 65302

Category	Addressed In
Open Space (65302(e), 65560-65570)	
Open Space for the Preservation of Natural Resources	
<ul style="list-style-type: none"> • Plant and animal habitat areas • Rivers, streams, lakes and their banks • Areas required for ecological and other • Watershed lands 	Goal OS-5 Goal LU-7 Goal OS-5 Goal LU-7
Open Space for Production of Resources	
<ul style="list-style-type: none"> • Agricultural lands and rangelands • Forests and timberlands • Areas containing major mineral deposits 	Goal LU-3 Goal OS-5 Goal OS-2
Open Space for Outdoor Recreation	
<ul style="list-style-type: none"> • Areas of outstanding scenic, historic and cultural value • Areas suited for park and recreation purposes • Scenic highway corridors, trails, and links between different open space areas 	Goal OS-8 Goal PS-11 Goal OS-1.10 & Goal C-5
Open Space for Public Health and Safety	
<ul style="list-style-type: none"> • Areas which require special management or regulation because of hazardous or special conditions • Areas required for protection of water quality and water reservoirs and air quality 	Safety Element (Various) Goals LU-7, OS-10, PS-2 & PS-3
Open Space of Military Installations	
<ul style="list-style-type: none"> • Areas associated with military bases 	Introductions to Land Use and Open Space Elements.
Open Space for the Protection of Places	
<ul style="list-style-type: none"> • Local Native American tribal lands • Native American cultural sites • Native American remains • Native American artifacts 	Goal OS-8 Goal OS-8 Goal OS- 8 Goal OS-6

EXHIBIT GP1 GOVERNMENT CODE COMPLIANCE

Government Code Section 65302

Category	Addressed In
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Housing Element (65302 (c), 65580)
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The 2009-2014 Housing Element was adopted by the Board of Supervisors on June 15, 2010 and certified by the State Department of Housing and Community Development on August 18, 2010 and is not amended by the 2010 General Plan.

Land Use Element (65302(a))

Location and Distribution of Land Uses <ul style="list-style-type: none"> • Housing • Business • Industry • Open Space, Agricultural, Natural Resources, Recreation, Scenic Beauty, • Education • Public Buildings and Grounds • Solid and Liquid Waste Disposal • Public and Private Uses of Land 	Goal LU-2 Goal LU-4 Goal LU-5 Goal LU-3 / Goal LU-8 Goal PS-6 Goal LU-6 Goal PS-7 Goal LU-6
Conservation of Floodplains and Groundwater recharge.	Goal LU-7
Land Uses for Timber Production	Goal OS-5 Policy OS-5.7
Impact of new growth on Military Readiness	Goal LU-6 Policy LU-6.5

Circulation Element (65302 (b))

Transportation Routes	
<ul style="list-style-type: none"> • Road and Highway Transportation 	Goal C-3
Terminals	
<ul style="list-style-type: none"> • Train • Harbor • Railroad Station • Airports 	Goal C-8 Goal C-9 Goal C-8 Goal C-9
Local Public Utilities and Facilities	
<ul style="list-style-type: none"> • Public transportation • Public Services 	Goal C-6 Goal PS-13

EXHIBIT GP1 GOVERNMENT CODE COMPLIANCE

Government Code Section 65302

Category	Addressed In
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Conservation Element (65302 (d))

Conservation, Development and Utilization of Natural Resources	
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<ul style="list-style-type: none"> • Water conservation with flood management, water conservation, and groundwater agencies including consultation with all water districts with over 3,000 connections (65352.5) • Forest • Soils • Minerals • Other Natural Resources 	Goals PS-2 and PS-3 Goal OS-5 Goal OS-3 Goal OS-2 Conservation and Open Space Element (Various)
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Natural Resources Located on Public Lands	
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Identify rivers, creeks, streams, flood corridors, riparian habitats and land that may accommodate floodwater for purposes of groundwater recharge and storm water management.	Goal LU-7
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Conservation Elements <i>may</i> address the following: (optional)	
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<ul style="list-style-type: none"> • Reclamation of land and waters 	
<ul style="list-style-type: none"> • Prevention and control of the pollution of streams and other waters 	Goal PS-2
<ul style="list-style-type: none"> • Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan 	Goal/Policies OS-4 Policy OS-5.22
<ul style="list-style-type: none"> • Prevention control and correction of the erosion of soils, beaches, and shores 	Goal OS-4.7
<ul style="list-style-type: none"> • Protection of watersheds 	Goals OS-3.7 & OS-5.5
<ul style="list-style-type: none"> • The location, quantity and quality of the rock, sand, and gravel resources. 	Goal – OS-2

Noise Element 65302 (f)

1. Potential Noise Problems from:	
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<ul style="list-style-type: none"> • Highways and Freeways 	Figure 9d-9h & Figures 10d-10e
<ul style="list-style-type: none"> • Primary arterials and major local streets 	Main roadways in each area plan identified on each figure
<ul style="list-style-type: none"> • Passenger and Freight On-Line Railroad Operations and Ground Rapid Transit Systems 	Figure 9d-9h & Figure 10d-10e
<ul style="list-style-type: none"> • Local industrial plants 	Figure 9b & Figure 9c
<ul style="list-style-type: none"> • Other ground stationary noise sources 	Figure 9a – Figure 10e

EXHIBIT GP1 GOVERNMENT CODE COMPLIANCE

Government Code Section 65302

Category	Addressed In
2. Noise contours prepared for noise monitoring	Safety Element Introduction; paragraph #9
3. Establishment of patterns of land uses	S-7.1 – S-7.10 (policies)
4. Implementation measures	Figure 9d-9h & Figures 10d-10e
Safety Element 65302 (g)	
Seismic and other geologic hazards	
<ul style="list-style-type: none"> • Mapping of known seismic and other geologic hazards 	Figure 8a
<ul style="list-style-type: none"> • Evacuation routes 	Table S-1, Policies S-5.14, S-5.15, DEIR 4.13-7
<ul style="list-style-type: none"> • Peak load Water Supply Requirements 	Goal/Policies – PS-2 and PS-3
<ul style="list-style-type: none"> • Minimum road widths and clearances around structures 	Policies - S-1.1, S-4.18, S-4.22, S-5.9, S-5.12, S-5.13
Flood Hazards	
<ul style="list-style-type: none"> • Map of flood hazard zones 	Figure 8a
<ul style="list-style-type: none"> • National Flood Insurance Program maps published by FEMA 	Figure 8a
<ul style="list-style-type: none"> • Information about flood hazards that is available from the United States Army Corps of Engineers 	Figure 8a
<ul style="list-style-type: none"> • Dam failure inundation maps prepared pursuant to Section 8589.5 that are available from the Office of Emergency Services 	Figure 8d
<ul style="list-style-type: none"> • Awareness Floodplain Mapping Program maps and 200-year flood plain maps that are or may be available from, or accepted by, the Department of Water Resources 	Figure 8b
<ul style="list-style-type: none"> • Maps of levee protection zones 	Policy - S-3.8
<ul style="list-style-type: none"> • Areas subject to inundation in the event of the failure of project or non project levees or floodwalls 	Policy - S-3.8
<ul style="list-style-type: none"> • Historical data on flooding, including locally prepared maps of areas that are subject to flooding, areas that are vulnerable to flooding after wildfires, and sites that have been repeatedly damaged by flooding 	Figure S-2, with applicable GIS overlays and aerials
<ul style="list-style-type: none"> • Existing and planned development in flood hazard zones, including structures, roads, utilities, and essential public facilities 	Figure 8a, with applicable GIS overlays and aerials

EXHIBIT GP1

GOVERNMENT CODE COMPLIANCE

Government Code Section 65302

Category	Addressed In
<ul style="list-style-type: none"> Local, state, and federal agencies with responsibility for flood protection, including special districts and local offices of emergency services 	Policies - S-5.2, S-5.6
Comprehensive goals, policies and objectives for protection of community from unreasonable risks of flooding	
<ul style="list-style-type: none"> Minimize risk of flooding on new development 	Policy S-2.1
<ul style="list-style-type: none"> Evaluating whether new development should be located in flood prone areas 	Policies S-2.5, S-2.8
<ul style="list-style-type: none"> Maintain structural and operational integrity of essential public facilities 	Policy S-4.26
<ul style="list-style-type: none"> Locate new essential public facilities outside flood hazard zones. 	Policy S-5.13
<ul style="list-style-type: none"> Promote cooperative working relationships between public agencies 	Policy S-2.5
Consultation with California Geological Survey of the Department of conservation and the Office of Emergency services.	Consultation with OES (yes) Consultation with California Department of Conservation. -- Yes
Other Components	
Urban Water Plans 65302.2 <ul style="list-style-type: none"> Urban water management Plan a source document. 	No Urban Water Plans Submitted.
Consistency with airport land use plans 65302.3	Public hearing before ALUC for consistency review.
Land Use element may express community intentions 65302.4	Area and Community Plans are an expression of Community intentions.
Safety element: review	
(a) Review by California Geological Survey or the Department of Conservation. (45 days prior to adoption)	Sent to Department of Conservation as part of State Clearinghouse review. Comments received 2/2/2009.
(1) Review by State Board of Forestry and Fire Protection (90 days prior to adoptions)	Sent to Department of Forestry and Fire Prevention. Comments returned January 13, 2009.
(2) Review by State Board of Forestry and Fire Protection and every Fire District by December 14, 2014 unless already done.	Complete
Local Hazard Mitigation Plan (65302.6) <u>may</u> be adopted with Safety Element. Shall include: <ol style="list-style-type: none"> Initial earthquake performance evaluation of public facilities. Inventory of private facilities that are 	Not required, but Policy 5.1 has been added committing the County to participate in preparation of emergency plans such as a multi-jurisdictional Local Hazard Mitigation Plan and Community Wildfire Protection Plans..

EXHIBIT GP1

GOVERNMENT CODE COMPLIANCE

Government Code Section 65302

Category	Addressed In
<p>potentially hazardous</p> <p>3. Plan to reduce the potential risk from private and governmental facilities.</p>	
<p>Optional Elements (65303) - Addressing needs of the County.</p>	<p>Optional elements include Agriculture and Economic Development Elements, Area and Master Plans, and the Agricultural and Winery Corridor Plan.</p>

EXHIBIT D

Policy Amendments as directed by BOS

The Board has provided staff direction for the following changes (underline text indicates proposed new language, ~~strikeout~~ text indicates language to be deleted) made to the August 11, 2010 Planning Commission recommendation:

1. Add Policy C-3.6 (Proof of Access)

C-3.6 The County shall establish regulations for new development that would intensify use of a private road or access easement. Proof of access shall be required as part of any development application when the proposed use is not identified in the provisions of the applicable agreement.

2. Amend Table PS-1 per staff recommendation (solid waste pick up)

<i>Major Land Groups</i>	<i>Maximum Emergency Response Time for Fire, Sheriff, and Ambulance</i>	<i>Road Intersection Level of Service, Improvements</i>	<i>Water</i>	<i>Sanitation</i>	<i>Solid Waste</i>	<i>Park Schools⁶</i>	<i>Stormwater and drainage</i>
Rural Standards							
Public Lands	45 min. ¹	LOS D	Individual Wells Permitted in Areas with Proven Long Term Water Supply ^{2,5}	Septic on Lots 1 acre or greater ²	<u>On-site Garbage and Recycling Pick Up</u> Property Owner Responsible	N/A	No Net Increase in harmful Run-off from parcel
Agriculture Lands	45 min. ¹	LOS D	Individual Wells Permitted in Areas with Proven Long Term Water Supply ^{2,5}	Septic on Lots 1 acre or greater ²	<u>On-site Garbage and Recycling Pick Up</u> Property Owner Responsible	Consult with local school district	No Net Increase in harmful Run-off from parcel
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3. Amend Policy PS-2.2 (clarification)

PS-2.2 The County of Monterey shall assure adequate monitoring of wells in those areas experiencing rapid growth provided adequate funding mechanisms for monitoring are established in the CIFP.

4. Amend Policy PS-2.5 (clarification)

PS-2.5 Regulations shall be considered~~developed~~ for water quality testing for new individual domestic wells on a single lot of record to identify:

EXHIBIT D

Policy Amendments as directed by BOS

- a. Water quality testing parameters for a one-time required water quality test for individual wells at the time of well construction.
- b. A process that allows the required one-time water quality test results to be available to future owners of the well.

Regulations pursuant to this policy shall not establish criteria that will prevent the use of the well in the development of the property. Agricultural wells shall be exempt from the regulation.

5. Amend Policy PS-2.5 (add constraint)

- PS-2.6 A Hydrologic Resources Constraints and Hazards Database shall be developed and maintained in the County Geographic Information System (GIS). The GIS shall be used to identify areas containing hazards and constraints (see *Policy S-1.2*) that could potentially impact the type or level of development allowed in these areas (*Policy OS-3.5*). Maps maintained as part of the GIS will include:
- a. Impaired water bodies on the State Water Resources Control Board 303d (Clean Water Act) list.
 - b. Important Groundwater Recharge Areas
 - c. 100-year Flood Hazards
 - d. Hard rock areas with constrained groundwater
 - e. Areas unsuitable to accommodate an on-site wastewater treatment system
 - f. Contaminated groundwater plumes and contaminated soil and groundwater sites.
 - g. Saltwater intrusion

6. Amend Policy PS-3.1 and Policy PS-3.2

- PS-3.1 Except as specifically set forth below, No new development for which a discretionary permit is required, and that will use or require the use of water, shall be approved prohibited without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity, and an Adequate Water Supply System to serve the development.

This policy requirement shall not apply to:

- a. the first single family dwelling and non-habitable accessory uses on an existing lot of record; or
- b. specified development (a list to be developed by ordinance) designed to provide: a) public infrastructure or b) private infrastructure that provides critical or necessary services to the public, and that will have a minor or insubstantial net use of water (e.g. water facilities, wastewater treatment facilities, road construction projects, recycling or solid waste transfer facilities); or
- c. development related to agricultural land uses within Zone 2C of the Salinas Valley groundwater basin, provided the County prepare a report to the Board of Supervisors every five (5) years for Zone 2C examining the degree to which:
 - 1) total water demand for all uses predicted in the General Plan EIR for the year 2030 will be reached;
 - 2) groundwater elevations and the seawater intrusion boundary have changed since the prior reporting period; and
 - 3) other sources of water supply are available.

EXHIBIT D

Policy Amendments as directed by BOS

If, following the periodic report, the Board finds, based upon substantial evidence in the record, that:

- the total water demand for all uses in Zone 2C in 2030 as predicted in the General Plan EIR is likely to be exceeded; or
- it is reasonably foreseeable that the total water demand for all uses in Zone 2C in 2030 would result in one or more of the following in Zone 2C in 2030: declining groundwater elevations, further seawater intrusion, increased substantial adverse impacts on aquatic species, or interference with existing wells,

then the County shall initiate a General Plan amendment process to consider removing this agricultural exception in Zone 2C. Development under this exception shall be subject to all other policies of the General Plan and applicable Area Plan; or

- d. development in Zone 2C for which the decision maker makes a finding, supported by substantial evidence in the record, that: a) the development is in a Community Area or Rural Center and is otherwise consistent with the policies applicable thereto; b) the relevant groundwater basin has sufficient fresh water in storage to meet all projected demand in the basin for a period of 75 years; and, c) the benefits of the proposed development clearly outweigh any adverse impact to the groundwater basin.

PS-3.2

Specific criteria for proof of a Long Term Sustainable Water Supply and an Adequate Water Supply System for new development requiring a discretionary permit, including but not limited to residential or commercial subdivisions, shall be developed by ordinance with the advice of the General Manager of the Water Resources Agency and the Director of the Environmental Health Bureau. A determination of a Long Term Sustainable Water Supply shall ~~not be based on hauled water.~~ be made upon the advice of the General Manager of the Water Resources Agency. The following factors shall be used in developing the criteria for proof of a long term sustainable water supply and an adequate water supply system:

- Water quality;
- Authorized production capacity of a facility operating pursuant to a permit from a regulatory agency, production capability, and any adverse effect on the economic extraction of water or other effect on wells in the immediate vicinity, including recovery rates;
- Technical, managerial, and financial capability of the water purveyor or water system operator;
- The source of the water supply and the nature of the right(s) to water from the source;
- Cumulative impacts of existing and projected future demand for water from the source, and the ability to reverse trends contributing to an overdraft condition or otherwise affecting supply; and
- Effects of additional extraction or diversion of water on the environment including on in-stream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species.

EXHIBIT D

Policy Amendments as directed by BOS

g. Completion and operation of new projects, or implementation of best practices, to renew or sustain aquifer or basin functions.
The hauling of water shall not be a factor nor a criterion for the proof of a long term sustainable water supply.

7. Amend Policy PS-3.4 (Ag Wells)

PS-3.4 The County shall require ~~that pump tests or hydrogeologic studies be conducted~~ an assessment of impacts on adjacent wells and in-stream flows for new high-capacity wells, including high-capacity urban and agricultural production wells, where there may be a potential to affect existing adjacent domestic or water system wells adversely or in-stream flows, as determined by the Monterey County Water Resources Agency. In the case of new high-capacity wells for which ~~pump tests or an assessment hydrogeologic studies~~ shows the potential for significant adverse well interference, the County shall require that the proposed well site be relocated or otherwise mitigated to avoid significant ~~well~~ interference. Specific criteria shall be developed by ordinance for use in the evaluation and approval of adequacy of all such high-capacity wells, including but not limited to:

- Effect on wells in the immediate vicinity as required by the Monterey County Water Resources Agency or Environmental Health Bureau.
- Effects on in-stream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead, for the purpose of minimizing impacts to those resources and species.

This policy is not intended to apply to replacement wells.

8. Split Policy PS-4.12 and create Policy PS-4.13 (staff recommendation)

PS-4.12 The County Health Department, Environmental Health Bureau, shall develop On-site Wastewater Management Plans (OWMP) for areas with high concentrations of development that are served primarily by individual sewage systems such as El Toro, Prunedale, Carmel Highlands, and Carmel Valley.

PS-4.13 Wastewater treatment and disposal for community areas and rural centers shall be through the consolidation of services into Regional or Sub-regional facilities. Subdivisions shall be required to consolidate wastewater collection and treatment and disposal systems, connecting to existing systems where feasible. The County shall not allow the use of package plants when connection to a regional facility is feasible.

9. Amend Policy PS-6.4 (clarification)

PS-6.4 To protect the public from potential health hazards from landfills, the County ~~may~~ shall adopt an ordinance or development standards for land use development within 1,000 feet of an open or closed solid waste facility.

10. Amend AG-2.6 (Add "organic farming")

AG-2.6 Development of agricultural research facilities and activities shall be encouraged and supported. Continuing innovation in areas such as plant breeding, cultural practices, post-harvest handling, organic farming, and biotechnology is vital to maintain a competitive agricultural industry.

11. Amend Policy CV-1.1 (Rural Design)

EXHIBIT D

Policy Amendments as directed by BOS

CV-1.1

~~Policies relative to the Carmel Valley Area are intended to retain a rural character.~~ All policies, ordinances, and decisions regarding Carmel Valley shall be consistent with the goal of preserving Carmel Valley's rural character. In order to preserve the rural character of Carmel Valley, development shall follow a rural architectural theme with design review.

12. Amend Policy CV-1.6 (Reduce Cap)

CV-1.6

New residential subdivision in Carmel Valley shall be limited to creation of 266200 new units as follows:

- a. There shall be preference to projects including at least 50% affordable housing units.
- b. Lots developed with affordable housing under the Inclusionary Housing Ordinance or an Affordable Housing Overlay (*Policy LU-2.12*) may have more than one unit per lot. Each unit counts as part of the total unit cap.
- c. Existing lots with five (5) acres or more may have the first single family dwelling plus one auxiliary unit. Units added on qualifying existing lots shall not count as part of the total unit cap. New auxiliary units shall be prohibited on lots with less than five (5) acres, except that this provision shall not apply to projects that have already been approved, environmental review for auxiliary units has already been conducted, and in which traffic mitigation fees have been paid for such auxiliary units prior to adoption of this Carmel Valley Master Plan.
- d. New lots shall be limited to the first single family dwelling. Auxiliary units shall be prohibited.
- e. Of the 266200 new units, 24 are reserved for consideration of the Delfino property (30 acres consisting of APN: 187-521-014-000, 187-521-015-000, 187-512-016-000, 187-512-017-000, 187-512-018-000, and 187-502-001-000) in Carmel Valley Village (former Carmel Valley Airport site) to enable subdivision of the property into 18 single family residential lots and one lot dedicated for six affordable/inclusionary units, provided the design of the subdivision includes at least 14 acres available for community open space use subject to also being used for subdivision related water, wastewater, and other infrastructure facilities.
- f. New units or lots shall be debited from the unit count when an entitlement is granted or a building permit is issued, whichever occurs first.

The County shall develop a tracking system and shall present an annual report of units remaining before the Planning Commission.

13. Amend Policy CV-1.15.d (Clarification)

CV-1.15

Visitor accommodation uses shall follow the following guidelines:

- a. Expansion of existing hotels, motels, and lodges should be favored over the development of new projects.
- b. Visitor accommodation projects must be designed so that they respect the privacy and rural residential character of adjoining properties.
- c. Bed and breakfast facilities shall be counted as visitor accommodation units and be limited to a maximum of five (5) units clustered on five (5) acres in accord with Monterey County Code *Chapter 15.20*, unless served by public sewers.
- d. All further development of visitor accommodations in the area west of Via Mallorca and north of Carmel River shall be limited to moderately-sized

EXHIBIT D

Policy Amendments as directed by BOS
facilities, not to exceed **a total of** 175 units.

- e. There shall be a maximum of 110 additional visitor accommodation units approved east of Via Mallorca, including units at Carmel Valley Ranch.
- f. As a provision for lower cost housing and a contribution toward lessening traffic in the valley, large-scale visitor-serving development requiring employees should comply with the provisions of the Inclusionary Housing Ordinance.

14. Amend Policy CV-1.27 (Clarification)

CV-1.27 Special Treatment Area: Rancho Canada Village – **Approximately Up to** 40 acres **consisting of within** properties located generally between Val Verde Drive and the Rancho Canada Golf Course **clubhouse**, from the Carmel River to Carmel Valley Road, excluding portions of properties in floodplain shall be designated as a Special Treatment Area. Residential development may be allowed with a density of up to 10 units/acre in this area and shall provide a minimum of 50% Affordable/Workforce Housing. Prior to beginning new residential development (excluding the first unit on an existing lot of record), projects must address environmental resource constraints (e.g.; water, traffic, flooding). (APN: 015-162-017-000, 015-162-025-000, 015-162-026-000, 015-162-039-000 and 015-162-040-000, **015-167-033-000, 015-167-035-000, 015-167-036-000, 015-167-037-000, 015-167-038-000, 015-021-005-000**)

15. Add Policy CV-1.28 (CVMP Amendments)

CV-1.28 Updates to the Master Plan shall include a public forum with the local citizen advisory committee to provide recommendations that reflect a comprehensive cross-section of local attitudes toward the future of the valley as a living environment.

16. Add Policy CV-2.17.d and edit reference (5 Year monitor report)

CV-2.17 To implement traffic standards to provide adequate streets and highways in Carmel Valley, the County shall conduct and implement the following:

- a) Twice yearly monitoring by Public Works (in June and October) of peak hour traffic **volumes and daily traffic volumes** at the six (6) locations in the following list noted in bold type:

Carmel Valley Road

1. East of Holman Road
2. Holman Road to Esquiline Road
3. **Esquiline Road to Ford Road**
4. **Ford Road to Laureles Grade**
5. **Laureles Grade to Robinson Canyon Road**
6. **Robinson Canyon Road to Schulte Road**
7. **Schulte Road to Rancho San Carlos Road**
8. Rancho San Carlos Road to Rio Road
9. Rio Road to Carmel Rancho Boulevard
10. Carmel Rancho Boulevard to SR1

Other Locations

11. Carmel Rancho Boulevard between Carmel Valley Road and Rio Road
12. **Rio Road between its eastern terminus at Val Verde Drive and SR1**

EXHIBIT D

Policy Amendments as directed by BOS

Monitoring may be reestablished on other segments when traffic studies indicate that they are approaching 80% of existing thresholds.

- b) A yearly evaluation report shall be prepared jointly by the Department of Public Works in December to evaluate the peak-hour level of service (LOS) for the six (6) monitoring locations and determine if any of those segments are approaching a peak hour traffic volume that would lower levels of service below the LOS standards established below under *Policy CV 2-187(de)*. The report will summarize peak hour data and Percent Time Following (PTSF) analysis in an Average Daily Trips (ADT) format.
- c) Public hearings shall be held in January immediately following the December report when only 10 or less peak hour trips remain before an unacceptable level of service (as defined by *Policy CV 2-187(de)*) would be reached for any of the 6 segments described above.
- d) At five year intervals, the County shall examine the degree to which estimates of changes in Levels of Service (“LOS”) in the Carmel Valley Master Plan Area may be occurring earlier than predicted in the General Plan Environmental Impact Report. If the examination indicates that LOS are likely to fall to a lower letter grade than predicted for 2030, then the County shall consider adjustments to the cap on new residential units established in (CV-1.6) and/or the cap on new visitor serving units established in (CV-1.15) or other measures that may reduce the impacts.
- e) The traffic LOS standards (measured by peak hour conditions) for the CVMP Area shall be as follows:
 - 1) Signalized Intersections – LOS of “C” is the acceptable condition.
 - 2) Unsignalized Intersections – LOS of “F” or meeting of any traffic signal warrant are defined as unacceptable conditions.
 - 3) Carmel Valley Road Segment Operations:
 - a) LOS of “C” for Segments 1, 2, 8, 9, and 10 is an acceptable condition;
 - b) LOS of “D” for Segments 3, 4, 5, 6, and 7 is an acceptable condition.

During review of development applications that require a discretionary permit, if traffic analysis of the proposed project indicates that the project would result in traffic conditions that would exceed the standards described above in *Policy CV 2-187(de)*, after the analysis takes into consideration the Carmel Valley Traffic Improvement Program to be funded by the Carmel Valley Road Traffic Mitigation Fee, then approval of the project shall be conditioned on the prior (e.g., prior to project-generated traffic) construction of additional roadway improvements or an Environmental Impact Report shall be prepared for the project. Such additional roadway improvements must be sufficient, when combined with the projects programmed in the Carmel Valley Traffic Improvement Program, to allow County to find that the affected roadway segments or intersections would meet the acceptable standard upon completion of the programmed plus additional improvements.

This policy does not apply to the first single family residence on a legal lot of record.

17. *Add Policy CV-2.19 (Rio Road Official Plan Line)*

CV-2.19 The County shall consider and action to abandon the Official Plan Line for the Rio Road Extension.

EXHIBIT D

Policy Amendments as directed by BOS

18. *Amend Policy CV-6.4 and Add CV-6.5 (Slope)*

CV-6.4 In Carmel Valley, conversion for agricultural purposes ~~of previously uncultivated lands~~ on slopes in excess of 25 percent (25%) shall be prohibited.

CV-6.5 Notwithstanding Policy OS-3.5, new development shall be prohibited on slopes 1) with highly erodible soils, and 2) in excess of twenty five percent (25%)

19. *Add Policies NC-3.9, NC-3.10, and NC-3.11 (slope in North County)*

NC-3.9 Notwithstanding Policy OS-3.5, new development shall be prohibited on slopes 1) with highly erodible soils, 2) in excess of twenty five percent (25%), and 3) that drain into the watershed of the Elkhorn and Moro Cojo Sloughs.

NC-3.10 Notwithstanding Policy OS-3.5, conversion for agricultural purposes shall prohibited on slopes 1) uncultivated at the time of conversion, 2) that contain highly erodible soils, 3) which exceed twenty five percent (25%), and 4) that drain into the watershed of the Elkhorn and Moro Cojo Sloughs.

NC-3.11 By December 31, 2011, the County, working with the Natural Resource Conservation Service (NRCS) and the Monterey County Water Resources Agency shall develop best management practices for agricultural operations in the North County Planning Area to control erosion and off-site runoff from all agricultural land. These best management practices shall be incorporated into the ministerial permit for the conversion of lands described in Policy OS-3.5 for lands in the North County Planning Area only.

20. *Add Policy NC-5.4 (wells in North County)*

NC-5.4 In order to address serious public health concerns regarding water quality and quantity, and in addition to the permit process required by Policy NC-3.8, a permit process shall be developed for all new wells proposed to be developed in the North County Planning Area. The permit process shall be developed by ordinance and shall be in place within 12 months of the adoption of this General Plan, and a permit shall be required to develop any new well. The requirement for a permit shall be effective until the later of the effective date of the ordinances required by Policies PS-3.2 and 3.3, or 36 months.

21. *Amend Glossary*

LONG TERM SUSTAINABLE WATER SUPPLY means a water supply from any source (e.g. groundwater, surface water, aquifer storage recovery project or other) that can provide for the current and projected future demand for water from that source as determined pursuant to the criteria required to be adopted by Policy PS-3.2.

~~**PREVIOUSLY UNCULTIVATED LANDS** means those areas that have not been cultivated during the past 30 years.~~

EXHIBIT D

Policy Amendments as directed by BOS

The Board has provided staff direction for the following changes (underline text indicates proposed new language, ~~strikeout~~ text indicates language to be deleted) made to the August 11, 2010 Planning Commission recommendation:

1. Add Policy C-3.6 (Proof of Access)

C-3.6 The County shall establish regulations for new development that would intensify use of a private road or access easement. Proof of access shall be required as part of any development application when the proposed use is not identified in the provisions of the applicable agreement.

2. Amend Table PS-1 per staff recommendation (solid waste pick up)

<i>Major Land Groups</i>	<i>Maximum Emergency Response Time for Fire, Sheriff, and Ambulance</i>	<i>Road Intersection Level of Service, Improvements</i>	<i>Water</i>	<i>Sanitation</i>	<i>Solid Waste</i>	<i>Park Schools⁶</i>	<i>Stormwater and drainage</i>
Rural Standards							
Public Lands	45 min. ¹	LOS D	Individual Wells Permitted in Areas with Proven Long Term Water Supply ^{2,5}	Septic on Lots 1 acre or greater ²	<u>On-site Garbage and Recycling Pick Up</u> Property Owner Responsible	N/A	No Net Increase in harmful Run-off from parcel
Agriculture Lands	45 min. ¹	LOS D	Individual Wells Permitted in Areas with Proven Long Term Water Supply ^{2,5}	Septic on Lots 1 acre or greater ²	<u>On-site Garbage and Recycling Pick Up</u> Property Owner Responsible	Consult with local school district	No Net Increase in harmful Run-off from parcel
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3. Amend Policy PS-2.2 (clarification)

PS-2.2 The County of Monterey shall assure adequate monitoring of wells in those areas experiencing rapid growth provided adequate funding mechanisms for monitoring are established in the CIFP.

4. Amend Policy PS-2.5 (clarification)

PS-2.5 Regulations shall be considered-developed for water quality testing for new individual domestic wells on a single lot of record to identify:

EXHIBIT D

Policy Amendments as directed by BOS

- a. Water quality testing parameters for a one-time required water quality test for individual wells at the time of well construction.
- b. A process that allows the required one-time water quality test results to be available to future owners of the well.

Regulations pursuant to this policy shall not establish criteria that will prevent the use of the well in the development of the property. Agricultural wells shall be exempt from the regulation.

5. Amend Policy PS-2.5 (add constraint)

- PS-2.6 A Hydrologic Resources Constraints and Hazards Database shall be developed and maintained in the County Geographic Information System (GIS). The GIS shall be used to identify areas containing hazards and constraints (see *Policy S-1.2*) that could potentially impact the type or level of development allowed in these areas (*Policy OS-3.5*). Maps maintained as part of the GIS will include:
- a. Impaired water bodies on the State Water Resources Control Board 303d (Clean Water Act) list.
 - b. Important Groundwater Recharge Areas
 - c. 100-year Flood Hazards
 - d. Hard rock areas with constrained groundwater
 - e. Areas unsuitable to accommodate an on-site wastewater treatment system
 - f. Contaminated groundwater plumes and contaminated soil and groundwater sites.
 - g. Saltwater intrusion

6. Amend Policy PS-3.1 and Policy PS-3.2

- PS-3.1 Except as specifically set forth below, No new development for which a discretionary permit is required, and that will use or require the use of water, shall be approved prohibited without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity, and an Adequate Water Supply System to serve the development.

This policy requirement shall not apply to:

- a. the first single family dwelling and non-habitable accessory uses on an existing lot of record; or
- b. specified development (a list to be developed by ordinance) designed to provide: a) public infrastructure or b) private infrastructure that provides critical or necessary services to the public, and that will have a minor or insubstantial net use of water (e.g. water facilities, wastewater treatment facilities, road construction projects, recycling or solid waste transfer facilities); or
- c. development related to agricultural land uses within Zone 2C of the Salinas Valley groundwater basin, provided the County prepare a report to the Board of Supervisors every five (5) years for Zone 2C examining the degree to which:
 - 1) total water demand for all uses predicted in the General Plan EIR for the year 2030 will be reached;
 - 2) groundwater elevations and the seawater intrusion boundary have changed since the prior reporting period; and
 - 3) other sources of water supply are available.

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If, following the periodic report, the Board finds, based upon substantial evidence in the record, that:

- the total water demand for all uses in Zone 2C in 2030 as predicted in the General Plan EIR is likely to be exceeded; or
- it is reasonably foreseeable that the total water demand for all uses in Zone 2C in 2030 would result in one or more of the following in Zone 2C in 2030: declining groundwater elevations, further seawater intrusion, increased substantial adverse impacts on aquatic species, or interference with existing wells,

then the County shall initiate a General Plan amendment process to consider removing this agricultural exception in Zone 2C. Development under this exception shall be subject to all other policies of the General Plan and applicable Area Plan; or

- d. development in Zone 2C for which the decision maker makes a finding, supported by substantial evidence in the record, that: a) the development is in a Community Area or Rural Center and is otherwise consistent with the policies applicable thereto; b) the relevant groundwater basin has sufficient fresh water in storage to meet all projected demand in the basin for a period of 75 years; and, c) the benefits of the proposed development clearly outweigh any adverse impact to the groundwater basin.

PS-3.2

Specific criteria for proof of a Long Term Sustainable Water Supply and an Adequate Water Supply System for new development requiring a discretionary permit, including but not limited to residential or commercial subdivisions, shall be developed by ordinance with the advice of the General Manager of the Water Resources Agency and the Director of the Environmental Health Bureau. A determination of a Long Term Sustainable Water Supply shall ~~not be based on hauled water.~~ be made upon the advice of the General Manager of the Water Resources Agency. The following factors shall be used in developing the criteria for proof of a long term sustainable water supply and an adequate water supply system:

- Water quality;
- Authorized production capacity of a facility operating pursuant to a permit from a regulatory agency, production capability, and any adverse effect on the economic extraction of water or other effect on wells in the immediate vicinity, including recovery rates;
- Technical, managerial, and financial capability of the water purveyor or water system operator;
- The source of the water supply and the nature of the right(s) to water from the source;
- Cumulative impacts of existing and projected future demand for water from the source, and the ability to reverse trends contributing to an overdraft condition or otherwise affecting supply; and
- Effects of additional extraction or diversion of water on the environment including on in-stream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species.

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g. Completion and operation of new projects, or implementation of best practices, to renew or sustain aquifer or basin functions.
The hauling of water shall not be a factor nor a criterion for the proof of a long term sustainable water supply.

7. Amend Policy PS-3.4 (Ag Wells)

PS-3.4 The County shall require ~~that pump tests or hydrogeologic studies be conducted~~ an assessment of impacts on adjacent wells and in-stream flows for new high-capacity wells, including high-capacity urban and agricultural production wells, where there may be a potential to affect existing adjacent domestic or water system wells adversely or in-stream flows, as determined by the Monterey County Water Resources Agency. In the case of new high-capacity wells for which ~~pump tests or an assessment hydrogeologic studies~~ shows the potential for significant adverse well interference, the County shall require that the proposed well site be relocated or otherwise mitigated to avoid significant ~~well~~ interference. Specific criteria shall be developed by ordinance for use in the evaluation and approval of adequacy of all such high-capacity wells, including but not limited to:

- Effect on wells in the immediate vicinity as required by the Monterey County Water Resources Agency or Environmental Health Bureau.
- Effects on in-stream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead, for the purpose of minimizing impacts to those resources and species.

This policy is not intended to apply to replacement wells.

8. Split Policy PS-4.12 and create Policy PS-4.13 (staff recommendation)

PS-4.12 The County Health Department, Environmental Health Bureau, shall develop On-site Wastewater Management Plans (OWMP) for areas with high concentrations of development that are served primarily by individual sewage systems such as El Toro, Prunedale, Carmel Highlands, and Carmel Valley.

PS-4.13 Wastewater treatment and disposal for community areas and rural centers shall be through the consolidation of services into Regional or Sub-regional facilities. Subdivisions shall be required to consolidate wastewater collection and treatment and disposal systems, connecting to existing systems where feasible. The County shall not allow the use of package plants when connection to a regional facility is feasible.

9. Amend Policy PS-6.4 (clarification)

PS-6.4 To protect the public from potential health hazards from landfills, the County ~~may~~ shall adopt an ordinance or development standards for land use development within 1,000 feet of an open or closed solid waste facility.

10. Amend AG-2.6 (Add "organic farming")

AG-2.6 Development of agricultural research facilities and activities shall be encouraged and supported. Continuing innovation in areas such as plant breeding, cultural practices, post-harvest handling, organic farming, and biotechnology is vital to maintain a competitive agricultural industry.

11. Amend Policy CV-1.1 (Rural Design)

EXHIBIT D

Policy Amendments as directed by BOS

CV-1.1

~~Policies relative to the Carmel Valley Area are intended to retain a rural character.~~ All policies, ordinances, and decisions regarding Carmel Valley shall be consistent with the goal of preserving Carmel Valley's rural character. In order to preserve the rural character of Carmel Valley, development shall follow a rural architectural theme with design review.

12. Amend Policy CV-1.6 (Reduce Cap)

CV-1.6

New residential subdivision in Carmel Valley shall be limited to creation of 266200 new units as follows:

- a. There shall be preference to projects including at least 50% affordable housing units.
- b. Lots developed with affordable housing under the Inclusionary Housing Ordinance or an Affordable Housing Overlay (*Policy LU-2.12*) may have more than one unit per lot. Each unit counts as part of the total unit cap.
- c. Existing lots with five (5) acres or more may have the first single family dwelling plus one auxiliary unit. Units added on qualifying existing lots shall not count as part of the total unit cap. New auxiliary units shall be prohibited on lots with less than five (5) acres, except that this provision shall not apply to projects that have already been approved, environmental review for auxiliary units has already been conducted, and in which traffic mitigation fees have been paid for such auxiliary units prior to adoption of this Carmel Valley Master Plan.
- d. New lots shall be limited to the first single family dwelling. Auxiliary units shall be prohibited.
- e. Of the 266200 new units, 24 are reserved for consideration of the Delfino property (30 acres consisting of APN: 187-521-014-000, 187-521-015-000, 187-512-016-000, 187-512-017-000, 187-512-018-000, and 187-502-001-000) in Carmel Valley Village (former Carmel Valley Airport site) to enable subdivision of the property into 18 single family residential lots and one lot dedicated for six affordable/inclusionary units, provided the design of the subdivision includes at least 14 acres available for community open space use subject to also being used for subdivision related water, wastewater, and other infrastructure facilities.
- f. New units or lots shall be debited from the unit count when an entitlement is granted or a building permit is issued, whichever occurs first.

The County shall develop a tracking system and shall present an annual report of units remaining before the Planning Commission.

13. Amend Policy CV-1.15.d (Clarification)

CV-1.15

Visitor accommodation uses shall follow the following guidelines:

- a. Expansion of existing hotels, motels, and lodges should be favored over the development of new projects.
- b. Visitor accommodation projects must be designed so that they respect the privacy and rural residential character of adjoining properties.
- c. Bed and breakfast facilities shall be counted as visitor accommodation units and be limited to a maximum of five (5) units clustered on five (5) acres in accord with Monterey County Code *Chapter 15.20*, unless served by public sewers.
- d. All further development of visitor accommodations in the area west of Via Mallorca and north of Carmel River shall be limited to moderately-sized

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facilities, not to exceed **a total of** 175 units.

- e. There shall be a maximum of 110 additional visitor accommodation units approved east of Via Mallorca, including units at Carmel Valley Ranch.
- f. As a provision for lower cost housing and a contribution toward lessening traffic in the valley, large-scale visitor-serving development requiring employees should comply with the provisions of the Inclusionary Housing Ordinance.

14. Amend Policy CV-1.27 (Clarification)

CV-1.27 Special Treatment Area: Rancho Canada Village – **Approximately Up to** 40 acres **consisting of within** properties located generally between Val Verde Drive and the Rancho Canada Golf Course **clubhouse**, from the Carmel River to Carmel Valley Road, excluding portions of properties in floodplain shall be designated as a Special Treatment Area. Residential development may be allowed with a density of up to 10 units/acre in this area and shall provide a minimum of 50% Affordable/Workforce Housing. Prior to beginning new residential development (excluding the first unit on an existing lot of record), projects must address environmental resource constraints (e.g.; water, traffic, flooding). (APN: 015-162-017-000, 015-162-025-000, 015-162-026-000, 015-162-039-000 and 015-162-040-000, **015-162-033-000, 015-162-035-000, 015-162-036-000, 015-162-037-000, 015-162-038-000, 015-021-005-000**)

15. Add Policy CV-1.28 (CVMP Amendments)

CV-1.28 Updates to the Master Plan shall include a public forum with the local citizen advisory committee to provide recommendations that reflect a comprehensive cross-section of local attitudes toward the future of the valley as a living environment.

16. Add Policy CV-2.17.d and edit reference (5 Year monitor report)

CV-2.17 To implement traffic standards to provide adequate streets and highways in Carmel Valley, the County shall conduct and implement the following:

- a) Twice yearly monitoring by Public Works (in June and October) of peak hour traffic **volumes and daily traffic volumes** at the six (6) locations in the following list noted in bold type:

Carmel Valley Road

1. East of Holman Road
2. Holman Road to Esquiline Road
3. **Esquiline Road to Ford Road**
4. **Ford Road to Laureles Grade**
5. **Laureles Grade to Robinson Canyon Road**
6. **Robinson Canyon Road to Schulte Road**
7. **Schulte Road to Rancho San Carlos Road**
8. Rancho San Carlos Road to Rio Road
9. Rio Road to Carmel Rancho Boulevard
10. Carmel Rancho Boulevard to SR1

Other Locations

11. Carmel Rancho Boulevard between Carmel Valley Road and Rio Road
12. **Rio Road between its eastern terminus at Val Verde Drive and SR1**

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Monitoring may be reestablished on other segments when traffic studies indicate that they are approaching 80% of existing thresholds.

- b) A yearly evaluation report shall be prepared jointly by the Department of Public Works in December to evaluate the peak-hour level of service (LOS) for the six (6) monitoring locations and determine if any of those segments are approaching a peak hour traffic volume that would lower levels of service below the LOS standards established below under *Policy CV 2-187(de)*. The report will summarize monitored peak hour volumes and daily traffic volumes and present the peak hour LOS analysis.
- c) Public hearings shall be held in January immediately following the December report when only 10 or less peak hour trips remain before an unacceptable level of service (as defined by *Policy CV 2-187(de)*) would be reached for any of the 6 segments described above.
- d) At five year intervals, the County shall examine the degree to which estimates of changes in Levels of Service (“LOS”) in the Carmel Valley Master Plan Area may be occurring earlier than predicted in the General Plan Environmental Impact Report. If the examination indicates that LOS are likely to fall to a lower letter grade than predicted for 2030, then the County shall consider adjustments to the cap on new residential units established in (CV-1.6) and/or the cap on new visitor serving units established in (CV-1.15) or other measures that may reduce the impacts.
- e) The traffic LOS standards (measured by peak hour conditions) for the CVMP Area shall be as follows:
 - 1) Signalized Intersections – LOS of “C” is the acceptable condition.
 - 2) Unsignalized Intersections – LOS of “F” or meeting of any traffic signal warrant are defined as unacceptable conditions.
 - 3) Carmel Valley Road Segment Operations:
 - a) LOS of “C” for Segments 1, 2, 8, 9, and 10 is an acceptable condition;
 - b) LOS of “D” for Segments 3, 4, 5, 6, and 7 is an acceptable condition.

During review of development applications that require a discretionary permit, if traffic analysis of the proposed project indicates that the project would result in traffic conditions that would exceed the standards described above in *Policy CV 2-187(de)*, after the analysis takes into consideration the Carmel Valley Traffic Improvement Program to be funded by the Carmel Valley Road Traffic Mitigation Fee, then approval of the project shall be conditioned on the prior (e.g., prior to project-generated traffic) construction of additional roadway improvements or an Environmental Impact Report shall be prepared for the project. Such additional roadway improvements must be sufficient, when combined with the projects programmed in the Carmel Valley Traffic Improvement Program, to allow County to find that the affected roadway segments or intersections would meet the acceptable standard upon completion of the programmed plus additional improvements.

This policy does not apply to the first single family residence on a legal lot of record.

17. *Add Policy CV-2.19 (Rio Road Official Plan Line)*

CV-2.19 The County shall consider and action to abandon the Official Plan Line for the Rio Road Extension.

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18. *Amend Policy CV-6.4 and Add CV-6.5 (Slope)*

CV-6.4 In Carmel Valley, conversion for agricultural purposes ~~of previously uncultivated lands~~ on slopes in excess of 25 percent (25%) shall be prohibited.

CV-6.5 Notwithstanding Policy OS-3.5, new development shall be prohibited on slopes 1) with highly erodible soils, and 2) in excess of twenty five percent (25%)

19. *Add Policies NC-3.9, NC-3.10, and NC-3.11 (slope in North County)*

NC-3.9 Notwithstanding Policy OS-3.5, new development shall be prohibited on slopes 1) with highly erodible soils, 2) in excess of twenty five percent (25%), and 3) that drain into the watershed of the Elkhorn and Moro Cojo Sloughs.

NC-3.10 Notwithstanding Policy OS-3.5, conversion for agricultural purposes shall prohibited on slopes 1) uncultivated at the time of conversion, 2) that contain highly erodible soils, 3) which exceed twenty five percent (25%), and 4) that drain into the watershed of the Elkhorn and Moro Cojo Sloughs.

NC-3.11 By December 31, 2011, the County, working with the Natural Resource Conservation Service (NRCS) and the Monterey County Water Resources Agency shall develop best management practices for agricultural operations in the North County Planning Area to control erosion and off-site runoff from all agricultural land. These best management practices shall be incorporated into the ministerial permit for the conversion of lands described in Policy OS-3.5 for lands in the North County Planning Area only.

20. *Add Policy NC-5.4 (wells in North County)*

NC-5.4 In order to address serious public health concerns regarding water quality and quantity, and in addition to the permit process required by Policy NC-3.8, a permit process shall be developed for all new wells proposed to be developed in the North County Planning Area. The permit process shall be developed by ordinance and shall be in place within 12 months of the adoption of this General Plan, and a permit shall be required to develop any new well. The requirement for a permit shall be effective until the later of the effective date of the ordinances required by Policies PS-3.2 and 3.3, or 36 months.

21. *Amend Glossary*

LONG TERM SUSTAINABLE WATER SUPPLY means a water supply from any source (e.g. groundwater, surface water, aquifer storage recovery project or other) that can provide for the current and projected future demand for water from that source as determined pursuant to the criteria required to be adopted by Policy PS-3.2.

~~**PREVIOUSLY UNCULTIVATED LANDS** means those areas that have not been cultivated during the past 30 years.~~

EXHIBIT E

General Plan Implementation Matrix

Project Description	Policies	Timing/Priority	Completion Time Frame	Departments
FY 10/11				Priority 1
General Plan Implementation Ordinances		With GP Adoption		Planning/CC/PW/EH/WRA /AG/Parks/RHO
General Plan Implementation Plan		3 Months of GP		Planning/CC/PW/EH/WRA /AG/Parks/RHO
Slope permit Process: Discretionary Ag Permit – Ministerial Formula	OS-3.5, 3.6, CACH-3.3 CV-4,1			Planning
Erosion Program – Hillside Conversion (Convene a committee)	OS-3.9			Planning
Critical Habitat Monitoring Program	OS-5.17, CACH-3.7 CV-3.7, 3.8, 3.9 GMP-3.9, NC-3.5			Planning
Critical Habitat/Suitable Habitat/Wildlife Corridors	OS-5.1, 5.2, 5.17, 5.18,			Planning/RMA
Biology Reports	OS-5.16			Planning
Mapping Kit Fox Habitat	OS-5.19			RMA
Coordination with RHO				
• Density Bonus	LU-2.11, CV-1.10			Planning/RHO/EH
• 2 nd Unit Ordinance	Housing Element	1 yr from HE		Planning/RHO/EH
• Residential Care Homes				Planning/RHO
• Definition of Family				Planning/RHO
• Emergency Shelters				Planning/RHO
• Transitional Housing				Planning/RHO
• Single Room Occupancies				Planning/RHO
• Reasonable Accommodations				Planning/RHO
• Farm/Agricultural Working Housing				Planning/RHO
• Affordable/Workforce Housing Retention Program	LU-2.13			Planning/RHO
Capital Improvement and Finance Plan –	C-1.2, LU-2.30,			PW/RMA

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General Plan Implementation Matrix

Project Description	Policies	Timing/Priority	Completion Time Frame	Departments
(Adequate Public Facilities and Service Standards)	PS-3.9, 4.1, 7.8, 11.10, CACH-2.6, CV-4.3 GMP-2.1, GS-2.1 NC-2.1, T-2.5 AWCP-4.5			
BMPs for grading and erosion	OS-3.1			Planning/AG
Stream Setback Ordinance	OS-5.22	3 Years from GP Adoption		Planning/WRA
Ag Conversion Mitigation Program	AG-1.12 GS-6.1			Planning/AG
Routine and Ongoing Agriculture Ordinance	AG-3.3 CV-6.2			Planning/AG
Revised Right to Farm Ordinance	AG-1.9			Planning/AG
Long Term Water Supply Ordinance	PS-3.3,3.7, 3.15			WRA/EH/Planning
New Well Testing Ordinance	PS-2.4, 2.5			EH
New Well Approval	PS-3.4			EH
County Traffic Impact Fee (CTIF) (Title 19)	C-1.8			PW
Carmel Valley Road Capacity Study	CV-2.18, 2.19, 2.10, 2.11, 2.12			PW
Green Building Ordinance	OS-10.10,	24 months from GP Adoption		Building
Greenhouse Gas Reduction Plan Assessment	OS-10.11, C-3.1	24 months from GP Adoptions		Planning
Greenhouse Gas Inventory of County Facilities	OS-10.14	12 Months GP Adoptions		Planning/PW/Building
Title 19 Update				
<ul style="list-style-type: none"> Residential Evaluation System 	LU-1.19, C-2.4, 2.5 OS-3.5, 3.6, 5.3 S-1.8, 2.7, 2.9, 3.8, 6.5 PS-1.3, 2.3, 3.1, 3.15, 4.5, 4.6, CV-1.6			Planning/PW/WRA/EH/Parks/RHO

EXHIBIT E

General Plan Implementation Matrix

Project Description	Policies	Timing/Priority	Completion Time Frame	Departments
<ul style="list-style-type: none"> • Lot Line Adjustments Subdivision Provisions 	LU-1.14 to LU-1.18			
Water Transfer Credits	Board direction 10/12/2010			Planning
Guidelines for Development Adjacent to Landfills	PS-6.4			EH
Community Plans	LU-2.22			Planning/PW/WRA/EH/Parks/RHO
Proof of Access	C-3.6			Planning/Counsel/PW
FY 11/12				Priority 2
Update Arch Sensitivity Maps	OS-6.2, 7.2, 8.2,			Planning
Establish Native American Panel	OS-8-5			Planning
Tracking System – Residential Outside CA.RC	LU-1.20			Planning
Growth Threshold Analysis	OS-5.21			Planning
Oak Woodlands Policies	OS-5.23			Planning
Convene Water for Monterey County Coalition	PS-3.6			WRA/Planning
Working Group for expansion of SVWP	PS-3.17, PS-3.18			WRA/Planning
Park Acquisition Development and Maintenance Guidelines (Minimum Acreage and In Lieu fees (PAR – 1)	PS-11.2, 11.11, 11.12 CV-3.15, GS-5.1			Parks
Historic Preservation Plan/Ordinance Update	PS-12.1, GS-3.4, CV-3.13, GS-1.4, 3.3, 3.4 NC-3.6			Parks/Planning
Title 21 Update				Planning
<ul style="list-style-type: none"> • Transfer Development Credits 	LU-1.8, OS-1.7, T-1.6			
<ul style="list-style-type: none"> • Off Site Signs 	LU-1.10			
<ul style="list-style-type: none"> • Lighting Criteria 	LU-1.13, CV-3.16, CV-3.17, T-3.2			
<ul style="list-style-type: none"> • Ridgeline Development Criteria 	OS-1.3, 1.4, 1.5, CACH-3.3			

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General Plan Implementation Matrix

Project Description	Policies	Timing/Priority	Completion Time Frame	Departments
<ul style="list-style-type: none"> • Clustering Program 	OS-1.8			
<ul style="list-style-type: none"> • Criteria for geo/hydro studies/reports 	OS-3.3, S-1.3 – 1.8			
<ul style="list-style-type: none"> • Tree Removal Regulations –Migratory Birds 	OS-5.10, CACH-3.4, 3.6, CV-3.11, NC-3.3, 3.4, T-3.7			
<ul style="list-style-type: none"> • Invasive Plant Policy and Procedures 	OS-5.14			
<ul style="list-style-type: none"> • Ag Buffer Criteria 	AG-1.2, LU-2.8			
<ul style="list-style-type: none"> • Update Zoning Classifications <ul style="list-style-type: none"> ○ POR ○ Urban Reserve (UR) Overlay ○ Community Plan (CP) Overlay ○ Resource Conservation (RC) Overlay ○ AWCP Overlay ○ STA Overlay ○ Affordable Housing (AHO) Overlay ○ Ag Buffers (AB) Overlay ○ Visually Sensitive (VS) Overlay ○ Design (D) District ○ Site Control District (S) ○ CV RD Set Back ○ Urban Residential – Mixed Use ○ Rural Residential ○ Ag Support Facilities ○ Study Area 	LU-2.8, 2.12, 2.16, 2.18, 2.24, 2.28, 2.34, 2.35, 3.1, 4.1, 5.1, 6.1, 6.2, 9.4 AG 1.7, 2.1, 2.2, 2.9, 3.3, CACH-1.2, 1.3, 1.5, 3.1 CV-1.12, 1.20, 1.22, 1.23, 1.25, 1.27, 3.1 CSV-1.1, 1.3,1-4, 1.5, 1.6, 1.7, 3.1 GMP-1.6, 1.7, 1.8, 1.9, 3.3 GS-1.1, 1.2, 1.3, 1.8, 1.9, 1.13 NC-1.4, 1.5 T-1.4, 1.7 AWCP-4.4			
<ul style="list-style-type: none"> • Update Zoning Consistent with State and Federal Laws 	PS-12.9			
<ul style="list-style-type: none"> • Permit Assistance Process – Key Industry Clusters 	ED-4.1			
<ul style="list-style-type: none"> • Transfer Development Credits 	LU-1.8, OS-1.7, T-1.6			

EXHIBIT E

General Plan Implementation Matrix

Project Description	Policies	Timing/Priority	Completion Time Frame	Departments
FY 12/13				Priority 3
Runoff Performance Standards	S-3.5, PS-2.8			WRA
Drainage Design Manual	S-3.7, PS-2.8 CV-5.6, 4.2, PS-2.9			WRA
Guidelines and Procedures for Conducting Water Supply Assessment	PS-3.15 CV-5.1			EH
Westside Bypass Design	GS-2.1, 2.2, 2.3			PW
Bicycle Transportation Plan	C-10.1 to C-10.3			PW
Alternative Energy Promotion Ordinance	OS-10.13			RMA
Air Quality Standards	OS-10.6, 10.9,			RMA
At-Risk Structure Inventory	S-5.16			Building
Scenic Highway Corridor	C-5.2, 5.3, 5.4, T-2.8			PW
Study Areas – Review for STA Designation	CV-1.26, CSV-1.4, 5.3 GS-1.7, 1.11			Planning
Pursue Scenic Road Designation	CACH-2.2, T-2.8			PW
Solid Waste Management Plan	PS-5.3 to 5.6			EH
GPA Process	LU-9.6			Planning
GPA Criteria	LU-9.7			Planning
Process for Maintaining Regulations and Codes	LU-9.8			Planning
AWCP	AG4.3			Planning/AG
OWTR Criteria	PS-4.7			EH
Wastewater System Management Program	PS -4.8, 4.10,			EH
FY 13/14				Priority 4
Recycling/Diversion Programs	PS-5.3			EH
Development Impact Ordinance	S-5.11, 6.3			Sheriff
Restoration Fee Waiver Program	OS-5.15			Planning
Emergency Plan/Procedures	S-5.1, 5.3, 5.5, 5.6			OES
Hazard Database – • Severe Slope,	OS-3.4 S-1.2, 3.6, 3.8, 5.7	5 Year interval		RMA

EXHIBIT E

General Plan Implementation Matrix

Project Description	Policies	Timing/Priority	Completion Time Frame	Departments
<ul style="list-style-type: none"> • Geological Constraints, • Inundation Maps • Erosion, sedimentation, chemical pollution inventory 				
Visual Sensitivity Maps	OS-1.11, CACH-3.1 CSV-3.1, GMP-3.3 NC-3.1, T-3.1, 3.3	5 Years update interval		RMA
FMMP Mapping	AG-1.10			Complete
Mineral Resource Maps/SMARA Inventory	OS-2.4, 2.5, CV-1.19 S-1.7			RMA
Inventory Vacant/Underutilized Commercial and Industrial Lands	ED-4.2			RHO
Ag Buffer Criteria	AG-1.2			AG
Subdivision of Ag Land	AG-1.3			AG
Timber Harvest	OS-5.7 to OS-5.10			AG
FY 14/15			Priority 5	
Tax/economic Incentives Ordinance	AG-1.5			AG
Water Conservation (urban, ag, recycling)	PS-3.12, 3.13, 3.14, CV-5.3			WRA
Community Noise Ordinance	S-7, CACH-3.2			EH
OWMP	PS 4.12, CV-5.5		Multi Year	EH
Hydrologic Resources and Constraints	PS-2.6			WRA
Contaminated sites				EH
Comprehensive Bike Plan – Trail Maps	C-10.1, 10.2, OS-1.10 CACH-3.8, CV-3.14, 3.19, GMP-3.11, 3.12, 3.13, NC-3.7, T-2.6			PW
Update Fire Standards (18.56)	S-4.9, 4.13, 4.16, 4.19, 4.22, 4.24			Planning

EXHIBIT E

General Plan Implementation Matrix

Project Description	Policies	Timing/Priority	Completion Time Frame	Departments
	CACH-4.3, 4.4			
Fire Codes	S-4.23			Planning
Fire Hazard Development Procedures	S-4.7			Planning
Fire Resistant Plant List	S-4.28, OS-5.14			Planning
Design & Implement Public/Private Economic Development Strategy Program	ED-2.1			CAO
Economic Incentive Program	ED-3.2, 3.4			CAO
Link OEDC and WIB	ED-3.3			CAO
Opportunities and programs for Historic/Cultural	PS-12.16			Parks
Climate Change Preparedness Plan	MMRP – CC-12			Planning

LBG:km
GPMoratorium
3/24/05



ORDINANCE NO. 4666

**AN INTERIM ORDINANCE MAKING FINDINGS AND ESTABLISHING A
TEMPORARY MORATORIUM ON THE ISSUANCE OF BUILDING AND
GRADING PERMITS UNLESS AN ANALYSIS OF GENERAL PLAN
CONSISTENCY IS COMPLETED**

**THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES
ORDAIN AS FOLLOWS:**

Section 1. Findings

- A. On July 19, 2004 the Board of Supervisors adopted the 2004 El Dorado County General Plan: A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief (2004 General Plan).
- B. On March 8, 2005 the voters of El Dorado County confirmed by referendum said plan.
- C. The 2004 General Plan Environmental Impact Report identified numerous potentially significant impacts that could be mitigated by instituting a ministerial review process for certain classes of building and grading permits not otherwise subject to a determination of consistency with the general plan to ensure conformance with general plan policies. This mitigation measure is embodied in Policy 2.2.5.20 of the Land Use Element of the 2004 General Plan.
- D. The mitigation measures direct the County of El Dorado to prepare standards applicable to building and grading permits to be contained within the zoning ordinance (Title 17) of the El Dorado County Code.
- E. The county's zoning ordinance will be revised to implement the 2004 General Plan. Staff has commenced work on such revisions. However, such revisions cannot be implemented until the Sacramento Superior Court lifts a writ of mandate issued by that court on July 19, 1999 in the case of El Dorado County Taxpayers for Quality Growth, et al. v. El Dorado County Board of Supervisors. In any event, such revisions will be extensive and will require a substantial amount of time to complete.

F. In order to avoid environmental impacts identified in the 2004 General Plan Environmental Impact Report, and to ensure that substantial development does not occur prior to adoption of revisions to the zoning ordinance that are inconsistent with the 2004 General Plan and the revised zoning ordinance, it is necessary to prohibit issuance of certain classes of building and grading permits unless such permits are subject to review for consistency with the 2004 General Plan.

G. It is the intent of the Board of Supervisors to develop a ministerial checklist procedure to determine whether such projects present inconsistencies with the 2004 General Plan pending adoption of a zoning ordinance revised to implement the 2004 General Plan.

Section 2. Imposition of Moratorium

A. In accordance with the authority granted to the County of El Dorado under Government Code section 65858, the issuance of building permits and grading permits to which this ordinance is made applicable by Section 3 below, is hereby prohibited, unless said permits satisfy the General Plan Consistency Review, as described in Section 4 below.

B. This ordinance is an interim ordinance adopted as an urgency measure pursuant to the authority granted by the County of El Dorado under Government Code section 65858 and is for the immediate preservation of the public safety, health and welfare. The facts constituting the urgency are: The voters of the County of El Dorado have upheld the action of the Board of Supervisors in adopting the 2004 El Dorado County General Plan by supporting Measure B. The County has made a commitment to uphold and implement the policies of the 2004 General Plan. In order to prevent adverse environmental impacts as a result of ministerial project approvals pending completion of a comprehensive revision to the county's zoning ordinance to implement the 2004 General Plan, Policy 2.2.5.20 requires the establishment of a review process for building permits and grading permits to ensure consistency with the 2004 General Plan and protection of the environment from the impacts associated with ministerial development. This interim ordinance is necessary in order to prevent substantial development that could have the potential for significant impacts to the environment and that could be inconsistent with the 2004 General Plan and the zoning ordinance that will implement it. Development of such a zoning ordinance revision has begun but will require substantial time to complete.

Section 3. Applicability.

A. Subject to Section 3.B below, this ordinance shall apply to all of the following permits:

1. Building permits for new construction of structures, as defined in the 2004 General Plan, greater than 120 square feet, including additions to existing structures.

2. Building permits or other permits for development that require a grading permit.

B. The provisions of this ordinance shall not apply to any of the following:

1. Any permits that, absent the existence of this interim ordinance, would require a finding of consistency with the general plan pursuant to other provisions of state law or local ordinances.

2. Any permit issued pursuant to an application filed on or before March 15, 2005, unless the project is substantially expanded subsequent to that date as determined by the Director of Development Services or designee.

3. Any permits issued in accordance with an approved development agreement to the extent the development agreement prevents the application of policies of the 2004 General Plan.

Section 4. Consistency Review Process and Standards.

A. County staff, under the direction of the Director of Development Services, shall prepare a policy compliance checklist, outlining the required information to be submitted by an applicant. Said checklist may be amended from time to time as new standards are developed. The purpose of the checklist is to allow for a ministerial review to determine whether the proposed project is consistent with new policies of the 2004 General Plan that are not reflected in the current zoning ordinance or other building regulations.

B. All applications for development subject to this ordinance under Section 3 above, shall include a policy compliance checklist completed by the applicant.

C. Staff shall review the completed checklist against adopted general plan standards and determine, prior to issuance of any development permit, if the proposed development complies with the applicable general plan policies. If the proposed development is found to conform to the applicable policies, the reviewing authority shall make a record of its findings to be retained with the permit information. Such permits may be issued subject to compliance with all other applicable provisions of law. If a proposed development is found to be inconsistent with any policy, the applicant shall be advised of the determination and shall be afforded an opportunity to revise the proposed development to attain consistency or, if appropriate, seek discretionary review as set forth below.

D. Development shall be deemed to conform to the applicable general plan policies if the checklist:

1. Does not reflect any inconsistency with quantified, objective standards of the 2004 General Plan identified on the checklist; and

2. Does not reveal any condition of the subject property that might render the proposed development inconsistent with non-quantified, qualitative policies of the 2004 General Plan.

If a proposed development does not conform to general plan policies pursuant to the checklist review as set forth above, no permit shall be issued for the development unless:

1. The applicant modifies the application to eliminate any inconsistencies identified;
or

2. With respect to any conditions that exist that require further qualitative review to determine consistency with non-quantified policies of the 2004 General Plan, the applicant has applied for and obtained discretionary review through the design review, use permit or similar process as determined appropriate by the Director of Development Services or designee, and obtained a finding of general plan consistency. Such review is hereby authorized whether or not otherwise required or authorized by ordinance.

Section 5. Compliance with California Environmental Quality Act.

The Board of Supervisors finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 16060(c)(3) (the activity is not a project as defined in section 15378) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations) because it has no potential for resulting in physical changes to the environment, directly or indirectly. Further, this ordinance is intended to implement mitigation measures identified in the 2004 General Plan Environmental Impact Report and will have a positive, beneficial effect on the physical environment.

Section 6. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 7. Effective Date.

This ordinance shall become effective March 29, 2005, if adopted by at least four-fifths vote of the County Board of Supervisors and shall be in effect for 45 days from the date of adoption unless extended by the County Board of Supervisors as provided for in Government Code section 65858.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the ____ day of _____, 2005, by the following vote of said Board:

Ayes:

ATTEST
CINDY KECK
Clerk of the Board of Supervisors

Noes:
Absent:

By _____
Deputy Clerk

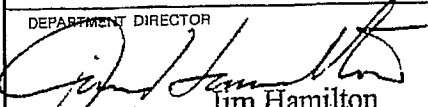
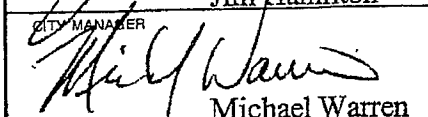
Chairman, Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____
ATTEST: CINDY KECK, Clerk of the Board of Supervisors
of the County of El Dorado, State of California.

By _____
Deputy Clerk

REPORT TO CITY COUNCIL

ITEM NO.	9 - 4(d)
MEETING DATE	12-5-00
APPROVED BY	
DEPARTMENT DIRECTOR	 Jim Hamilton
CITY MANAGER	 Michael Warren

DATE: November 27, 2000

CODE: L-010-500

FROM: Development Services Department

SUBJECT: Adoption of Urgency Ordinance: Interim Zoning Ordinance

BACKGROUND

At its meeting of November 28, 2000, the Planning Commission recommended that the City Council adopt the attached Interim Zoning Ordinance. The ordinance is necessary to bridge the gap between the newly adopted General Plan and the City's Zoning Ordinance. As the Council knows, State law requires that the Zoning Ordinance be consistent with the General Plan. The plan not only includes changes in land use classifications which are not yet reflected on the zoning map, but includes development policies that are not included in the text of the existing code. As the guiding document, the land use classifications and policies of the General Plan prevail over those of the code. Failure to ensure that zoning and the General Plan are consistent could place development approvals in the City in jeopardy should a legal challenge be made. An interim ordinance provides a "bridge" between development standards and policies contained in the current Zoning Ordinance and the policies of the new General Plan.

The Legislature recognized the inconsistencies that could result from any major update of a general plan and specifically authorized interim zoning ordinances (Government Code Section 65858). In part, the law states that "the legislative body, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting uses which may conflict with a . . . general plan . . ." The ordinance would be adopted as an "urgency ordinance" and would take effect immediately. *A minimum four-fifths vote of the City Council is required for adoption.* Under the law, the ordinance would be in effect for 45 days. It can be extended for a total period not exceeding two years. A public hearing is required to extend the ordinance, but not for its initial adoption.

The ordinance has the following basic provisions:

1. All land use applications would be reviewed for consistency with the General Plan.
2. No application that is consistent with the plan would be denied, regardless how the property is currently zoned if it is consistent with the policies of the new Plan **and** the development standards of the current Zoning Ordinance based on the General Plan/Zoning Conformance Table contained in the interim ordinance.
3. The Development Services Director would be tasked with making the consistency determinations. Those decisions are appealable to the Planning Commission and City Council as provided for under existing procedures.

4. Properties zoned "U" Unclassified District would not be affected by the interim ordinance, since use permits would still be required for most development.
5. Certain policies of the Municipal Airport Area Plan and the Westside Area Plan would be retained during the interim period. Those policies deal with noise and safety issues. Suggested work programs to update the Comprehensive Land Use Plans for the airports needed will be brought to the Council in the future.

The review and approval process for development projects should be enhanced, since the interim ordinance will provide direction in resolving consistency and processing questions. In most instances, checking consistency with the General Plan will be a straightforward, administrative function that will not add time to the process.

The Council should note that all discretionary projects (those that require use permits, subdivision maps, etc.) must, by law, be found to be consistent with the General Plan prior to approval. Projects may be proposed based on existing zoning where a consistency finding cannot be made because of a land use classification change on the General Plan. When necessary to resolve inconsistencies between current ordinances and the General Plan, interpretation will be sought directly from the Planning Commission. Staff does not expect this to occur often, but the potential is there.

Work on updating the Zoning Code has already been initiated and is being undertaken by Michael Dyett of Dyett & Bhatia and staff. Staff is currently reviewing an administrative draft. Because of the complexity of this task, circulation of a public draft of the document will likely not commence until after the first of the year. Work will also begin shortly on updating the zoning map, a task that may take up to a year given the large number of parcels involved.

The draft Zoning Code is being structured to accomplish a number of things, including:

- Implement the policies of the General Plan by including new use designations and definitions. For instance, the "Neighborhood Commercial" General Plan classification would be implemented by a new "Neighborhood Commercial" zoning designation.
- Eliminate the "U" Unclassified Zoning District.
- Include specific development standards that would not only convey community expectations and General Plan policies, but provide clear guidance on meeting those expectations. The standards will address building height, bulk, form, and relationship to adjacent buildings and land uses.
- Simplify the permit process by better clarifying what development would require discretionary approval. Allowable uses will be defined, and the ambiguities of the existing permit process will be reduced or eliminated.

A major premise in developing the new Zoning Code is to move the City in the direction called for in the General Plan with the lightest possible touch. In order to make this first step as effective as

possible, staff has provided representatives of the development community an opportunity to review and comment on the interim ordinance. No major concerns have surfaced.

ISSUES

Does the Council concur with the Planning Commission that an interim ordinance is necessary to ensure consistency with the General Plan?

ALTERNATIVES AND IMPLICATIONS OF ALTERNATIVES

The alternatives for the Council to consider include the following:

1. Adopt the interim ordinance as recommended by the Commission. The ordinance has been reviewed by the City Attorney and meets the criteria specified by the Government Code.
2. Determine that it is not appropriate to adopt the ordinance at this time. This could result in projects being approved that are inconsistent with the General Plan.
3. Direct staff to revise the ordinance as the Commission feels is appropriate.

CONCLUSIONS AND RECOMMENDATIONS

It is the recommendation of staff that the Commission recommend that the City Council adopt the attached ordinance. As noted, the ordinance would initially be in effect for 45 days, at which time an extension would be sought and the required public hearing initiated. We anticipate that the Zoning Code update and comprehensive rezoning and map revisions will be completed in 12 to 16 months. The Commission should note that the City Attorney's office has determined that the California Environmental Quality Act (CEQA) does not apply to the ordinance.

ATTACHMENTS

- A. Ordinance

KM;jh
STAF\InterimZonOrd-KM-CC.wpd

ORDINANCE NO. 2280

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDDING,
ESTABLISHING INTERIM ZONING PROVISIONS TO ENSURE THAT
PHYSICAL DEVELOPMENT IN THE CITY OCCURS
IN CONFORMITY WITH THE GENERAL PLAN**

**THE CITY COUNCIL OF THE CITY OF REDDING DOES ORDAIN AS
FOLLOWS:**

SECTION 1. FINDINGS OF FACT. The City Council finds and declares as follows:

- A. Redding's General Plan, adopted on October 3, 2000, and effective on November 2, 2000, contains land use classifications which, in some cases, do not correlate directly with the zoning districts contained in Title 18 of the Redding Municipal Code.
- B. The General Plan Diagram, in certain instances, conflicts with the land use classifications previously applied to properties. Rezoning of these properties to reflect the new land use classifications has not yet been accomplished.
- C. The present zoning ordinance of the City of Redding, in some instances, does not conform to the objectives, policies, and intent of the General Plan.
- D. The City Council has approved a work program to update the City's zoning ordinance and rezone properties in a timely fashion in order to achieve conformance with the adopted General Plan.
- E. An urgency ordinance is necessary for the immediate preservation of the public peace, health, and safety in that the issuance of development permits which are inconsistent with the General Plan inhibits community-desired development patterns and prevents the General Plan from acting as the constitution for development within the City, a foundation upon which all land use decisions are to be based. Further, where such zoning inconsistencies exist, the inconsistency with the General Plan violates the provisions of Government Code Section 65860. Authority for establishing interim zoning measures is afforded by Government Code Section 65858.

SECTION 2. INTERIM REVIEW PROCEDURES, GENERALLY.

In order to facilitate and encourage orderly development within the city during the interim period during which the zoning ordinance is being revised and properties rezoned, the following interim review procedures are established for all land use requests and development applications:

- A. All discretionary land use actions and physical development applications shall be reviewed for conformance with the objectives, policies, and intent of the General Plan.

- B. No application shall be denied if found to comply with the General Plan and the objectives, policies, and intent expressed therein, even though such application is found not to comply with the use provisions of the present Zoning Ordinance of the City of Redding.
- C. The Development Services Director (Director) shall have the authority to determine whether or not a project or proposed land use conforms to the objectives, policies, and intent of the General Plan. The Director shall also have the authority to determine the intensity and density of uses that should be applied to a given property based on the General Plan land use classification that has been designated, anticipated future zoning, if any, and an analysis of existing and surrounding development. The Director may, at his discretion, refer the consistency determination to the Planning Commission.
- D. Any person dissatisfied with the determination of the Director may appeal the determination to the Planning Commission by filing a written appeal with the City Clerk within ten days of the determination. The Director shall thereupon set a date for a public hearing to be held before the Planning Commission, provide notice of said hearing as required by State law and local ordinance, and submit a report to the Planning Commission in advance of the hearing, which report shall set forth the reasons in support of the determination.
- E. Any person dissatisfied with the decision of the Planning Commission may appeal the decision in the manner set forth in Section 18.74 of the Redding Municipal Code.
- F. The following table provides guidance on the correlation between the General Plan land use classifications and existing zoning districts and related standards. The table may be used as a guide in assisting in initial project design, but does not supercede Items 2A, 2B, or 2C above.

GENERAL PLAN/ZONING CONFORMANCE

GENERAL PLAN CLASSIFICATIONS	APPLICABLE ZONING DISTRICTS
5P (5 acres/unit)	R-1-B5A, R-1-BFM ¹
1-5 (1-5 acres/unit)	R-1-B40, R-1-B50, R-1-B2A, R-1-BFM ¹
1-2 (1-2 units/acre)	R-1-B40, R-1-BFM, R-1-B15, R-1-B20 ¹
2-3.5 (2-3.5 units/acre) 3-5-6 (3.5-6 units/acre)	R-1, R-1-B15, R-1-BFM ¹
6-10 (6-10 units/acre)	RM-6, RM-9 ^{2,4}
10-20 (10-20 units/acre)	RM-12, RM-18 ^{2,4}
20-30 (20-30 units/acre)	RM-24 ^{1,4}
LO (Limited Office)	R-4
GO (General Office)	C-O

GENERAL PLAN CLASSIFICATIONS	APPLICABLE ZONING DISTRICTS
MUC (Mixed Use Core)	C-4; C-2 ³
NC (Neighborhood Commercial)	C-1
SC (Shopping Center)	C-2
GC (General Commercial)	C-2
RC (Regional Commercial)	C-2
HI (Heavy Industry)	M-2
GI (General Industry)	M-2, PI ³
HC (Heavy Commercial)	C-3, C-6 ³
PF-I (Public Facilities or Institutional) PF-I-S (Public Facilities or Institutional School)	U
PK (Parks—improved open space) PK-G (Golf course—public) REC (Recreation)	U
GWY (Greenway)	OS
AS (Airport Service)	U

¹ Minimum lot sizes to be determined by the Development Services Director.

² Residential density to be determined by the Development Services Director.

³ As determined by the Development Services Director.

⁴ All properties currently zoned "R-3" shall be considered to be zoned "RM" to ensure that subsequent development is in conformance with the policies and intent of the General Plan.

Notes:

- a. The "U" Unclassified zoning of properties remains in full force and effect. Development applications on such properties will be processed in accordance with the regulations of that district.
- b. All existing "Combining Districts" shall remain in full force and effect.

SECTION 3. INTERIM REVIEW PROCEDURES, AIRPORT ENVIRONS.

Until such time as the Shasta County Airport Land Use Commission approves new Comprehensive Land Use Plans (CLUPs) for Redding Municipal Airport and Benton Airpark, the development policies of the Redding Municipal Airport and the Westside Area Plan, pertaining to the airport environs, remain in effect. Where there is a conflict between said area plans and the General Plan, the General Plan shall prevail.

The following specific policies and figures from the above area plans shall continue to govern the review of development applications in the vicinity of these airports:

Municipal Airport

Noise: Policies 2f, 2g, 2h, 2j. Figures 5, 5.5, 5.6, 6.

Safety: Policies 3b, 3c, 3e. Figure: Industrial Occupancy Classifications.

Land Use: Policies 5f, 5h, 5j, 5i, 5p.

Benton Airpark

Aviation Noise: Policy 1.

Safety: Policies 1, 2.

SECTION 4.

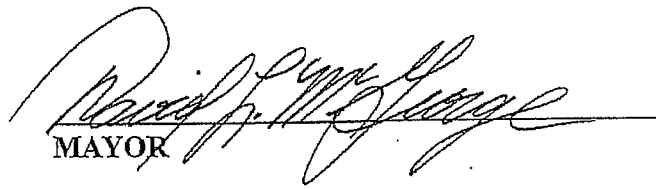
This ordinance shall remain in full force and effect for a period of 45 days following its enactment and shall thereupon be repealed without further action by the City Council unless, after formal public hearing, the City Council by a four-fifths affirmative vote extends the ordinance for a period of time permitted by law.

SECTION 5.

The City Council finds and declares that for the reasons set forth above, it is necessary as an emergency measure for preserving the public peace, health, or safety that this ordinance become effective immediately.

I HEREBY CERTIFY that the foregoing Ordinance was introduced and read at a regular meeting of the City Council of the City of Redding on the 5th day of December 2000 and was duly adopted at said meeting by the following vote:

AYES:	COUNCIL MEMBERS: Cibula, Kight, Pohlmeier, Stegall and McGeorge
NOES:	COUNCIL MEMBERS: None
ABSENT:	COUNCIL MEMBERS: None
ABSTAIN:	COUNCIL MEMBERS: None



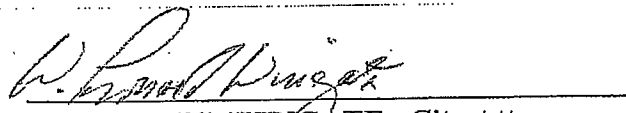
 MAYOR

ATTEST:

FORM APPROVED:



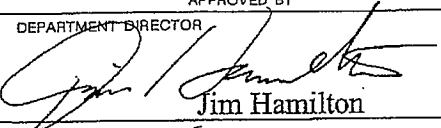

 CONNIE STROHMAYER, City Clerk



 W. LEONARD WINGATE, City Attorney

CITY OF REDDING

REPORT TO CITY COUNCIL

ITEM NO.	6 - 1
MEETING DATE	1-2-02
APPROVED BY	
DEPARTMENT DIRECTOR	 Jim Hamilton
CITY MANAGER	 Michael Warren

DATE: December 18, 2001

CODE: L-010-500

FROM: Development Services Department

SUBJECT: Public Hearing re Interim Zoning Ordinance Extension

BACKGROUND

At its regular meeting of December 5, 2000, the City Council adopted on an urgency basis an Interim Zoning Ordinance. The ordinance bridges the gap between the new General Plan and the City's Zoning Code, ensuring that they meet State law requirements for consistency. The *initial* term of the ordinance was limited to 45 days as prescribed by law. Council extended the ordinance on January 16, 2001, to provide time for the new Zoning Ordinance and map to be adopted. It is necessary to again extend the Interim Ordinance, since the work on these items has not yet been completed. These extensions are specifically provided for in State law.

This evening's action is to hold a public hearing and adopt the extension of the ordinance. Government Code Section 65858 limits the total time period for an interim ordinance to two years. This will be the last extension available, and the ordinance will expire on December 5, 2002, if not rescinded prior to that date.

Staff has been working with the Zoning Ordinance Advisory Committee, as well as conducting public workshops with interested groups, over the past several months. Substantive revisions to the ordinance have been made as a result of comments received. The Planning Commission will begin reviewing the draft ordinance at its January 8, 2002, meeting. We expect public hearings to occur in late February or early March. Once the Ordinance is adopted by Council this spring, we will begin public hearings on the revised Zoning Map. Council will be asked to rescind the Interim Ordinance when the Zoning Map is adopted.

ISSUES

The issue is whether the Council desires to extend the Interim Ordinance until December 5, 2002, as authorized by the Government Code. The extension will give staff time to complete work on the new Zoning Code and Zoning Map and for the Council to adopt them.

ALTERNATIVES AND IMPLICATIONS OF ALTERNATIVES

The alternatives include:

1. Extend the Interim Ordinance to December 5, 2002, by adopting the attached ordinance. A four-fifths vote of the Council is required for the extension.

2. Extend the Interim Ordinance for a shorter period of time. Staff feels that completing the work on the Zoning Code *and* undertaking a comprehensive rezoning of properties will take at least SIX months.

CONCLUSIONS AND RECOMMENDATIONS

It is the recommendation of staff that the Council, after close of the public hearing, extend the Interim Zoning Ordinance for the statutorily allowed period by adopting the attached ordinance. The ordinance would remain in effect until December 5, 2002, unless rescinded by the Council prior to its expiration.

ATTACHMENTS

- A. Interim ordinance

KM:jh

STAF\InterimZonOrd-KM-CC.wpd

ORDINANCE NO. 2290

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDDING,
EXTENDING INTERIM ZONING PROVISIONS TO ENSURE THAT
PHYSICAL DEVELOPMENT IN THE CITY OCCURS
IN CONFORMITY WITH THE GENERAL PLAN

THE CITY COUNCIL OF THE CITY OF REDDING DOES ORDAIN AS
FOLLOWS:

SECTION 1. FINDINGS OF FACT. The City Council finds and declares as follows:

- A. Redding's General Plan, adopted on October 3, 2000, and effective on November 2, 2000, contains land use classifications which, in some cases, do not correlate directly with the zoning districts contained in Title 18 of the Redding Municipal Code.
- B. The General Plan Diagram, in certain instances, conflicts with the land use classifications previously applied to properties. Rezoning of these properties to reflect the new land use classifications has not yet been accomplished.
- C. The present zoning ordinance of the City of Redding, in some instances, does not conform to the objectives, policies, and intent of the General Plan.
- D. The City Council has approved a work program to update the City's zoning ordinance and rezone properties in a timely fashion in order to achieve conformance with the adopted General Plan.
- E. An urgency ordinance is necessary for the immediate preservation of the public peace, health, and safety in that the issuance of development permits which are inconsistent with the General Plan inhibits community-desired development patterns and prevents the General Plan from acting as the constitution for development within the City, a foundation upon which all land use decisions are to be based. Further, where such zoning inconsistencies exist, the inconsistency with the General Plan violates the provisions of Government Code Section 65860. Authority for establishing interim zoning measures is afforded by Government Code Section 65858. On December 5, 2000, the Redding City Council adopted said emergency ordinance to be effective for a period of 45 days.

SECTION 2. INTERIM REVIEW PROCEDURES, GENERALLY.

In order to facilitate and encourage orderly development within the city during the interim period during which the zoning ordinance is being revised and properties rezoned, the following interim review procedures are established for all land use requests and development applications:

- A. All discretionary land use actions and physical development applications shall be reviewed for conformance with the objectives, policies, and intent of the General Plan.

ITEM	6-1
ATTACHMENT	A

- B. No application shall be denied if found to comply with the General Plan and the objectives, policies, and intent expressed therein, even though such application is found not to comply with the use provisions of the present Zoning Ordinance of the City of Redding.
- C. The Development Services Director (Director) shall have the authority to determine whether or not a project or proposed land use conforms to the objectives, policies, and intent of the General Plan. The Director shall also have the authority to determine the intensity and density of uses that should be applied to a given property based on the General Plan land use classification that has been designated, anticipated future zoning, if any, and an analysis of existing and surrounding development. The Director may, at his discretion, refer the consistency determination to the Planning Commission.
- D. Any person dissatisfied with the determination of the Director may appeal the determination to the Planning Commission by filing a written appeal with the City Clerk within ten days of the determination. The Director shall thereupon set a date for a public hearing to be held before the Planning Commission, provide notice of said hearing as required by State law and local ordinance, and submit a report to the Planning Commission in advance of the hearing, which report shall set forth the reasons in support of the determination.
- E. Any person dissatisfied with the decision of the Planning Commission may appeal the decision in the manner set forth in Section 18.74 of the Redding Municipal Code.
- F. The following table provides guidance on the correlation between the General Plan land use classifications and existing zoning districts and related standards. The table may be used as a guide in assisting in initial project design, but does not supercede Items 2A, 2B, or 2C above.

GENERAL PLAN/ZONING CONFORMANCE

GENERAL PLAN CLASSIFICATIONS	APPLICABLE ZONING DISTRICTS
5P (5 acres/unit)	R-1-B5A, R-1-BFM ¹
1-5 (1-5 acres/unit)	R-1-B40, R-1-B50, R-1-B2A, R-1-BFM ¹
1-2 (1-2 units/acre)	R-1-B40, R-1-BFM, R-1-B15, R-1-B20 ¹
2-3.5 (2-3.5 units/acre) 3-5-6 (3.5-6 units/acre)	R-1, R-1-B15, R-1-BFM ¹
6-10 (6-10 units/acre)	RM-6, RM-9 ^{2,4}
10-20 (10-20 units/acre)	RM-12, RM-18 ^{2,4}
20-30 (20-30 units/acre)	RM-24 ^{1,4}
LO (Limited Office)	R-4
GO (General Office)	C-O

GENERAL PLAN CLASSIFICATIONS	APPLICABLE ZONING DISTRICTS
MUC (Mixed Use Core)	C-4; C-2 ³
NC (Neighborhood Commercial)	C-1
SC (Shopping Center)	C-2
GC (General Commercial)	C-2
RC (Regional Commercial)	C-2
HI (Heavy Industry)	M-2
GI (General Industry)	M-2, PI ³
HC (Heavy Commercial)	C-3, C-6 ³
PF-I (Public Facilities or Institutional) PF-I-S (Public Facilities or Institutional School)	U
PK (Parks—improved open space) PK-G (Golf course—public) REC (Recreation)	U
GWY (Greenway)	OS
AS (Airport Service)	U

- 1 Minimum lot sizes to be determined by the Development Services Director.
- 2 Residential density to be determined by the Development Services Director.
- 3 As determined by the Development Services Director.
- 4 All properties currently zoned "R-3" shall be considered to be zoned "RM" to ensure that subsequent development is in conformance with the policies and intent of the General Plan.

Notes:

- a. The "U" Unclassified zoning of properties remains in full force and effect. Development applications on such properties will be processed in accordance with the regulations of that district.
- b. All existing "Combining Districts" shall remain in full force and effect.

SECTION 3. INTERIM REVIEW PROCEDURES, AIRPORT ENVIRONS.

Until such time as the Shasta County Airport Land Use Commission approves new Comprehensive Land Use Plans (CLUPs) for Redding Municipal Airport and Benton Airpark, the development policies of the Redding Municipal Airport and the Westside Area Plan, pertaining to the airport environs, remain in effect. Where there is a conflict between said area plans and the General Plan, the General Plan shall prevail.

The following specific policies and figures from the above area plans shall continue to govern the review of development applications in the vicinity of these airports:

Municipal Airport

Noise: Policies 2f, 2g, 2h, 2j. Figures 5, 5.5, 5.6, 6.

Safety: Policies 3b, 3c, 3e. Figure: Industrial Occupancy Classifications.

Land Use: Policies 5f, 5h, 5j, 5i, 5p.

Benton Airpark

Aviation Noise: Policy 1.

Safety: Policies 1, 2.

SECTION 4.

This extension of the ordinance shall remain in full force and effect through December 5, 2002, following its enactment and shall thereupon be repealed without further action by the City Council unless, after formal public hearing, the City Council by a four-fifths affirmative vote extends the ordinance for a period of time permitted by law.

SECTION 5.

The City Council finds and declares that for the reasons set forth above, it is necessary as an emergency measure for preserving the public peace, health, or safety that this ordinance become effective immediately.

I HEREBY CERTIFY that the foregoing Ordinance was introduced and read at a regular meeting of the City Council of the City of Redding on the 2nd day of January 2002 and was duly adopted at said meeting by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

PAT KIGHT, MAYOR

ATTEST:

FORM APPROVED:

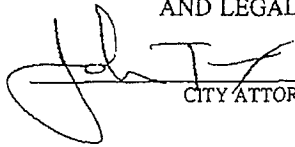
CONNIE STROHMAYER, City Clerk

W. LEONARD WINGATE, City Attorney

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2003 JUL 31 PM 8:17
INTRODUCED BY COUNCIL MEMBER _____

APPROVED
AS TO FORM
AND LEGALITY


CITY ATTORNEY

ORDINANCE No. 12514 C.M.S.

ORDINANCE AMENDING THE OAKLAND PLANNING CODE TO EXTEND THE EXPIRATION DATE OF THE INTERIM CONTROLS FOR THE IMPLEMENTATION OF THE OAKLAND GENERAL PLAN TO DECEMBER 31, 2005, AND REVISING SECTIONS 17.01.070, 17.01.080 AND 17.01.120 PERTAINING TO THE GENERAL PLAN CONFORMITY REQUIREMENTS AND PROVIDING FOR THE INTERPRETATION OF THE LAND USE DIAGRAM BY THE DIRECTOR OF PLANNING AND ZONING

WHEREAS, on May 12, 1998, the City Council passed Ordinance No. 12054 C.M.S. adopting interim controls for implementation of the Oakland General Plan prior to the comprehensive revision of the Oakland Planning Code including new zoning, subdivision, environmental review, and related regulations; and

WHEREAS Section 5 of Ordinance No. 12054 C.M.S provides that the interim controls shall expire after a three-year period unless extended for an additional two year period following the recommendation of the Planning Commission; and

WHEREAS, on May 6, 1998, the Planning Commission adopted "Guidelines for Determining Project Conformity with the General Plan and Zoning Regulations." The Planning Commission amended the Guidelines on November 3, 1999, August 8, 2001, and December 5, 2001; and

WHEREAS, the Community and Economic Development Agency is in the process of updating the Oakland Planning Code to implement the General Plan, a process which was expected to be completed three years from May 12, 1998; and

WHEREAS, on June 5, 2001, the City Council passed Ordinance No. 12332 C.M.S. extending the interim controls for a two-year period until June 30, 2003; and

WHEREAS, the zoning code update project is not yet completed and it is necessary to again extend the interim controls; and

WHEREAS, as noted at page 143 of the Land Use and Transportation Element (LUTE) and following, the General Plan Land Use Diagram is intended to be illustrative of the General Plan goals and policies and was primarily intended to reflect existing land use patterns; and

WHEREAS, during the zoning update process staff has determined that in many instances the Land Use Diagram is neither accurate nor precise and in fact in some instances it has mapped classifications in error and in a manner that clearly contradicts the intent of the map as described in the LUTE; and

WHEREAS, amendments are necessary to the Oakland Planning Code and the interim controls to accommodate situations where staff has in the past or will in the future determine that the Land Use Diagram has mapped an area of the City in error, making it erroneously appear that certain predominant land uses or densities are not allowed when in fact that was not the intent of the LUTE; and

WHEREAS, staff has determined that it will recommend amendments to the Land use Diagram when the zoning map is updated to correct areas where the General Plan land use classification may have been assigned without a parcel by parcel survey; and

WHEREAS, revisions are proposed to the interim guidelines to allow applicants to request a General Plan conformity determination from the Director of Planning and Zoning if it can be demonstrated that a proposed project meets the intent of the written goals and policies of any element of the General Plan and other findings as described in the Ordinance; and

WHEREAS, revisions are proposed to the interim guidelines to allow projects to be approved with an interim or permanent conditional use permit notwithstanding apparent inconsistency with the Land Use Diagram if certain findings can be made by the Planning Director pertaining to the predominant uses and densities in the area of the proposal and if it can be demonstrated that a proposed project meets the intent of the written goals and policies of any element of the General Plan and other findings as described in the Ordinance; and

WHEREAS, the written determination by the Director of Planning and Zoning is required to be sent to all property owners within 300 feet of the property involved; and

WHEREAS, the written determination by the Director of Planning and Zoning may be appealed to the City Council; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970 are satisfied because the interim controls are covered by the Environmental Impact Report prepared for the Land Use and Transportation Element that was certified by the City Council on March 24, 1998; and

WHEREAS, the Council finds and determines that the public safety, health, convenience, comfort, prosperity, and general welfare will be furthered by extending the interim controls; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to the provisions of Section 5 of Ordinance No. 12054 C.M.S., Ordinance 12054 C.M.S shall remain in effect for an additional four years beyond the original period set forth in that section, and thus it shall remain in effect until December 31, 2005.

SECTION 2. The Oakland Planning Code is hereby amended as follows:

“Chapter 17.01.070 Determination of General Plan conformity by Director of City Planning

The Director of City Planning shall determine whether any specific proposal conforms to the General Plan. The Director shall use the guidelines adopted pursuant to Section 17.01.060 in making this determination. Any interested party may apply for a written General Plan conformity determination upon payment of a fee as prescribed in the city master fee schedule. Prior to making a decision, there shall be notice given by mail or delivery to all persons shown on the last available equalized assessment roll as owning real property in the city within three hundred (300) feet of the property involved pursuant to Section 17.134.040.

“Chapter 17.01.080 Appeal of Director’s determination

A. Within ten calendar days of a written determination by the Director of City Planning pursuant to Section 17.01.070, an appeal of such determination may be taken to the City Planning Commission by the applicant or any other interested party. Such appeal shall be accompanied by a fee as prescribed in the city master fee schedule, and shall be processed in accordance with the administrative appeal procedure in Chapter 17.132.

B. Within ten calendar days of a written determination by the Director of City Planning pursuant to Section 17.01.120 C. an appeal of such determination may be taken to the City Council by the applicant or any other interested party. Such appeal shall be accompanied by a fee as prescribed in the city master fee schedule. In event the last date of appeal falls on a weekend or holiday when city offices are closed, the next date such offices are open for business shall be the last date of appeal. Such appeal shall be made on a form prescribed by the Director and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Planning Director or wherein his/her decision is not supported by the evidence in the record. Upon receipt of such appeal, the Council shall set the date for consideration thereof. After the hearing date is set, the Planning Director shall refer the matter to the Planning Commission for its review and advice. The Planning Commission shall consider the matter at its next available meeting. Such referral shall be only for the purpose of issue clarification and advice to the City Council. The City Clerk shall not less than ten days prior to the Council hearing, give to the applicant; the appellant in those cases where the applicant is not the appellant; adverse party or parties, or to the attorney, spokesperson, or representative of such party or parties; other interested groups and neighborhood associations who have requested notification; and to similar groups and individuals as the Secretary deems appropriate, written notice of the date and place of the hearing on the appeal. In considering the appeal, the Council shall determine whether the proposal conforms to the provisions of section 17.01.120.C., and may approve or disapprove the proposed determination. The decision of the City Council shall be made by resolution and shall be final.

“Chapter 17.01.120 Proposals clearly not in conformance with the General Plan or the Land Use Diagram.

Any proposal determined to clearly not conform to the General Plan shall not be allowed and no application shall be accepted, nor shall any permits be approved or issued, for any such proposal, except as provided in this section or in Section 17.01.040 or Section 17.01.070.

A. If Permitted or Conditionally Permitted by Zoning and/or Subdivision Regulations ("Express Conflict"). At his or her option, the applicant may modify the project to conform to the General Plan, request a General Plan conformity determination from the Director of City Planning pursuant to Section 17.01.070, or may apply for a General Plan Amendment. If such amendment involves the land use classification, the amendment shall be to the land use classification corresponding to the "best fit zone" or other possible zone in which the proposal is located, as determined in accordance with the guidelines adopted pursuant to Section 17.01.060.

B. If Not Permitted by Zoning and/or Subdivision Regulations (No "Express Conflict"). If proposal is not permitted under the Zoning Regulations, the applicant may apply for a rezoning pursuant to the rezoning and law change procedure in Chapter 17.144 in addition to a General Plan amendment. Any such rezoning shall be to the "best fit zone": or other possible zone corresponding to the land use classification of the associated General Plan amendment, as determined in accordance with the guidelines adopted pursuant to Section 17.01.060. If such a rezoning is approved, the proposal shall then be subject to all of the provisions of the new zone, including but not limited to any required conditional use permit.

C. If permitted or conditionally permitted by zoning, and where determined by the Planning Director to be consistent with the surrounding land uses and appropriate for the area, notwithstanding that the project may not be consistent with the General Plan classification shown on the Land Use Diagram. It is recognized that the General Plan land uses have been broadly applied to areas without parcel by parcel specificity and that the Land Use Diagram details are largely illustrative of the Plan's written goals and policies. Because the Diagram is generalized, and does not necessarily depict the accuracy of each parcel or very small land areas, a determination of project consistency can be requested of the Director of City Planning. The applicant must demonstrate to the satisfaction of the Planning Director that the predominant use, or average density, is different from that shown on the Diagram and is appropriate for the area in question and that the project is in conformance with the written goals and policies of the General Plan. The project may be allowed upon the granting of an interim conditional use permit or a conditional use permit. Written notice of the Director's determination shall be sent to all property owners within 300 feet of the property involved. The Director's determination may be appealed to the City Council pursuant to Section 17.01.080 B.

SECTION 3. This ordinance complies with the California Environmental Quality Act because the interim controls are covered by the Environmental Impact Report for the Land use and Transportation Element of the General Plan that was certified by the City Council on March 24, 1998.

SECTION 4. This ordinance shall be effective upon adoption, subject to the provisions of Section 213 of the Charter of the City of Oakland.

SECTION 5. If any provision of this ordinance or application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

JUL 15 2003

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003
PASSED BY THE FOLLOWING VOTE:

AYES-
NOES-
ABSENT-
ABSTENTION-

**BROOKS, BRUNNER, CHANG,
NADEL, REID, QUAN, WAN
AND PRESIDENT DE LA FUENTE -8**

ATTEST:



CEDA FLOYD

City Clerk and Clerk of the Council of
the City of Oakland, California

Introduction Date:

JUN 17 2003

INTRODUCED BY FILED COUNCIL MEMBER _____
OFFICE OF THE CITY CLERK
OAKLAND

Mark P. Wall
City Attorney

2009 OCT 29 PM 3:01 **OAKLAND CITY COUNCIL**

ORDINANCE No. 12986 C.M.S.

ORDINANCE EXTENDING THE INTERIM CONTROLS FOR THE IMPLEMENTATION OF THE OAKLAND GENERAL PLAN (OAKLAND PLANNING CODE CHAPTER 17.01 AND THE GENERAL PLAN CONFORMITY GUIDELINES) TO JUNE 30, 2011

WHEREAS, on May 12, 1998 the City Council passed Ordinance No. 12054 C.M.S. which adopted Interim Controls for implementation of the Oakland General Plan prior to the comprehensive revision of the Oakland Planning Code, subdivision, environmental review, and related regulations; and

WHEREAS, Section 5 of Ordinance No. 12054 C.M.S. provides that the Interim Controls shall expire after a three year period unless extended for an additional two year period; and

WHEREAS, on June 5, 2001, the City Council adopted Ordinance No. 12332 C.M.S. which extended the Interim Controls until June 30, 2003; and

WHEREAS, on July 15, 2003, the City Council adopted Ordinance No. 12514 C.M.S. which extended the Interim Controls until December 31, 2005;

WHEREAS, on June 20, 2006, the City Council adopted Ordinance No. 12746 C.M.S. which extended the Interim Controls until June 30, 2007; and

WHEREAS, on December 4, 2007, the City Council adopted Ordinance No. 12839 C.M.S. which extended the Interim Controls until January 1, 2010; and

WHEREAS, on May 6 1998, the Planning Commission adopted the "Guidelines for Determining Project Conformity with the General Plan Guidelines and Zoning Regulations" (General Plan Conformity Guidelines), with the Planning Commission amending said General Plan Conformity Guidelines on: November 3, 1999; August 8, 2001; December 5, 2001; July 15, 2003; May 28, 2004; October 31, 2006; and July 21, 2009; and

WHEREAS, the Community and Economic Development Agency is still in the process of updating the Oakland Planning Code to implement the General Plan and thus the Interim Controls are still necessary; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) of 1970 are satisfied because the extension of the Interim Controls merely continues the policy and practice of the last eleven years and as a separate and independent basis, the Interim Controls are covered by the Environmental Impact Report prepared for the Land Use and Transportation Element of the General Plan that was certified by the City Council on March 24, 1998, as well as by the Mitigated Negative Declaration adopted for the Housing Element of the General Plan on June 15, 2004; and

WHEREAS, the Council finds and determines that the public safety, health, convenience, comfort, prosperity and general welfare will be furthered by extending the Interim Controls; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Oakland Planning Code Chapter 17.01 and the General Plan Conformity Guidelines are hereby extended in accordance with other sections of this ordinance.

Section 2. This ordinance shall be effective upon its adoption if it receives at least six affirmative votes otherwise it shall be effective upon the seventh day after final adoption, and shall remain in effect until June 30, 2011, or until the comprehensively updated Oakland Planning Code and Zoning Maps are completed and adopted, whichever comes first.

Section 3. The ordinance complies with CEQA as stated in the recitals section.

Section 4. If any provision of this ordinance or application thereof to any person or circumstances is held invalid the remainder of this ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

Section 5. The recitals are true and correct and an integral part of this ordinance.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 8 2009

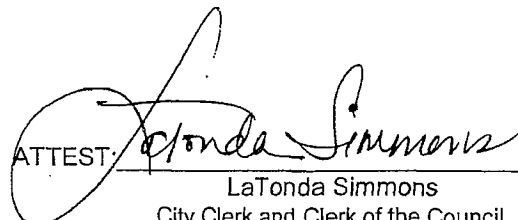
PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER -

NOES-

ABSENT-

ABSTENTION-

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Introduction Date: NOV 17 2009

DATE OF ATTESTATION: 12-14-09

NOTICE AND DIGEST

MPW

ORDINANCE EXTENDING THE INTERIM CONTROLS FOR THE IMPLEMENTATION OF THE OAKLAND GENERAL PLAN (OAKLAND PLANNING CODE CHAPTER 17.01 AND THE GENERAL PLAN CONFORMITY GUIDELINES) TO JUNE 30, 2011

This ordinance extends until June 30, 2011, the Interim Land Use Controls of Oakland Planning Code Chapter 17.01 ("General Provisions of Planning Code and General Plan Conformity") and the General Plan Conformity Guidelines that will expire on January 1, 2010, except for applications which were complete prior to that date. These controls are used to regulate parcels of land where the zoning designation is not in conformity with the General Plan Land Use classification. These controls were established to resolve zoning and General Plan conflicts for the period of time between the adoption of the General Plan (1998) and the updating of the zoning code (expected completion in 2011), to conform to the Land Use and Transportation Element of the General Plan.

CHAPTER 6.
INTERIM ZONING REGULATIONS

Sections:

- ARTICLE 1. GENERAL PROVISIONS
 - 9-6.101 Title
 - 9-6.102 Purpose
 - 9-6.103 References
 - 9-6.104 Zoning Ordinance Remains in Effect
 - 9-6.105 Consistency with General Plan
 - 9-6.106 Procedures

- ARTICLE 2. ZONING DISTRICTS
 - 9-6.201 Purpose
 - 9-6.202 Zoning Ordinance Provisions Superseded
 - 9-6.203 Base Zones
 - 9-6.204 Overlay Zones
 - 9-6.205 Zoning Maps

- ARTICLE 3. ZONING DISTRICT REGULATIONS
 - 9-6.301 Purpose
 - 9-6.302 Zoning Ordinance Provisions Superseded
 - 9-6.303 Uses Permitted, Conditionally Permitted, and Prohibited
 - 9-6.304 Special Regulations in the Residential Zones
 - 9-6.305 Special Regulations in the Mixed Use Zones
 - 9-6.306 Special Regulations in the OT Office/Technology Zone
 - 9-6.307 Special Regulations in the IND Industrial Zone
 - 9-6.308 Special Regulations in the PUB Public Zone
 - 9-6.309 Special Regulations in the MAR Marina Zone
 - 9-6.310 Special Regulations in the POS Park/Open Space Zone
 - 9-6.311 Special Regulations in the S-M Shoreline Management Zone
 - 9-6.312 Special Regulations in the RR Regional Retail Overlay Zone
 - 9-6.313 Special Regulations in the NR Neighborhood Retail Overlay Zone
 - 9-6.314 Use Regulations and Standards in All or Several Zones

- ARTICLE 4. DIMENSIONAL, INTENSITY, AND DENSITY REGULATIONS
 - 9-6.401 Purpose
 - 9-6.402 Zoning Ordinance Provisions Superseded
 - 9-6.403 Setbacks
 - 9-6.404 Residential Density
 - 9-6.405 Building Intensity
 - 9-6.406 Height
 - 9-6.407 Bonuses

ARTICLE 5. REQUIRED FINDINGS

- 9-6.501 Purpose
- 9-6.502 Uses in the Mixed Use Zones
- 9-6.503 Uses in the OT Office/Technology Zone
- 9-6.504 Uses in the IND Industrial Zone
- 9-6.505 Uses in the MAR Marina Zone
- 9-6.506 Uses in the POS Park/Open Space Zone
- 9-6.507 Uses in the RR Regional Retail Overlay Zone
- 9-6.508 Uses in the NR Neighborhood Retail Overlay Zone
- 9-6.509 Density, Floor Area Ratio, and Height Bonuses

ARTICLE 6. DEFINITIONS

- 9-6.601 Purpose
- 9-6.602 Definitions of Terms
- 9-6.603 Use Groups

ARTICLE 1. GENERAL PROVISIONS

9-6.101. Title.

This chapter shall be known and cited as the “Interim Zoning Regulations of the City of Emeryville” or the “Interim Zoning Regulations”.

9-6.102 Purpose.

The purpose of these Interim Zoning Regulations is to implement the Emeryville General Plan adopted by the City Council by Resolution No. 09-208 on October 13, 2009 until such time as a new Zoning Ordinance is enacted.

9-6.103 References.

As used in this chapter:

- (a) “General Plan” refers to the Emeryville General Plan adopted by the City Council by Resolution No. 09-208 on October 13, 2009.
- (b) “General Plan Land Use Map” refers to Figure 2-2 of the General Plan entitled “Land Use Diagram”.
- (c) “General Plan Floor Area Ratio Map” refers to Figure 2-3 of the General Plan entitled “Maximum Floor Area Ratios”.
- (d) “General Plan Height Map” refers to Figure 2-4 of the General Plan entitled “Maximum Building Heights”.
- (e) “General Plan Residential Density Map” refers to Figure 2-6 of the General Plan entitled “Maximum Residential Densities”.
- (f) “Zoning Ordinance” refers to the ordinance codified in Chapter 4 of this title.

- (g) "Zoning Districts Map" refers to the map entitled "Zoning Districts" adopted by the City Council by Resolution No. 05-46 on March 15, 2005 and subsequently amended.
- (h) Sections beginning with 9-4 refer to sections of the Zoning Ordinance.
- (i) Sections beginning with 9-6 refer to sections of this chapter.
- (j) See Article 6 for definitions of other terms and concepts used in this chapter.

9-6.104 Zoning Ordinance Remains in Effect.

The Zoning Ordinance shall remain in effect except as it is explicitly superseded by provisions in this chapter.

9-6.105 Consistency with General Plan.

These Interim Zoning Regulations are intended to be consistent with the General Plan. Should any provisions of this chapter be determined inconsistent with the General Plan, the General Plan shall prevail. The Director of Planning and Building shall have the authority to determine the extent of any such inconsistency and issue a decision to resolve the matter. The Director's decision may be appealed to the Planning Commission as provided in Article 88 of the Zoning Ordinance.

9-6.106 Procedures.

The procedures for obtaining permits and other approvals are contained in Articles 80 through 99 of the Zoning Ordinance. Variances from residential density, floor area ratio, and height limits are not possible because these are prescribed in the General Plan. Any proposed deviation from the prescribed residential density, floor area ratio, or height limit requires a General Plan Amendment pursuant to Article 81 of the Zoning Ordinance.

ARTICLE 2. ZONING DISTRICTS

9-6.201 Purpose.

The purpose of this article is to establish "zoning districts" or "zones" consistent with the General Plan and certain provisions of the Zoning Ordinance.

9-6.202 Zoning Ordinance Provisions Superseded.

The provisions of this article supersede Section 9-4.2.2 and Articles 10 through 39 and Article 57 of the Zoning Ordinance.

9-6.203 Base Zones.

Base zones are hereby established consistent with the General Plan and certain provisions of the Zoning Ordinance. The descriptions of the base zones in this section are to be construed only as statements of intent, and are not regulatory; for regulations of uses within these zones, see Article 3. The base zones are as follows:

- (a) **RH High Density Residential.** Mid- or high-rise residential development generally at maximum densities over 60 units per acre. Small-scale businesses, offices, retail, services, and other commercial uses on the ground floor are included.
- (b) **RMH Medium High Density Residential.** Low- or mid-rise residential development generally at maximum densities ranging from 50 to 60 units per acre. Incidental retail uses that serve the neighborhood are also included.
- (c) **RM Medium Density Residential.** Low-rise residential development generally at maximum densities ranging from 20 to 35 units per acre, including single family detached and attached housing, and multifamily housing types. Incidental retail uses that serve the neighborhood are also included.
- (d) **MUR Mixed Use with Residential.** One or more of a variety of residential and nonresidential uses, including but not limited to offices, retail and hotels. On larger sites, a mix of residential and non-residential uses is required; on smaller sites, a single use is allowed.
- (e) **MUN Mixed Use with Non-Residential.** One or more of a variety of nonresidential uses, including but not limited to offices, retail and hotels. On larger sites, more than one use is required; on smaller sites, a single use is allowed.
- (f) **OT Office/Technology.** Administrative, financial, business, professional, medical and public offices, research and development, biotechnology, and media production facilities. Warehousing and distribution facilities and retail are included in the district as secondary uses only.
- (g) **IND Industrial.** A range of industrial and high technology uses, including light manufacturing, repair, testing, printing, service commercial, and biotechnology uses. West of Hollis Street north of 65th Street general manufacturing uses are included. East of Hollis Street and along Horton Street between Powell Street and Stanford Avenue new general manufacturing uses are not included, but existing general manufacturing uses can continue as conforming uses and may be expanded with a conditional use permit subject to performance standards for noise, air quality, and truck traffic, to safeguard adjacent residential uses. Unrelated retail and commercial uses that could be more appropriately located elsewhere in the city are not included, except for offices, subject to appropriate standards.
- (h) **PUB Public.** A variety of public and quasi-public uses, including government offices, fire and police facilities, schools, community services, transit stations and related facilities.
- (i) **MAR Marina.** Marinas, limited retail, and recreation facilities and restaurants with a waterfront orientation.
- (j) **POS Park/Open Space.** Parks, recreation facilities, and greenways for the general community, and open space for habitat conservation.
- (k) **S-M Shoreline Management.** Shoreline areas of San Francisco Bay as designated by the Emeryville Shoreline Protection Ordinance of 1987. Structures are prohibited and only uses pertaining to parks, recreation, and habitat conservation are allowed. All uses, including accessory uses, must comply with the Shoreline Protection Ordinance.

(1) **PUD Planned Unit Development.** A group of residential, commercial, industrial or institutional buildings, or a mixture thereof, where the entire site is planned in such a manner as to permit flexibility in physical design, achieve attractive physical designs which encourage large-scale site planning, and ensure that the goals, policies and standards of the City are established early in the formation of such development proposals. New Planned Unit Developments are subject to the provisions of this chapter; existing Planned Unit Developments are not subject to the provisions of this chapter. Uses and development regulations in existing PUDs shall be as stipulated in the various ordinances establishing the PUDs, as listed below. Existing Planned Unit Developments include:

- (1) Pixar Animation Studios. Created by Ordinance No. 94-014 passed on December 6, 1994 and subsequently amended by Ordinance No. 98-003 passed on May 19, 1998, Ordinance No. 98-005 passed on May 19, 1998, and Ordinance No. 04-004 passed on June 1, 2004.
- (2) Novartis (Chiron) Life Sciences Center. Created by Ordinance No. 95-006 passed on August 15, 1995 and subsequently amended by Ordinance No. 01-001 passed on June 5, 2001.
- (3) Promenade Retail Project (Emery Village Center). Created by Ordinance No. 94-014 passed on December 6, 1994 and subsequently amended by Ordinance No. 98-003 passed on May 19, 1998, Ordinance No. 98-005 passed on May 19, 1998, and Ordinance No. 99-003 passed on April 20, 1999.
- (4) Watergate Office Tower Complex. Created by Ordinance No. 99-007 passed on July 20, 1999.
- (5) Bay Street (South Bayfront Retail/Mixed Use Project). Created by Ordinance No. 99-009 passed on September 21, 1999.
- (6) Marketplace Redevelopment Project. Created by Ordinance No. 08-004 passed on August 5, 2008.

9-6.204 **Overlay Zones.**

Overlay zones are hereby established consistent with the General Plan and certain provisions of the Zoning Ordinance. The descriptions of the overlay zones in this section are to be construed only as statements of intent, and are not regulatory; for regulations of uses within these zones, see Article 3. The overlay zones are as follows:

- (a) **RR Regional Retail.** This overlay is intended to reflect sites that are appropriate for retail uses that serve as a regional draw. Stores can be small in size (such as at Bay Street) or large (such as IKEA). For sites with this overlay, 100 percent of the building area can be retail, while the uses in the underlying base zone are also included.
- (b) **NR Neighborhood Retail.** This designation is intended for four neighborhood centers, and is intended for stores and restaurants/cafes that serve the local community. Establishments shall generally be smaller sized, lending themselves to the pedestrian-oriented nature of the centers; however larger establishments, such as supermarkets, that serve the local community and are designed appropriately with a pedestrian orientation are also included. Retail and eating and drinking establishments can comprise up to 100

percent of the building area. A majority of the ground floor area, and a significant portion of the frontage along any public street, shall be devoted to retail or other active uses such as restaurants and cafes.

- (c) **N-H North Hollis Overlay District.** An overlay zone created by Ordinance No. 02-006 passed on June 4, 2002 to implement the North Hollis Area Urban Design Program, including the Design Guidelines, which was adopted by the City Council by Resolution No. 02-052 on April 16, 2002. Regulations for the North Hollis Overlay District are as stipulated in Article 42 of the Zoning Ordinance.
- (d) **P-A Park Avenue Overlay District.** An overlay zone created by Ordinance No. 07-003 passed on March 6, 2007 to implement the Park Avenue District Plan, which was adopted by the City Council by Resolution No. 06-158 on August 15, 2006. Regulations for the Park Avenue Overlay District are as stipulated in Article 43 of the Zoning Ordinance, except that provisions related to floor area ratio in Section 9-4.43.7 are superseded by the provisions of this chapter. The use regulations of Article 43 are reflected in Table 9-6.303 of this chapter for reference.

9-6.205 Zoning Maps.

The zones established by Sections 9-6.203 and 9-6.204 are delineated on the following maps, which are made a part of this chapter by this reference:

- (a) **General Plan Land Use Map.**
 - (1) Base zones listed in Sections 9-6.203(a) through (j) are as shown on the General Plan Land Use Map, except as these are superseded by the S-M Shoreline Management and PUD Planned Unit Development zones as specified in subsection (b) of this section.
 - (2) The RR Regional Retail and NR Neighborhood Retail overlay zones listed in Sections 9-6.204(a) and (b) are as shown on General Plan Land Use Map.
- (b) **Zoning Districts Map.**
 - (1) The S-M Shoreline Management and PUD Planned Unit Development zones listed in Sections 9-6.203(k) and (l) are as shown on the Zoning Districts Map and supersede the base zones listed in 9-6.203(a) through (j) as shown on General Plan Land Use Map.
 - (2) The N-H North Hollis and P-A Park Avenue overlay zones listed in Sections 9-6.204(c) and (d) are as shown on the Zoning Districts Map.

ARTICLE 3. ZONING DISTRICT REGULATIONS

9-6.301 Purpose.

The purpose of this article is to establish use and development regulations in the base and overlay zones, except existing PUD Planned Unit Developments, the N-H North Hollis Overlay District and the P-A Park Avenue Overlay District.

9-6.302 Zoning Ordinance Provisions Superseded.

The provisions of this article supersede Articles 10 through 39, Article 57, and Section 9-4.55.10 of the Zoning Ordinance.

9-6.303 Uses Permitted, Conditionally Permitted, and Prohibited.

Uses, as classified in Article 4 of the Zoning Ordinance, are permitted, conditionally permitted, or prohibited in base and overlay zones as indicated in Table 9-6.303. Permitted uses are indicated by a "P", conditionally permitted uses are indicated by a "C", and prohibited uses are indicated by an "X". Conditionally permitted uses are allowed upon the granting of a conditional use permit pursuant to Article 82 of the Zoning Ordinance and any additional findings that may be required by Article 5 this chapter. Use regulations in the overlay zones supersede those of the base zones. Where the indication in an overlay zone for a particular use is blank, the regulation of the base zone for that use is unchanged. Additional provisions are as indicated in the notes following the table and in the following sections of this article.

Table 9-6.303. Uses Permitted, Conditionally Permitted, and Prohibited.

Uses:	Base Zones:											Overlay Zones:		
	RH High Density Residential	RMH Medium High Density Residential	RM Medium Density Residential	MUR Mixed Use with Residential	MUN Mixed Use with Non-Residential	OT Office/Technology	IND Industrial	PUB Public	MAR Marina	POS Park/Open Space	S-M Shoreline Management	RR Regional Retail	NR Neighborhood Retail	P-A Park Avenue District
RESIDENTIAL														
Family Residential														
Single-family detached	P	P	P	C ⁴	X	X	X	X	P ¹¹	X	X			
Two-family	P	P	P	C ⁴	X	X	X	X	X	X	X			
Single-family semiattached	P	P	P	C ⁴	X	X	X	X	X	X	X			
Townhouse	P	P	P	P ⁴	X	X	X	X	X	X	X			
Multifamily	P	P	C	P ⁴	X	X	X	X	X	X	X			
Group Residential	X	C	C	C ⁴	X	X	X	X	X	X	X			
Residential Second Unit	P	P	P	C ⁴	X	X	X	X	X	X	X			
Mobile Home Parks	C	C	C	X	X	X	X	X	X	X	X			

Uses:	Base Zones:											Overlay Zones:		
	RH High Density Residential	RMH Medium High Density Residential	RM Medium Density Residential	MUR Mixed Use with Residential	MUN Mixed Use with Non-Residential	OT Office/Technology	IND Industrial	PUB Public	MAR Marina	POS Park/Open Space	S-M Shoreline Management	RR Regional Retail	NR Neighborhood Retail	P-A Park Avenue District
CIVIC														
Administrative Services	C	C	C	C ⁴	C ⁴	P	C ⁶	P	P	X	X			
Community Education	C	C	C	C ⁴	C ⁴	C	C	P	C	X	X			
Community Recreation	C	C	C	C ⁴	C ⁴	C	C	P	C ¹²	C	X			
Convalescent Services	C	C	C	C ⁴	C ⁴	C	X	X	X	X	X			
Cultural and Library Services	C	C	C	P ⁴	P ⁴	C	C	P	C	C	X			
Day Care Services														
Day care centers	C	C	C	C ⁴	C ⁴	C	X	C	X	X	X			
Large family day care homes	C	C	C	C ⁴	X	X	X	X	X	X	X			
Essential Services	P	P	P	P ⁴	P ⁴	P	P	P	P	C	X			
Group Care	C	C	X	C ⁴	C ⁴	C	X	C	X	X	X			
Hospital Services	C	C	X	C ⁴	C ⁴	C	X	C	X	X	X			
Major Public Services	C	C	C	C ⁴	C ⁴	C	C	C	C	X	X			
Park and Recreation	C	C	C	C ⁴	C ⁴	C	C	P	P	P	C ¹⁵			
Public Parking Services	C	C	X	C ⁴	C ⁴	C	C	C	C	X	X			
Religious Assembly	C	C	C	C ⁴	C ⁴	C	X	X	X	X	X			
Safety Services	C	C	C	C ⁴	C ⁴	C	C	P	C	X	X			
Utility Services	C	C	C	C ⁴	C ⁴	C	C	C	C	X	X			
COMMERCIAL														
Administrative and Business Offices	C ¹	C	C	P ⁴	P ⁴	P	C ⁶	X	C	X	X			
Adult Entertainment	X	X	X	X	X	X	C ⁷	X	X	X	X			

Uses:	Base Zones:											Overlay Zones:		
	RH High Density Residential	RMH Medium High Density Residential	RM Medium Density Residential	MUR Mixed Use with Residential	MUN Mixed Use with Non-Residential	OT Office/Technology	IND Industrial	PUB Public	MAR Marina	POS Park/Open Space	S-M Shoreline Management	RR Regional Retail	NR Neighborhood Retail	P-A Park Avenue District
Animal Sales and Services														
Grooming and pet stores	C ¹	C ²	X	P ⁴	P ⁴	C	X	X	X	X	X	C ¹⁶	C ¹⁷	
Kennels	X	X	X	C ⁴	C ⁴	C	C	X	X	X	X			
Veterinary	C ¹	X	X	C ⁴	C ⁴	C	X	X	X	X	X		C ¹⁷	
Automotive and Equipment														
Automotive rentals	X	X	X	C ⁴	C ⁴	C	X	X	X	X	X			
Automotive repairs	X	X	X	C ⁴	C ⁴	C	X	X	X	X	X		X ¹⁷	
Automobile sales	X	X	X	C ⁴	C ⁴	C	X	X	X	X	X	C ¹⁶	X ¹⁷	
Cleaning	X	X	X	C ⁴	C ⁴	C	X	X	X	X	X	C ¹⁶	X ¹⁷	
Commercial parking	C	C	X	C ⁴	C ⁴	C	C	X	X	X	X	C ¹⁶		
Equipment repair and sales	X	X	X	X	X	X	C	X	X	X	X		X ¹⁷	
Storage of operable vehicles	X	X	X	X	X	X	C	X	X	X	X		X ¹⁷	
Building Maintenance Services	X	X	X	C ⁴	C ⁴	C	P	X	X	X	X			
Commercial Recreation														
Amusement center	X	X	X	C ⁴	C ⁴	C	X	X	X	X	X	C ¹⁶		
Gaming	X	X	X	X	X	X	X	X	X	X	X		C ¹⁷	
Indoor entertainment	X	X	X	C ⁴	C ⁴	C	C	X	X	X	X	C ¹⁶	C ¹⁷	
Indoor sports and recreation	C ¹	C ²	C ³	C ⁴	C ⁴	C	C	X	X	X	X	C ¹⁶	C ¹⁷	
Outdoor entertainment	X	X	X	C ⁴	C ⁴	C	C	C	C ¹²	C	C ¹⁵			

Uses:	Base Zones:											Overlay Zones:		
	RH High Density Residential	RMH Medium High Density Residential	RM Medium Density Residential	MUR Mixed Use with Residential	MUN Mixed Use with Non-Residential	OT Office/Technology	IND Industrial	PUB Public	MAR Marina	POS Park/Open Space	S-M Shoreline Management	RR Regional Retail	NR Neighborhood Retail	P-A Park Avenue District
Outdoor sports and recreation	C	C	X	C ⁴	C ⁴	C	C	C	C ¹²	C	C ¹⁵			
Construction Sales and Service	X	X	X	C ⁴	C ⁴	C	P	X	X	X	X	C ¹⁶		
Convenience Sales and Services	C ¹	C ²	C ³	C ⁴	C ⁴	C	C ⁸	X	C ¹²	X	X		C ¹⁷	
Eating and Drinking Establishments														
Convenience	C ¹	C ²	C ³	C ⁴	C ⁴	C	C ⁸	C	C ¹²	C ¹⁴	X		P ¹⁷	
Full-service	C ¹	C ²	C ³	C ⁴	C ⁴	C	C	C	C ¹²	C ¹⁴	X	C ¹⁶	P ¹⁷	
Financial Services	C ¹	X	X	C ⁴	C ⁴	P	X	X	X	X	X	C ¹⁶	P ¹⁷	
Food and Beverage Retail Sales Services	X	X	X	C ⁴	C ⁴	C	X	X	X	X	X	C ¹⁶	P ¹⁷	
Funeral and Interment	X	X	X	X	X	X	C	X	X	X	X		X ¹⁷	
Gasoline Sales	X	X	X	X	C ⁴	X	C	X	C ¹³	X	X	C ¹⁶	X ¹⁷	X
Lodging Services	X	X	X	P ⁴	P ⁴	X	X	X	C	X	X			
Medical Services	C ¹	X	X	C ⁴	C ⁴	P	X	X	X	X	X		C ¹⁷	
On-Premises Liquor Sales	X	X	X	C ⁴	C ⁴	C	C ⁸	X	C	X	X		C ¹⁷	
Personal Services	C ¹	C ²	C ³	C ⁴	C ⁴	C	X	X	X	X	X		P ¹⁷	
Professional Services	C ¹	C	C	P ⁴	P ⁴	P	C ⁶	X	C	X	X			
Repair Services	C ¹	C ²	X	C ⁴	C ⁴	C	P	X	X	X	X		C ¹⁷	
Research Services	X	X	X	C ⁴	C ⁴	P	P	X	X	X	X			
Retail Sales	C ¹	C ²	C ³	P ⁴	P ⁴	C ⁵	C ⁸	X	C ¹²	C ¹⁴	X	C ¹⁶	P ¹⁷	
Transportation Services	X	X	X	C ⁴	C ⁴	C	C	X	X	X	X		X ¹⁷	
INDUSTRIAL														
Custom Manufacturing	X	X	X	C ⁴	C ⁴	C	P	X	X	X	X			

Uses:	Base Zones:											Overlay Zones:		
	RH High Density Residential	RMH Medium High Density Residential	RM Medium Density Residential	MUR Mixed Use with Residential	MUN Mixed Use with Non-Residential	OT Office/Technology	IND Industrial	PUB Public	MAR Marina	POS Park/Open Space	S-M Shoreline Management	RR Regional Retail	NR Neighborhood Retail	P-A Park Avenue District
General Industrial	X	X	X	X	X	X	C ⁶	X	X	X	X		X ¹⁷	
Hazardous Waste Facility														
Small Scale Hazardous Waste Transfer and Storage Facility	X	X	X	X	C ⁴	C	C	X	X	X	X		X ¹⁷	X
Industrial Hazardous Waste Transfer/ Storage/ Treatment Facility	X	X	X	X	X	X	X	X	X	X	X		X ¹⁷	X
High Technology	X	X	X	C ⁴	C ⁴	P	P	X	X	X	X			
Inoperable Vehicle Storage	X	X	X	X	X	X	C	X	X	X	X		X ¹⁷	
Laundry Services	X	X	X	C ⁴	C ⁴	C	P	X	X	X	X		X ¹⁷	
Light Manufacturing	X	X	X	C ⁴	C ⁴	C	P	X	X	X	X			
Personal Storage	X	X	X	C ⁴	C ⁴	C	C	X	X	X	X		X ¹⁷	X
Wholesaling and Distribution														
Light	X	X	X	X	C ⁴	C ⁵	P	X	X	X	X		X ¹⁷	
Heavy	X	X	X	X	X	X	C	X	X	X	X		X ¹⁷	
LIVE/WORK¹⁸														
Light ¹⁸	C	C	C	C ⁴	C ⁴	C	C ¹⁰	X	X	X	X			
Heavy ¹⁸	X	X	X	X	X	X	C ¹⁰	X	X	X	X			

- Notes: 1. See Section 9-6.304(a)(1).
2. See Section 9-6.304(a)(2).
3. See Section 9-6.304(a)(3).
4. See Sections 9-6.305 and 9-6.502.
5. See Sections 9-6.306 and 9-6.503.
6. See Sections 9-6.307(a) and 9-6.504(a).
7. See Section 9-6.307(b).
8. See Sections 9-6.307(c) and 9-6.504(b).

9. See Section 9-6.307(d).
 10. See Section 9-6.307(e).
 11. See Section 9-6.309(a).
 12. See Sections 9-6.309(b) and 9-6.505.
 13. See Section 9-6.309(c).
 14. See Sections 9-6.310 and 9-6.506.
 15. See Section 9-6.311.
 16. See Sections 9-6.312 and 9-6.507.
 17. See Sections 9-6.313 and 9-6.508.
 18. Live/work uses are as defined in Sections 9-4.3.16(f) and (g), and as regulated in Article 58 of the Zoning Ordinance. See Section 9-6.602(b) for definitions of "Light live/work" and "Heavy live/work".
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9-6.304 Special Regulations in the Residential Zones.

- (a) Limitations on Certain Commercial Uses. In the Residential zones, certain commercial uses, as indicated in Table 9-6.303, are permitted on the ground floor only, and are subject to the following restrictions:
 - (1) RH High Density Residential Zone. Each such individual establishment shall not exceed 15,000 gross square feet.
 - (2) RMH Medium High Density Residential Zone. Each such individual establishment shall not exceed 10,000 gross square feet and shall be local-serving.
 - (3) RM Medium Density Residential Zone. Each such individual establishment shall not exceed 5,000 gross square feet and shall be local-serving.
- (b) Commercial Hauling Prohibited. Commercial hauling businesses are not permitted as home occupations in the Residential zones.

9-6.305 Special Regulations in the Mixed Use Zones.

- (a) Sites of Less Than One Acre. Developments on sites of less than one acre in the Mixed Use zones may be comprised of a single use, as prescribed in Section 9-6.303.
- (b) Sites of One to Five Acres. Developments on sites of at least one acre but less than five acres in the Mixed Use zones must be approved pursuant to the Conditional Use Permit procedure at Article 82 of the Zoning Ordinance, or, at the applicant's option, pursuant to the Planned Unit Development Procedure at Article 85 of the Zoning Ordinance. A mix of use groups is required pursuant to subsection (d) of this section, except that a single use, as prescribed in Section 9-6.303, may be allowed upon the granting of a conditional use permit pursuant to Article 82 of the Zoning Ordinance and the additional finding required by Section 9-6.502.
- (c) Sites of Five Acres or More. On sites of five acres or more in the Mixed Use zones, a mix of use groups is required pursuant to subsection (d) of this section. Such developments must be approved pursuant to the Planned Unit Development Procedure at Article 85 of the Zoning Ordinance.
- (d) Mix of Use Groups. As used in subsections (b) and (c) above, a "mix of use groups" means:

- (1) MUR Mixed Use with Residential Zone. The development must include uses from two or more of the Use Groups defined in Section 9-6.603, one of which must be the Residential Group. Additional uses, as prescribed in Section 9-6.303, are also allowed.
- (2) MUN Mixed Use with Nonresidential Zone. The development must include uses from two or more of the Use Groups defined in Section 9-6.603, one of which may not be the Residential Group. Additional uses, as prescribed in Section 9-6.303, are also allowed.

The exact mix of uses shall be determined through the Conditional Use Permit or Planned Unit Development approval process.

9-6.306 Special Regulations in the OT Office/Technology Zone.

- (a) Limitations on Certain Commercial Uses. Retail Sales and Warehousing and Distribution uses are conditionally permitted only if they are secondary to other permitted or conditionally permitted uses in the OT zone.

9-6.307 Special Regulations in the IND Industrial Zone.

- (a) Limitations on Office Uses. Office uses shall be designed and operated so as not to interfere with other nearby uses that are permitted or conditionally permitted in the IND zone.
- (b) Adult Entertainment. Adult Entertainment uses are as regulated in Article 60 of the Zoning Ordinance, except that references to the I-G General Industrial District are replaced by the IND Industrial zone established by this chapter.
- (c) Limitations on Certain Commercial Uses. Retail and convenience type uses, and On-premises Liquor Sales, are limited to those primarily intended to serve the immediate surrounding area.
- (d) Limitations on General Industrial Uses.
 - (1) West of Hollis Street north of 65th Street, General Industrial uses are permitted with a conditional use permit.
 - (2) East of Hollis Street, and along Horton Street between Powell Street and Stanford Avenue, new General Industrial uses are not permitted, but existing General Industrial uses may continue as conforming uses and may be expanded upon the granting of a conditional use permit pursuant to Article 82 of the Zoning Ordinance subject to the Class A performance standards as stipulated in Article 59 of the Zoning Ordinance.
- (e) Limitations on Live/Work Uses.
 - (1) West of Hollis Street north of 65th Street, only heavy live/work is permitted with a conditional use permit; light live/work is prohibited.
 - (2) East of Hollis Street, and along Horton Street between Powell Street and Stanford Avenue, only light live/work is permitted with a conditional use permit; heavy live/work is prohibited.

9-6.308 Special Regulations in the PUB Public Zone.

(None).

9-6.309 Special Regulations in the MAR Marina Zone.

- (a) Limitations on Residential Uses. Live-aboard boats are permitted; all other residential uses are prohibited.
- (b) Limitations on Certain Civic and Commercial Uses. Retail, recreation, and food service uses must have a waterfront orientation.
- (c) Limitations on Gasoline Sales Uses. Fuel docks dispensing fuel for boats are conditionally permitted; all other Gasoline Sales uses are prohibited.

9-6.310 Special Regulations in the POS Park/Open Space Zone.

- (a) Limitations on Certain Commercial Uses. Food service and retail uses must be oriented to park users, and are limited to a total floor area of no more than 20% of the park area.

9-6.311 Special Regulations in the S-M Shoreline Management Zone.

- (a) Uses. All uses, including accessory uses, must comply with the Emeryville Shoreline Protection Ordinance of 1987.
- (b) Structures. Structures are not permitted.

9-6.312 Special Regulations in the RR Regional Retail Overlay Zone.

- (a) Conditionally Permitted Uses. Conditionally permitted uses may occupy 100 percent of the building area provided that they are regional-serving.

9-6.313 Special Regulations in the NR Neighborhood Retail Overlay Zone.

- (a) Permitted Uses. Uses indicated as permitted in the NR Neighborhood Retail overlay zone column of Table 9-6.303 are only permitted if they have all of the following characteristics:
 - (1) Are local-serving;
 - (2) Are located on the ground floor;
 - (3) Have a gross floor area of 5,000 square feet or less;
 - (4) Have a pedestrian orientation with a main entrance facing the public sidewalk that will remain open to the general public during normal business hours;
 - (5) Do not include alcoholic beverage sales, except Full Service Eating and Drinking Establishments; and
 - (6) Do not include check cashing services.
 - (7) Have hours of operation no earlier than 7:00 a.m. daily, and no later than 10 p.m. Monday through Saturday and 9 p.m. on Sunday.

- (8) Provide at least two bicycle parking racks accommodating a total of at least four bicycles on the sidewalk near the main entrance.
- (b) Conditionally Permitted Uses. In addition to uses indicated as conditionally permitted in Table 9-6.303, any uses indicated as permitted but not having all of the characteristics listed in subsection (a) above shall require a conditional use permit.
- (c) Prohibited Uses. Uses indicated as prohibited in the NR zone in Table 9-6.303 are not allowed, even if they are permitted or conditionally permitted in the base zone.
- (d) Off-street Parking and Loading. Local-serving uses having a gross floor area of 5,000 square feet or less are exempt from the off-street parking and loading requirements stipulated in Article 55 of the Zoning Ordinance.

9-6.314 Use Regulations and Standards in All or Several Zones.

- (a) Use Regulations. The following use regulations shall apply in all or several zones, as indicated:
 - (1) Factory-Built Housing. Factory-built housing shall be treated the same as conventional site-built housing.
 - (2) Mobile Homes on Individual Lots. Mobile homes on individual lots shall be treated the same as single-family dwellings.
 - (3) Small Family Day Care. Small family day care homes located in single-family dwellings shall be treated the same as a single-family dwellings.
 - (4) Large Family Day Care. Large family day care homes are subject to the applicable provisions of Article 56 of the Zoning Ordinance.
 - (5) Special Residential Care Facilities. Special residential care facilities located in single-family dwellings shall be permitted as residential uses subject to the applicable provisions of Article 56 of the Zoning Ordinance.
 - (6) Residential Second Units. Residential second units are subject to the applicable provisions of Article 56 of the Zoning Ordinance.
 - (7) Accessory Uses. Accessory uses and structures are subject to the provisions of Article 5 of the Zoning Ordinance.
 - (8) Home Occupations. Home occupations are permitted in any legal residential unit, subject to the applicable provisions of Article 5 of the Zoning Ordinance.
 - (9) Open Storage. Open storage in any zone shall require a conditional use permit pursuant to Article 82 of the Zoning Ordinance except in the S-M Shoreline Management zone where it is prohibited.
 - (10) Drive-in Facilities. Drive-in Facilities are prohibited in all zones except the RR Regional Retail Overlay Zone, where they shall require a conditional use permit pursuant to Article 82 of the Zoning Ordinance and the additional findings required by Section 9-6.507.
- (b) Standards. The following standards shall apply in all or several zones, as indicated:

- (1) Setbacks. The minimum setbacks of buildings from lot lines, referred to in this chapter as “yards”, shall be as prescribed in Section 9-6.403.
- (2) Residential Density. Maximum residential density shall be as prescribed in Section 9-6.404.
- (3) Building Intensity. The maximum floor area ratio of buildings shall be as prescribed in Section 9-6.405.
- (4) Height. The maximum height of buildings and structures shall be as prescribed in Section 9-6.406.
- (5) Minimum Dwelling Area. In the RH High Density Residential, RMH Medium High Density Residential, and RM Medium Density Residential zones, each dwelling unit shall have a minimum gross floor area of not less than 500 square feet.
- (6) Minimum Lot Size. There is no minimum lot size in any zone.
- (7) Landscaping, Buffering and Screening. Landscaping, buffering, and screening shall be provided pursuant to the provisions of Article 54 of the Zoning Ordinance.
- (8) Off-street Parking and Loading. Off-street parking and loading shall be provided pursuant to the provisions of Article 55 of the Zoning Ordinance, with the following exceptions:
 - a. Certain uses in the NR Neighborhood Retail overlay zone are exempt from off-street parking and loading requirements, as stipulated in Section 9-6.313(d).
 - b. Parking provided pursuant to Section 9-4.55.10 shall require a conditional use permit rather than a variance, and shall be subject only to the findings in Sections 9-4.55.10(3)(i) and (ii), except that references to a variance in such findings are replaced by references to a conditional use permit.
 - c. The parking requirement for Research Services and High Technology uses shall be 1.5 spaces per 1,000 square feet.
- (9) Bicycle Parking. Bicycle parking shall be provided pursuant to the provisions of Article 68 of the Zoning Ordinance.
- (10) Vehicular Access. All lots shall have vehicular access from a dedicated street or alley. Access to all off-street parking and loading areas shall conform to requirements of the City Engineer and shall be subject to modification during review of the site plan.
- (11) Lighting. All lighting, interior or exterior, shall be designed and located so as to confine all direct rays to the premises on which it is located.
- (12) Multiple Uses. The provisions of this chapter supersede the standards for multiple-use developments contained in Article 57 of the Zoning Ordinance.
- (13) Live/Work Space. The standards for live/work space are contained in Article 58 of the Zoning Ordinance.

- (14) Performance Standards. All development shall be subject to the performance standards as set forth in Article 59 of the Zoning Ordinance.
- (15) Signs. The standards for signs are contained in Article 61 of the Zoning Ordinance.
- (16) Affordable Housing. All new residential projects of 30 or more dwelling units, including live-work units, shall be subject to the affordable housing set-aside program as prescribed in Article 62 of the Zoning Ordinance.
- (17) Water Reuse. The requirements for the use of recycled water are contained in Article 63 of the Zoning Ordinance.
- (18) Demolition of Structures.
 - a. Demolition of Tier 1 and Tier 2 buildings in the Park Avenue District shall be subject to the requirements of Article 64 of the Zoning Ordinance.
 - b. Demolition of structures containing residential units, including live/work units, shall be subject to the requirements of Article 65 of the Zoning Ordinance.
 - c. Demolition of significant non-residential structures outside the Park Avenue District shall be subject to the requirements of Article 67 of the Zoning Ordinance.
- (19) Sidewalk Cafes. Sidewalk cafes shall be subject to the requirements of Article 66 of the Zoning Ordinance.
- (20) Condominium Conversions. Conversion of existing residential buildings to condominiums shall be subject to the requirements of Article 7 of Chapter 3 of this title.
- (21) Noise. Regulations regarding noise, including construction noise, are set forth in Chapter 13 of Title 5. These are in addition to the performance standards set forth in Article 59 of the Zoning Ordinance.
- (22) Medical Marijuana Dispensaries. Medical marijuana dispensaries are prohibited pursuant to Chapter 28 of Title 5.
- (23) Tobacco Shops. Pursuant to Section 5-29.10 of Chapter 29 of Title 5, retail or wholesale tobacco shops are prohibited from being located within 1,000 feet of public or private schools and parks, greenways and playgrounds. "Retail or wholesale tobacco shop", as defined in Section 5-29.02(p) of Chapter 29 of Title 5, means any business establishment that derives 50% or more of gross receipts from the sale or exchange of tobacco products or any other weed, plant or combustible substance, including medicinal marijuana, or tobacco paraphernalia.
- (24) Stormwater Treatment. Development projects are subject to the applicable requirements of the Stormwater Treatment Design, Management, and Discharge Control Program set forth in Chapter 13 of Title 6.
- (25) Street Trees. Maintenance, planting, and removal of street trees are subject to the requirements of the Urban Forestry Ordinance set forth in Chapter 10 of Title 7.

ARTICLE 4. DIMENSIONAL, INTENSITY, AND DENSITY REGULATIONS

9-6.401 Purpose.

The purpose of this article is to prescribe minimum required setbacks and maximum permitted residential density, building intensity, and height, for buildings and structures in all zoning districts; and to prescribe bonus density, intensity, and heights that may be conditionally permitted.

9-6.402 Zoning Ordinance Provisions Superseded.

The provisions of this article supersede Sections 9-4.3.10(f) and 9-4.43.7, and Articles 51 and 52 of the Zoning Ordinance.

9-6.403 Setbacks.

The minimum setbacks of buildings from lot lines, referred to in this chapter as “yards”, shall be as prescribed in Table 9-6.403. General requirements for yards shall be as prescribed in Article 53 of the Zoning Ordinance.

Table 9-6.403. Required Yards (Setbacks).

Required Yard:		Residential Zones:		All Other Zones:	
		RH High Density Residential and RMH Medium High Density Residential	RM Medium Density Residential	Abutting a Lot in a Residential Zone	Not Abutting a Lot in a Residential Zone
Front	If the two adjacent lots are developed: ¹	Average of front yards on the adjacent lots.		Where street frontage abuts a lot in a residential zone, setback from street line shall be the same as required on the adjacent residential lot. ²	None.
	If only one of the adjacent lots is developed: ¹	Same as front yard on developed lot but not less than 5 feet.	Same as front yard on developed lot but not less than 10 feet.		
	If neither of the adjacent lots is developed:	5 feet	10 feet		
	Corner lot, whether or not adjacent lots are developed:	5 feet	10 feet		
Street Side		3 feet			

	Residential Zones:		All Other Zones:	
	RH High Density Residential and RMH Medium High Density Residential	RM Medium Density Residential	Abutting a Lot in a Residential Zone	Not Abutting a Lot in a Residential Zone
Required Yard:				
Interior Side	3 feet		10 feet, plus an additional 2 feet for each 1 foot by which the height of the building on the nonresidential lot exceeds 30 feet.	None.
Rear	15 feet			

- Notes: 1. Detached garages and accessory buildings shall not be considered in determining existing front yards.
2. Where a lot has frontage on two streets, and both such frontages are adjacent to property in a residential zone, the setback from the street line on each frontage shall be the same as required on the adjacent residential lot.

9-6.404 Residential Density.

(a) The maximum density of residential uses in dwelling units per acre shall be as prescribed on the General Plan Residential Density Map. This map is made a part of this chapter by this reference. The residential density districts prescribed on this map are:

- 20/35 Permitted: up to 20 units per acre; Bonus: up to 35 units per acre.
- 50/60 Permitted: up to 50 units per acre; Bonus: up to 60 units per acre.
- 85/110 Permitted: up to 85 units per acre; Bonus: up to 110 units per acre.
- 100/135 Permitted: up to 100 units per acre; Bonus: up to 135 units per acre.
- 115/170 Permitted: up to 115 units per acre; Bonus: up to 170 units per acre.

(b) Where there is no residential density district shown on the General Plan Residential Density Map, residential uses are not permitted.

(c) Interpretation of Residential Density Map. If a lot is in two or more residential density zones on the General Plan Residential Density Map, the density indicated on the map shall apply to each portion of the lot, provided that the density for the entire lot may be increased up to the maximum density applicable to any portion of the lot upon the granting of a conditional use permit pursuant to Article 82 of the Zoning Ordinance if both of the following conditions are met:

- (1) At least 50 percent of the lot area is already covered by the zone with the maximum residential density; and
- (2) The entire lot could be included in said zone by shifting the residential density zone boundary by not more than 50 feet as measured perpendicularly to said boundary at any point.

If subsections (1) and (2) above do not apply, the maximum permissible number of dwelling units for the lot shall be calculated based on the residential densities that apply

to each portion of the lot. However, the resulting dwelling units may be located anywhere on the lot, subject to applicable maximum floor area ratios, height limits, setbacks, and any other dimensional requirements.

9-6.405 Building Intensity.

- (a) The maximum floor area ratio (FAR) of buildings shall be as prescribed on the General Plan Floor Area Ratio Map. This map is made a part of this chapter by this reference. The floor area ratio districts prescribed on this map are:

0.5	Permitted: up to 0.5 FAR;	Bonus: none.
1.2/1.6	Permitted: up to 1.2 FAR;	Bonus: up to 1.6 FAR.
2.0/3.0	Permitted: up to 2.0 FAR;	Bonus: up to 3.0 FAR.
3.0/4.0	Permitted: up to 3.0 FAR;	Bonus: up to 4.0 FAR.
4.0/6.0	Permitted: up to 4.0 FAR;	Bonus: up to 6.0 FAR.

- (b) Where there is no FAR shown on the General Plan Floor Area Ratio Map, buildings and structures are not permitted.

- (c) Interpretation of Floor Area Ratio Map. If a lot is in two or more floor area ratio zones on the General Plan Floor Area Ratio Map, the floor area ratio indicated on the map shall apply to each portion of the lot, provided that the floor area ratio for the entire lot may be increased up to the maximum floor area ratio applicable to any portion of the lot upon the granting of a conditional use permit pursuant to Article 82 of the Zoning Ordinance if both of the following conditions are met:

- (1) At least 50 percent of the lot area is already covered by the zone with the maximum floor area ratio; and
- (2) The entire lot could be included in said zone by shifting the floor area ratio zone boundary by not more than 50 feet as measured perpendicularly to said boundary at any point.

If subsections (1) and (2) above do not apply, the maximum permissible floor area for the lot shall be calculated based on the floor area ratios that apply to each portion of the lot. However, the resulting floor area may be located anywhere on the lot, subject to applicable height limits, setbacks, and any other dimensional requirements.

9-6.406 Height.

- (a) The maximum height of buildings and structures shall be as prescribed on the General Plan Height Map. This map is made a part of this chapter by this reference. The height districts prescribed on this map are:

30	Permitted: up to 30 feet;	Bonus: none.
30/55	Permitted: up to 30 feet;	Bonus: up to 55 feet.
55/75	Permitted: up to 55 feet;	Bonus: up to 75 feet.
75/100	Permitted: up to 75 feet;	Bonus: up to 100 feet.
100+	Permitted: up to 100 feet;	Bonus: over 100 feet.

- (b) Where there is no height district shown on the General Plan Height Map, buildings and structures are not permitted.

- (c) Exceptions to height limits. No building and structure shall exceed the height limits except as provided in this section. The following structures may be permitted to extend up to ten feet above the maximum height limits, provided that any extension above ten feet shall require a conditional use permit pursuant to Article 82 of the Zoning Ordinance:
- (1) Chimneys
 - (2) Domestic radio and television antennas; provided, however, that satellite dish antennas shall not extend above the maximum height limits
 - (3) Fire and parapet walls
 - (4) Roof structures for the housing of air conditioners, elevators, stairways, tanks, ventilating fans and similar equipment
 - (5) Skylights
 - (6) Unoccupiable building space
 - (7) Other appurtenances normally incidental to principal buildings and structures
- (d) Interpretation of Height Map. If a lot is in two or more height zones on the General Plan Height Map, the height limit indicated on the map shall apply to each portion of the lot, provided that the height limit for the entire lot may be increased up to the maximum height limit applicable to any portion of the lot upon the granting of a conditional use permit pursuant to Article 82 of the Zoning Ordinance if both of the following conditions are met:
- (1) At least 50 percent of the lot area is already covered by the zone with the maximum height limit; and
 - (2) The entire lot could be included in said zone by shifting the height zone boundary by not more than 50 feet as measured perpendicularly to said boundary at any point.

9-6.407 Bonuses.

- (a) Procedure. Except in the RM Medium Density Residential zone, bonus residential densities, floor area ratios, and/or heights, as specified in this article, may be permitted upon the granting of a conditional use permit pursuant to Article 82 of the Zoning Ordinance and the additional findings required Section 9-6.509 if public benefits as specified in this section are provided. Such public benefits are not required in the RM Medium Density Residential zone.
- (b) Public Benefits. To be eligible for bonus residential density, floor area ratio, and/or height, a project must provide significant public benefits substantially beyond normal requirements in the following areas:
- (1) Public Open Space. Publicly accessible and readily usable parks and/or plazas constituting at least 10 percent of the site area.
 - (2) Family Friendly Development. In residential projects, three bedroom or larger housing units constitute at least 10 percent of the total number of units, and amenities for children, such as play structures.

- (3) Sustainable Design. LEED gold or platinum certification or equivalent.
 - (4) Transportation Demand Management. Facilities and programs to encourage residents and/or tenants to use other travel modes besides single occupant vehicles and to reduce vehicle miles traveled, such as showers and lockers, car sharing pods, bicycle sharing programs, free transit passes, carpool matching services, free carpool parking, parking cash-out programs, unbundled parking, electric vehicle charging stations, alternative work schedules, telecommuting, and on-site daycare.
 - (5) Public Right-of-Way Improvements. Improvements to the public right-of-way, including sidewalk areas, beyond normal improvements required along the property frontage.
 - (6) Undergrounding of Utility Wires. Undergrounding existing overhead utility wires that are not along the project's immediate frontage, including those across the street or on adjacent blocks.
 - (7) Public Parking. Motor vehicle and bicycle parking available to the general public.
 - (8) Neighborhood Centers. Along major streets in the NR Neighborhood Center overlay zone, at least 75 percent of the ground floor frontage devoted to space appropriate for, and actively marketed to, uses listed in Section 9-6.313(a). Such space must have a depth of at least 30 feet and a ceiling height of at least 12 feet. At least one space must be provided with a vent shaft for a kitchen flue and space for a grease interceptor to allow for a possible Eating and Drinking Establishment use.
 - (9) Recycled Water. Dual plumbing in buildings for the future use of recycled water for toilet flushing, cooling towers, and other appropriate uses.
 - (10) Small Businesses. Facilities and programs to attract and retain small businesses, including at least 10 percent of the gross building area configured as tenant spaces of no more than 5,000 square feet, consideration of commercial condominiums or rent subsidies, and active marketing efforts targeted to small businesses.
 - (11) Water Reuse. On-site gray water or rain water collection and reuse facilities.
 - (12) Alternative Energy. On-site wind power, solar power, or cogeneration facilities.
 - (13) Public Art. On-site public art substantially exceeding the requirements of the Art in Public Places Program.
 - (14) Alternative Public Benefit. A currently undefined public benefit as proposed by the applicant which the City Council, on the recommendation of the Planning Commission, determines provides a public benefit which is "significant" and "substantially beyond normal requirements" so as to warrant the granting of the bonus.
- (c) Determination of Bonus. Projects providing public benefits in one of the areas listed in subsection (b) above are eligible for one-third of the bonus residential density, floor area ratio, and/or height. Projects providing public benefits in two of these areas are eligible for two-thirds of the bonus. Projects providing public benefits in three or more of these

areas are eligible for the full bonus. In considering a conditional use permit for bonus residential density, floor area ratio, and/or height, the Planning Commission or City Council, as the case may be, shall determine whether the public benefits provided are “significant” and “substantially beyond normal requirements” so as to warrant the granting of the bonus. Notwithstanding the foregoing, the Planning Commission or City Council, as the case may be, may determine whether one public benefit is sufficiently “significant” and “substantially beyond normal requirements” so as to warrant the granting of all or part of the full bonus.

ARTICLE 5. REQUIRED FINDINGS

9-6.501 Purpose.

The purpose of this article is to prescribe findings for the granting of conditional use permits pursuant to the provisions of this chapter. In addition to the general findings required by Section 9-4.82.13, the findings required by this article must be made in order to grant a conditional use permit in the situations specified.

9-6.502 Uses in the Mixed Use Zones.

To grant a conditional use permit for a single use on a site of at least one acre but less than five acres in the Mixed Use zones, pursuant to Section 9-6.305(b), the following finding must be made:

- (a) That the applicant has convincingly demonstrated that it is infeasible to develop a project with a mix of use groups on the site.

9-6.503 Uses in the OT Office/Technology Zone.

To grant a conditional use permit for a Retail Sales or Light Warehousing and Distribution use in the OT Office/Technology zone, the following finding must be made:

- (a) That the use is secondary to other uses that are permitted or conditionally permitted in the OT Office/Technology zone.

9-6.504 Uses in the IND Industrial Zone.

- (a) To grant a conditional use permit for an Administrative Services (Civic), Administrative and Business Offices, or Professional Services use in the IND Industrial zone, the following finding must be made:

- (1) That the use is designed and operated so as not to interfere with other nearby uses that are permitted or conditionally permitted in the IND Industrial zone.

- (b) To grant a conditional use permit for a Convenience Sales and Services, Convenience Eating and Drinking Establishment, On-Premises Liquor Sales, or Retail Sales use in the IND Industrial zone, the following finding must be made:

- (1) That the use is primarily intended to serve the immediate surrounding area.

9-6.505 Uses in the MAR Marina Zone.

To grant a conditional use permit for a Community Recreation, Commercial Recreation, Convenience Sales and Services, Eating and Drinking Establishment, or Retail Sales use in the MAR Marina zone, the following finding must be made:

- (a) That the use has a waterfront orientation.

9-6.506 Uses in the POS Park/Open Space Zone.

To grant a conditional use permit for an Eating and Drinking Establishment or Retail Sales use in the POS Park/Open Space zone, the following finding must be made:

- (a) That the use is oriented to park users, and has a total floor area of no more than 20% of the park area.

9-6.507 Uses in the RR Regional Retail Overlay Zone.

To grant a conditional use permit for any use that is listed in Table 9-6.303 as conditionally permitted in the RR Regional Retail overlay zone, or for a Drive-in Facility in the RR Regional Retail overlay zone, the following findings must be made:

- (a) That the use will enhance Emeryville's role as a regional retail destination.
- (b) That the use will provide adequate access for all travel modes, including automobiles, pedestrians, bicycles, and public transit.
- (c) That the proposal will conform in all significant respects with any applicable area plan which has been adopted by the City Council.

9-6.508 Uses in the NR Neighborhood Retail Overlay Zone.

To grant a conditional use permit for any ground floor use that is listed in Table 9-6.303 or Section 9-6.313(b) as conditionally permitted in the NR Neighborhood Retail overlay zone the following findings must be made:

- (a) That the use will enhance the area's role as a neighborhood center.
- (b) That the use will provide a pedestrian orientation, including consideration of a main entrance facing the public sidewalk that will remain open to the general public during normal business hours.
- (c) That the proposal will conform in all significant respects with any applicable area plan which has been adopted by the City Council.

9-6.509 Density, Height, and Floor Area Ratio Bonuses.

To grant a conditional use permit for bonus residential density, height, or floor area ratio, as prescribed in Article 4, the following findings must be made:

- (a) In the RM Medium Density Residential zone:
 - (1) That the proposed project is of excellent design quality.
 - (2) That the proposed project is compatible with the surrounding neighborhood with regard to building scale, form, and materials, and street orientation.

- (3) That the proposed project has been designed to minimize the appearance from the street of driveways, parking spaces, maneuvering aisles, and garage doors as much as possible given the size and shape of the lot, and that at least 70% of the street frontage is devoted to active non-parking related uses, unless this reduces the parking related frontage to less than 10 feet, in which case a driveway of up to 10 feet in width shall be allowed.
- (b) In all other zones:
- (1) That the proposed project is of excellent design quality.
 - (2) That the proposed project will provide significant public benefits substantially beyond normal requirements in one or more of the areas listed in Section 9-6.407(b). A project providing public benefits in one of these areas is eligible for one-third of the bonus; a project providing public benefits in two of these areas is eligible for two-thirds of the bonus; a project providing public benefits in three or more of these areas is eligible for the full bonus.
- (c) Bonus height over 100 feet:
- (1) That the proposed project is of excellent design quality.
 - (2) That the proposed project will provide significant public benefits substantially beyond normal requirements in three or more of the areas listed in Section 9-4.407(b).
 - (3) That the proposed project will minimize impacts on public views, wind, and shadows at the street level.
 - (4) That the proposed project will be separated by an adequate distance from any other building with a height greater than 100 feet.

ARTICLE 6. DEFINITIONS

9-6.601 Purpose.

The purpose of this article is to define certain terms and concepts used in this chapter. If not otherwise specified, terms used in this chapter shall be as defined in the Zoning Ordinance.

9-6.602 Definitions of Terms.

As used in this chapter:

- (a) "Intensity" means the intensity of land utilization as measured by the lot size or floor area ratio of all development. This supersedes the definition of "intensity" at Section 9-4.3.13(c) except for existing Planned Unit Developments, which are still subject to the definition at Section 9-4.3.13(c).
- (b) "Live/work" uses are as defined in Sections 9-4.3.16(f) and (g), with the following additional stipulations:
 - (1) "Heavy live/work" means any live/work use which otherwise complies with all applicable laws in which the work activity may be objectionable by reason of production of offensive odor, dust, noise, bright lights, vibration, or the storage of

hazardous materials or products, including but not limited to manufacturing, welding, or assembly.

- (2) "Light live/work" means any live/work use not classified as heavy live/work.
- (c) "Local-serving" means having a market area generally not exceeding one mile in radius.
- (d) "Mixed Use Zones" means the MUR Mixed Use with Residential and the MUN Mixed Use with Nonresidential zones.
- (e) "Regional-serving" means having a market area generally exceeding one mile in radius.
- (f) "Residential Zones" means the RH High Density Residential, RMH Medium High Density Residential, and RM Medium Density Residential zones.

9-6.603 Use Groups.

For purposes of this chapter, use classifications are divided into the following use groups: Residential, Retail, Office, Hotel, Recreational, and Industrial. These groups are defined as follows:

- (a) Residential Group. This group is characterized by multiple dwelling units in a single structure or group of structures, and includes the following use classifications:

- Family Residential
- Townhouse
- Multifamily

- (b) Retail Group. This group is characterized by establishments whose primary function is to serve walk-in customers, with or without advance appointments, and includes the following use classifications:

- Cultural and Library Services
- Animal Sales and Services
 - Grooming and pet stores
- Convenience Sales and Services
- Eating and Drinking Establishments
 - Convenience
 - Full-service
- Financial Services
- Food and Beverage Retail Sales Services
- On-Premises Liquor Sales
- Personal Services
- Retail Sales
- Repair Services

- (c) Office Group. This group is characterized by establishments whose employees spend all or most of the workday at assigned work stations in offices, laboratories, and similar environments, and whose primary function is not to serve walk-in customers, and includes the following use classifications:

- Administrative Services (Civic)
- Administrative and Business Offices

Animal Sales and Services
 Veterinary
Medical Services
Professional Services
Research Services
High Technology

- (d) Hotel Group. This group is characterized by hotels and motels that provide commercial lodging services to the general public on a less than monthly basis, and includes the following use classification:

 Lodging Services

- (e) Recreational Group. This group is characterized by establishments that provide leisure activities to the general public on a walk-in basis, with or without advance appointments, and includes the following use classifications:

















 Community Recreation
 Park and Recreation
 Commercial Recreation
 Amusement center
 Indoor sports and recreation
 Indoor entertainment

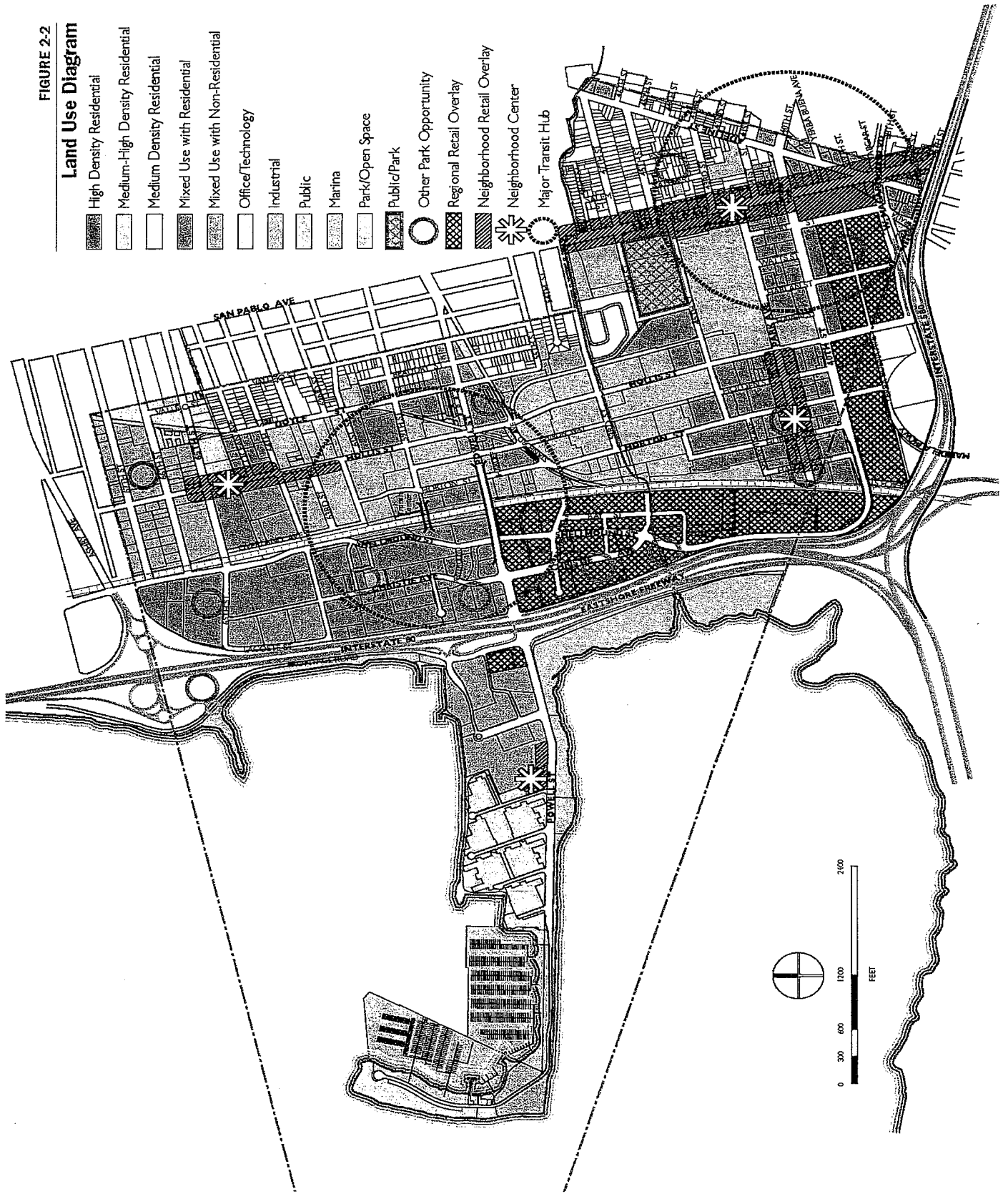
- (f) Industrial Group. This group is characterized by establishments engaged in low-impact manufacturing activities suitable for a mixed use environment, and includes the following use classifications:

 Custom Manufacturing
 Light Manufacturing

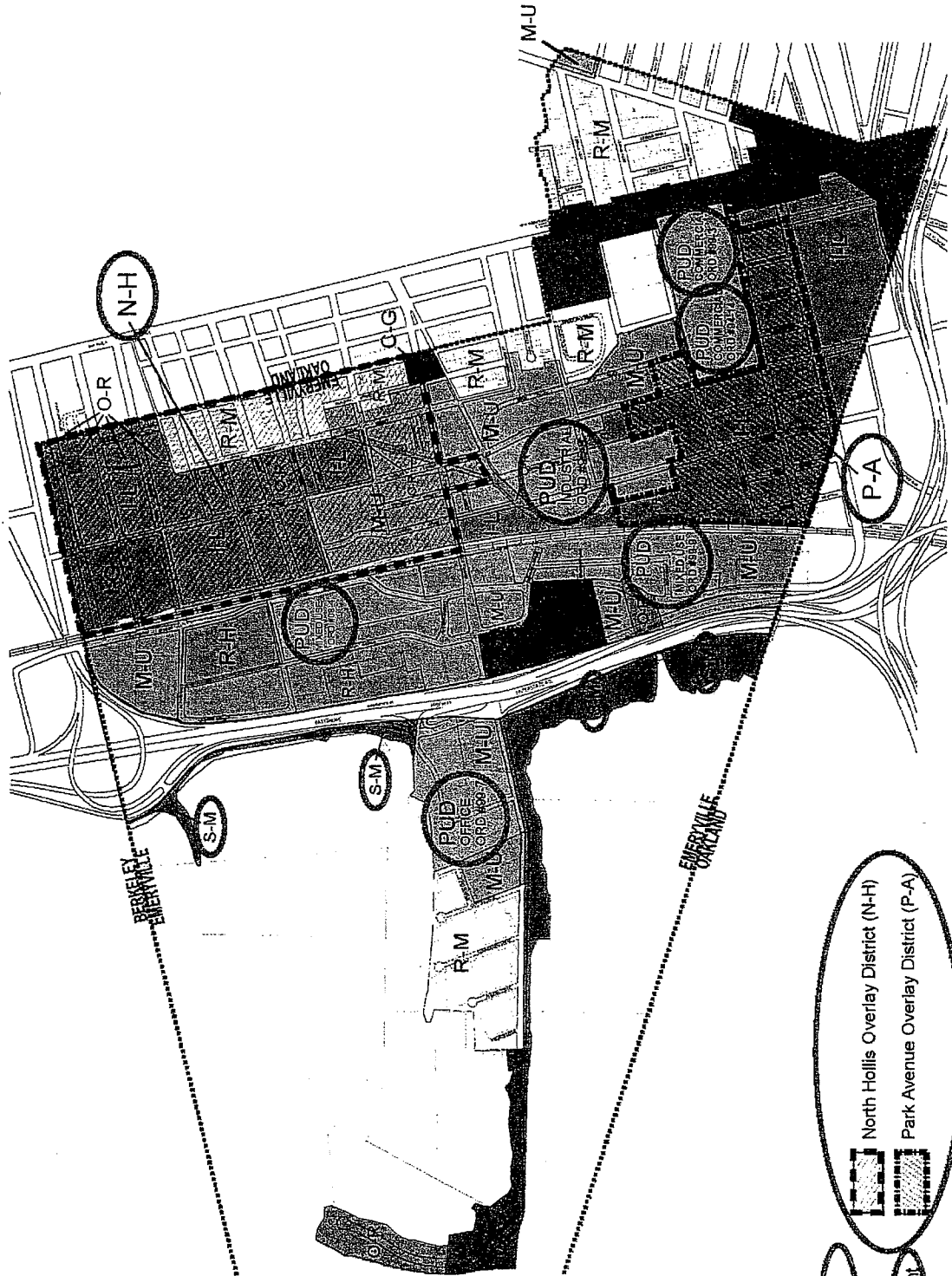
FIGURE 2-2

Land Use Diagram

-  High Density Residential
-  Medium-High Density Residential
-  Medium Density Residential
-  Mixed Use with Residential
-  Mixed Use with Non-Residential
-  Office/Technology
-  Industrial
-  Public
-  Marina
-  Park/Open Space
-  Public/Park
-  Other Park Opportunity
-  Regional Retail Overlay
-  Neighborhood Retail Overlay
-  Neighborhood Center
-  Major Transit Hub



Zoning Districts Map



- R-M** Medium Density Residential
- R-H** High Density Residential
- GC** General Commercial
- LI** Light Industrial
- GI** General Industrial
- MU** Mixed Use
- OR** Outdoor Recreation
- SM** Shoreline Management
- PL** Public Use
- PUD** Planned Unit Development



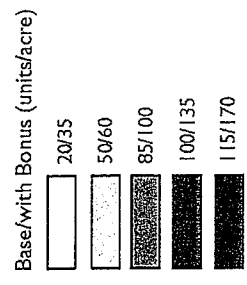
 North Hollis Overlay District (N-H)
 Park Avenue Overlay District (P-A)

FIGURE 2-6
Maximum Residential Densities



Notes: Maximum residential density may not be attainable on all sites given development standards in the Zoning Ordinance.
 Bonus residential density is discretionary and will be awarded only after developers demonstrate that projects meet community goals.

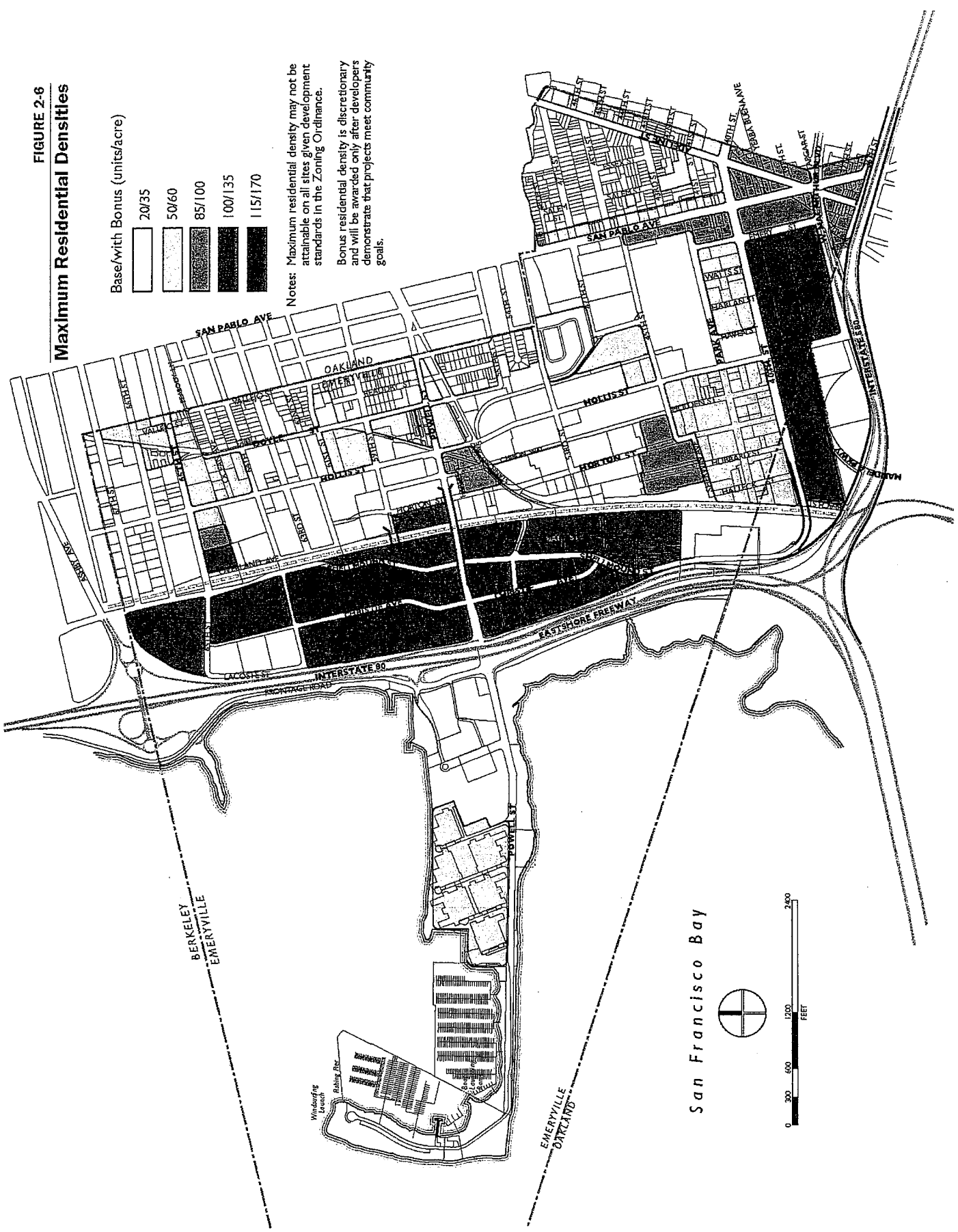
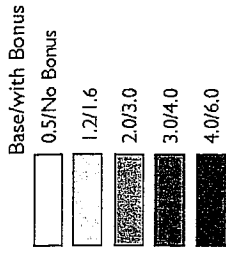


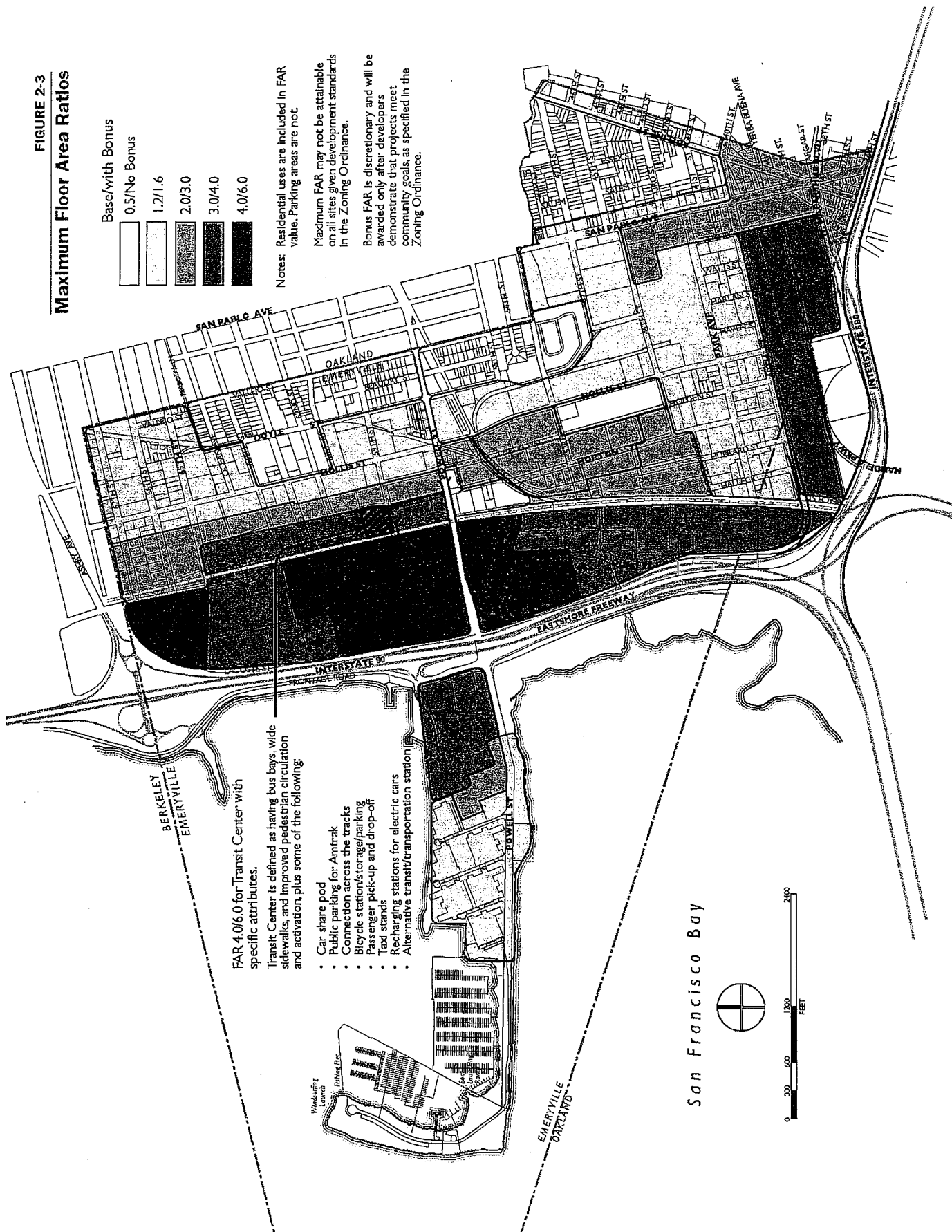
FIGURE 2-3
Maximum Floor Area Ratios



Notes: Residential uses are included in FAR value. Parking areas are not.

Maximum FAR may not be attainable on all sites given development standards in the Zoning Ordinance.

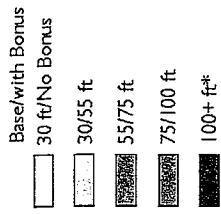
Bonus FAR is discretionary and will be awarded only after developers demonstrate that projects meet community goals, as specified in the Zoning Ordinance.



FAR 4.0/6.0 for Transit Center with specific attributes.
Transit Center is defined as having bus bays, wide sidewalks, and improved pedestrian circulation and activation, plus some of the following:

- Car share pod
- Public parking for Amtrak
- Connection across the tracks
- Bicycle station/storage/parking
- Passenger pick-up and drop-off
- Taxi stands
- Recharging stations for electric cars
- Alternative transit/transportation station

FIGURE 2-4
Maximum Building Heights

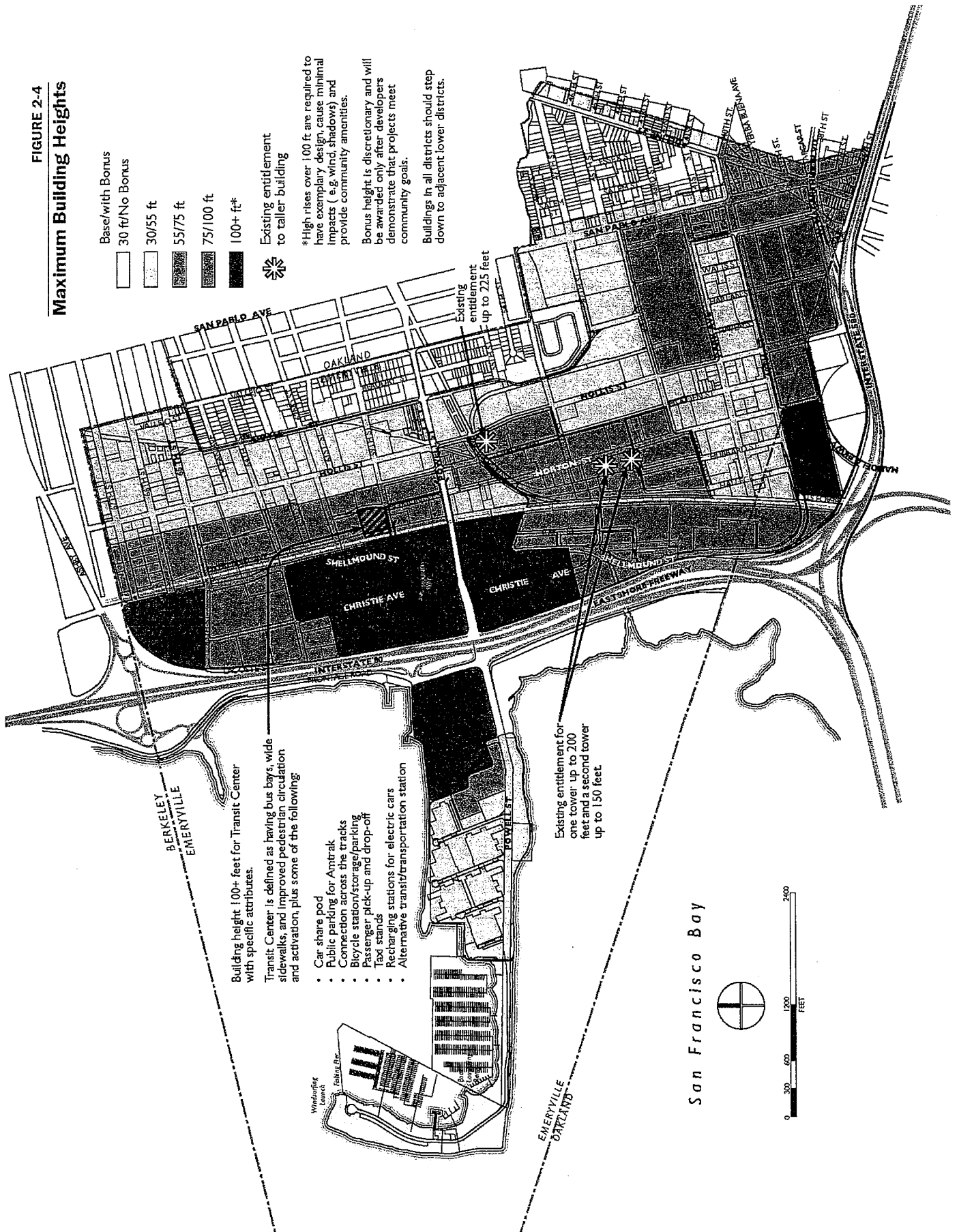


Existing entitlement to taller building

*High rises over 100 ft. are required to have exemplary design, cause minimal impacts (e.g. wind, shadows) and provide community amenities.

Bonus height is discretionary and will be awarded only after developers demonstrate that projects meet community goals.

Buildings in all districts should step down to adjacent lower districts.



Building height 100+ feet for Transit Center with specific attributes.

Transit Center is defined as having bus bays, wide sidewalks, and improved pedestrian circulation and activation, plus some of the following:

- Car share pod
- Public parking for Amtrak
- Connection across the tracks
- Bicycle station/storage/parking
- Passenger pick-up and drop-off
- Taxi stands
- Recharging stations for electric cars
- Alternative transit/transportation station

Existing entitlement for one tower up to 200 feet and a second tower up to 150 feet.

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Direct staff to return with a proposed implementation plan for Board consideration within 60-90 days.
(General Plan Update – PLN070525/County of Monterey)

Upon motion of Supervisor _____, seconded by Supervisor _____, and carried by those members present, the Board hereby directs staff to return with a proposed implementation plan for Board consideration within 60-90 days.

PASSED AND ADOPTED on this 26th day of October, 2010, by the following vote, to wit:

AYES:
NOES:
ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
, Deputy

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Directing staff to return with an interim ordinance for Board consideration within 30 days.
(General Plan Update – PLN070525/County of Monterey)

Upon motion of Supervisor _____, seconded by Supervisor _____, and carried by those members present, the Board hereby directs staff to return with an interim ordinance for Board consideration within 30 days.

PASSED AND ADOPTED on this 26th day of October, 2010, by the following vote, to wit:

AYES:
NOES:
ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book _____ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____,
Deputy



DEPARTMENT OF ECOLOGY & EVOLUTIONARY BIOLOGY
UNIVERSITY OF CALIFORNIA
1156 HIGH STREET
SANTA CRUZ, CALIFORNIA 95064

September 18, 2010

Direct Contact: Adelia L. Barber
adelia@biology.ucsc.edu

Julie Engell
331 Dry Creek Road
Monterey, CA 93940

Dear Mrs. Engell:

At your request, I have performed several acreage calculations on maps of the Monterey County Water Resources Agency (MCWRA) Assessment Zones. I have worked analyzing land use using GIS for the last 7 years and I have included my CV with this letter.

MCWRA did not make GIS data available for this project, thus all my calculations were performed on published maps that were in PDF format. Although my calculations would have been more precise if GIS data had been made available, fairly accurate numbers can be derived from the PDF maps.

I used three documents as source material:

- 1- A PowerPoint presentation available on the MCWRA website titled "MCWRA Reservoirs: What Was, What is, and What Will Be" and dated Sept. 2007. Slides 11, 12, and 13 of this presentation show outlines of zones 2, 2A, and 2C.
<http://www.mcwra.co.monterey.ca.us/SVWP/Presentations/NacSAinformation09192007.pdf>
- 2- A PDF document on the MCWRA website titled "Zone 2B Proposition 218 Engineers Report" and dated November 2007. A map of zone 2B appears on page 2-3.
http://www.mcwra.co.monterey.ca.us/SVWP/Final_Engr_Rpt_NOV07.pdf
- 3- A PDF document on the MCWRA website titled "2009 Ground Water Summary Report" and dated August 2010. Figure 1 on page 2 of this report includes a map of the combined zones 2, 2A and 2B.
http://www.mcwra.co.monterey.ca.us/Agency_data/GEMS_Reports/2009%20Summary%20Report.pdf

Each of the maps mentioned above were converted to JPEG images and overlaid onto Google Earth aerial imagery using Google Earth PRO 5.0. The coastal and county boundaries were aligned with a Monterey County boundary map that was obtained from GIS staff at the Monterey County Planning Office. The boundaries of each map were aligned to within 100 meters. A higher level of precision would have been available with actual GIS data, however a 100-meter offset is negligible given the large size of Monterey County and the assessment zones. Figure 1 (attached) shows an example of how these images were aligned, using the Zone 2B as an example.

Next, the boundaries of each zone (2, 2A, 2B & 2C) were traced. The resulting polygons were imported into ArcGIS 9.3, converted into shapefile format, and total acreage was calculated.

According to these calculations, there are **69,812** acres included in Zone 2C that are NOT within the boundaries of Zones 2, 2A or 2B. Figure 2 shows a map of these areas. Given the inherent errors in the process of overlaying multiple images and tracing zone edges, each boundary I have drawn is likely within 1000-meters of the true boundary. This leads to a potential error of about $\pm 4\%$ for the calculation described above, thus the true number of acres outside of zones 2, 2A and 2B but inside of zone 2C is likely between **67,019** and **72,604** acres.

Please feel free to contact me with questions.

Sincerely,

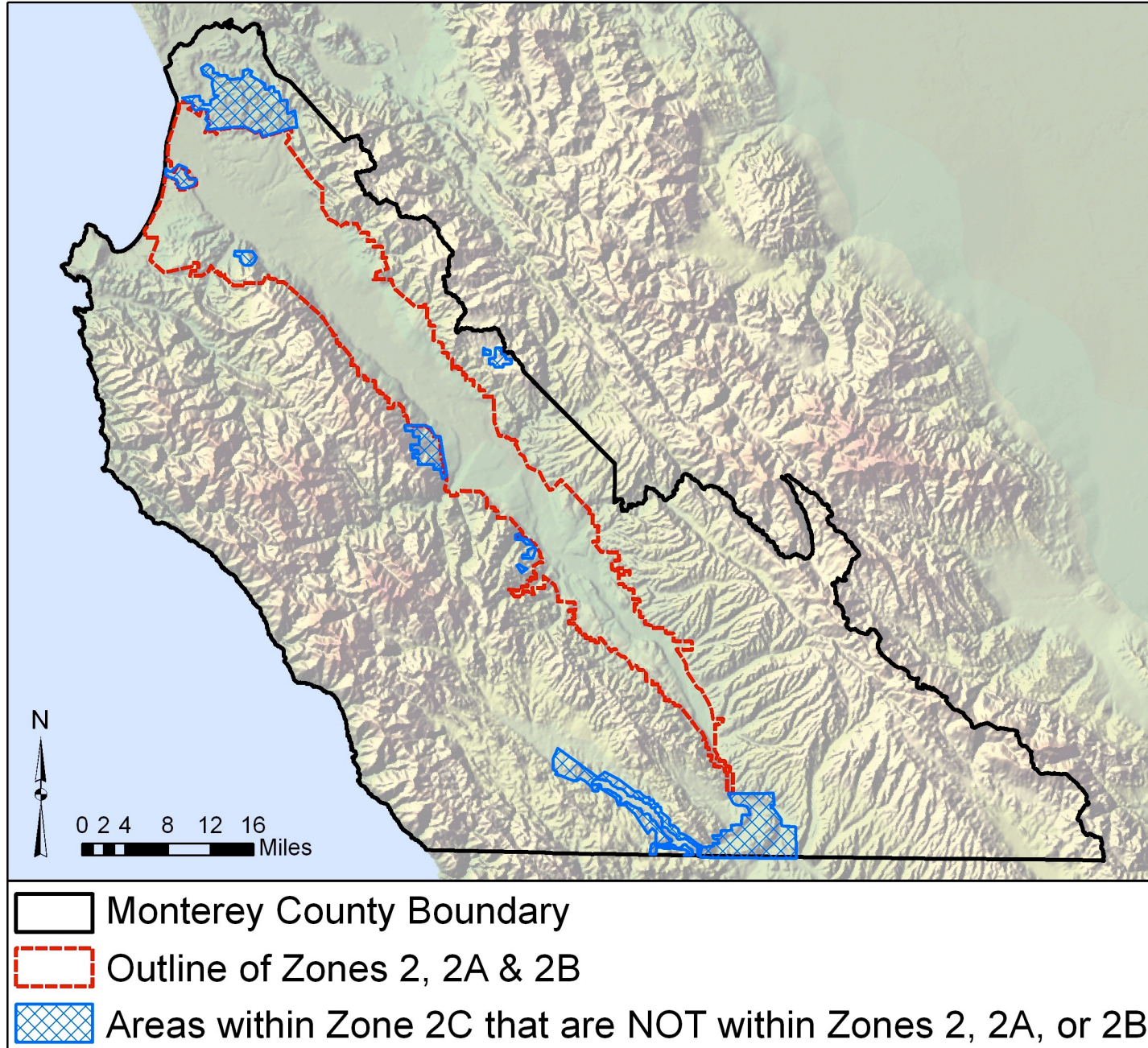
A handwritten signature in black ink, appearing to read 'Adelia L. Barber'. The signature is fluid and cursive, with a long horizontal flourish at the end.

Adelia L. Barber
PhD. Candidate
University of California, Santa Cruz
Department of Ecology and Evolutionary Biology

Figure 1: Zone 2B map overlaid on aerial imagery



Figure 2: Areas that are within the boundaries of Zone 2C but not within the boundaries of 2, 2A, or 2B



CURRICULUM VITAE

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ACADEMIC HISTORY

PhD. Candidate in Ecology and Evolutionary Biology, University of California, Santa Cruz
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Brown University: Providence, RI (1997 - 2002)
4.0 GPA B.S. in Environmental Science
Magna cum laude with Honors

School for International Training, Arusha, Tanzania (2000)
Certificate in Wildlife Ecology

RESEARCH INTERESTS

Population dynamics and modeling of long-lived tree species, theory and empirical studies of plant life-histories, ecology of the genus *Pinus*, taxonomy of the genus *Trifolium*, dendrochronology, matrix modeling theory, conifer leaf physiology, spatial modeling using GIS

PROFESSIONAL AND TEACHING EXPERIENCE

- California State Coordinator of GLORIA - Global Observation Research Initiative in Alpine Environments, operated by the US Forest Service the University of CA (2009 – current)
- Co-Instructor for Biology 20B, Structure and Function of Organisms (305 students, 2007)
- Teaching Assistant for Plant Ecology, UC Santa Cruz, Professor Ingrid Parker (Fall 2006)
- Teaching Assistant for Quantitative Conservation Biology, UCSC, Prof. Doak (Winter 2005)
- Assistant Agricultural Researcher, UC Cooperative Extension Monterey (2003- 2004)
- Teaching Assistant for Conservation Biology, Brown University, Prof. Hughes (Fall 2001)
- Mentor and Trip Leader, Providence Outdoor Leadership Project (Fall, 1999- Fall 2001)
- Teaching Assistant for Applied Plant Ecology, Brown University, Prof. Schmitt (Spring 2001)
- Teaching Assistant for Environmental Science, Brown University, Prof. Hamburg (2001)
- Teaching Assistant for Plant Systematics, Brown University, Prof. Schmitt (Fall 2000 & 2001)
- Vegetation Researcher, Ndarakwai Wildlife Reserve, Tanzania (Fall 1999- Summer 2000)
- Laboratory and Field Technician, United States Geological Survey (Summer 1999)

- Seminar Coordinator for the Center for Environmental Studies, Brown Univ. (1998-1999)
- Intern for California State Assemblyman Fred Keeley, Santa Cruz, CA (Summer 1998)

GRANTS AND AWARDS

2010 UC Santa Cruz GAANN Fellowship
2009 ARCS Foundation Scholarship
2009 California Desert Research Fund Grant
2009 Elvander Scholarship from the California Native Plant Society
2008 NSF Doctoral Dissertation Improvement Grant
2008, 2007, & 2006 White Mountain Research Station Graduate Student Grant
2004 STEPS Fellow in Interdisciplinary Environmental Research, MRC Greenwood Fellowship
2004 National Science Foundation Graduate Research Fellow
2004 UCSC President's Cota-Robles Scholarship
2001 Brown University Royce Fellowship Continuation Grant
2000 Brown University Royce Fellowship Grant (for work on the Santa Cruz Tarplant)

GUEST LECTURES & PRESENTATIONS

Invited Presentations:

Barber, A.L. "A Natural History of *Pinus longaeva*." San Francisco Chapter of the California Native Plant Society. Santa Cruz, CA (September 2010)

Barber, A.L. "A Natural History of *Pinus longaeva*." Santa Cruz Chapter of the California Native Plant Society. Santa Cruz, CA (January 2010)

Barber, A.L. "Seven Millennia of Population Dynamics in a High-Altitude Population of Bristlecone Pine." California Native Plant Society Conservation Conference. Sacramento, CA (January 2009)

Barber, A.L. "Population Ecology of Long-Lived and Long-Dead Charismatic Megaflora." Climate, Ecosystems and Resources in Eastern California (CEREC) Symposium. Bishop, CA (November 2008)

Barber, A.L. "The Bristlecone Pine Ecosystem." White Mountain Research Station Open House, Barcroft Station. (August 2008)

Barber, A.L. "The Bristlecone Pine Ecosystem." Clark County Ecosystem Health Workshop, Desert Research Institute. Las Vegas, NV (January 2008)

Contributed Presentations and Guest Lectures:

Maher, C. and Barber, A.L. "The Effects of Herbivory and Habitat Amelioration on bristlecone pine (*Pinus longaeva*) Seedlings" Poster, STEPS Institute Annual SLGS Meeting. Santa Cruz, CA.

(February 2009) also displayed at Climate, Ecosystems and Resources in Eastern California (CEREC) Symposium. Bishop CA (November 2008)

Barber, A.L. "Modeling The Early Life-Stages of *Pinus longaeva*." UC Santa Cruz Plant Symposium. Santa Cruz, CA (January 2009)

Garcia, J. and Barber, A.L. "The Effect of mammalian and avian seed caching on bristlecone pine populations." Climate, Ecosystems and Resources in Eastern California (CEREC) Symposium. Bishop CA (November 2008)

Barber, A.L. "Population Ecology of Long-Lived and Long-Dead Charismatic Megafloora." Ecological Society of America Annual Meeting. San Jose, CA (July 2007) (also given to UC Davis Ecology Odyssey Field Course, White Mountain Research Station. September 2007 AND an ecology field course from Victor Valley College, White Mountain Research Station. August 2007)

Barber, A.L. "The Basics of Dendrochronology for Paleoclimate Reconstruction." The Fossil Record. UC Santa Cruz. Winter 2007

Barber, A.L. "Matrix Modeling for Plant Populations and Metapopulation Analysis." Plant Ecology, UC Santa Cruz. Fall 2006

Barber, A.L. "Environmental and demographic stochasticity in matrix modeling." Quantitative Conservation Biology, UC Santa Cruz. Winter 2006

Barber, A.L. "Long Term Population Dynamics: Competition and Facilitation in Bristlecone and Limber Pines." Stanford – UCSC Species Interaction Workshop. Santa Cruz, CA (December 2006)

Barber, A.L. "Mustard Cover Crops for Weed Control." Western Grower's Association Meeting. Salinas, CA. December 2003.

Barber, A.L. "Population Trends for the Santa Cruz Tarplant." The Coastal Training Program's Santa Cruz Tarplant Recovery Workshop, Monterey, CA. August 2003

Barber, A.L. "A Grower's Guide to Grass Identification." Salinas Valley Grower's Meeting. July 2003.

PUBLICATIONS & REPORTS

Barber, A.L. *IN PREP* "Five decades of recruitment in a high-altitude population of Bristlecone Pine". Will be submitted to Ecology in July 2010

Barber, A.L. and M.E. Barber. *Requested, In PREP* "A novel borer extraction device for field use." Will be submitted to Tree-Ring Research, July 2010

Morgan, R., Barber, A.L., and Velzy, J. *IN PREP* “*Trifolium piokowskii* (Leguminosae, Papilionoideae): A new species of clover from Northern California.” Will be submitted to *Novon* in July 2010

Sattherthwaite, W. H., K. D. Holl, G. F. Hayes, and A. L. Barber. 2007. Seed Banks in Plant Conservation: Case Study of the Santa Cruz Tarplant Restoration. *Biological Conservation* 135:57-66.

Hane, E. N., S. P. Hamburg, A. L. Barber, and J. A. Plaut. 2003. Phytotoxicity of American beech leaf leachate to sugar maple seedlings in a greenhouse experiment. *Canadian Journal of Forest Research* 33: 814-821

A. L. Barber. 2001. Conservation of a Rare California Wildflower: A Case Study of the Santa Cruz Tarplant. Senior Thesis, Brown University Center for Environmental Studies.

A. L. Barber. 2000. The land-use and land-cover of Ndarakwai Wildlife Reserve: Vegetation change over ten years. Report Submitted to Ndarakwai Private Wildlife Reserve, Northern Tanzania

PUBLIC SERVICE, OUTREACH, SKILLS

- Google Earth Case Study: Ecological Research on the Ancient Pines (this case study is displayed on the Google Earth webpage and included in the downloadable program). http://earth.google.com/outreach/case_studies.html
- Graduate Student Member on the faculty search committee for the Dept. of Ecology and Evolutionary Biology, UC Santa Cruz (2009)
- Graduate Student Representative for the Dept. of Ecology of Evolutionary Biology, UC Santa Cruz (2007-2008)
- Volunteer Consultant for The Mountain Resources Group, Save the Bohemian Grove, and Neighbors Against Irresponsible Logging (2005-2009)
- Volunteer, Annual GLORIA Plant Surveys in Tahoe and the White Mountains (Global Observation Research Initiative in Alpine Environments) 2005-2008
- Proficient in Kiswahili and Spanish
- Reviewer for *Acta Oecologia*
- Alumni Interviewer for Brown University (2000 – 2009)
- Professional Societies: Ecological Society of America, California Native Plant Society

MENTORING EXPERIENCE (STUDENTS AND VOLUNTEERS)

Supervisor of Senior Theses 2008-2010

- Scott Jorgensen: “Abiotic limitations of the distributions of *Pinus flexilis* and *Pinus longaeva* in the White Mountains, California.” Advised by Adelia Barber and Ingrid Parker 2010

- Meagan Oldfather: “Elevation-dependent Population Growth Rates of bristlecone pines (*Pinus longaeva*) as an indicator of a Changing Treeline in the White Mountains, California” Advised by Adelia Barber and Ingrid Parker 2010
- Rebecca Byrnes: “Making a usable data base for *Trifolium fucatum*.” Advised by Adelia Barber 2010
- Colin Maher: “The Effects of Herbivory and Habitat Amelioration on bristlecone pine (*Pinus longaeva*) Seedlings.” Advised by Adelia Barber and Prof. Ingrid Parker 2009
- Jeffrey Garcia: “The Effect of mammalian and avian seed caching on bristlecone pine populations.” Advised by Adelia Barber and Prof. Daniel Doak 2009
- Marcos Grabiell: “Somatic Mutations in Bristlecone Pines: A Unique, Precise Approach.” Advised by Adelia Barber and Prof. Kathleen Kay 2008
- Elizabeth Hoosiar: “A Shadow in Time: Using fallen cones to assess the long-term fecundity of *Pinus longaeva*.” Advised by Adelia Barber and Prof. Mark Carr 2008

3 Non-Thesis Independent Study Students (2007 – 2009)

10 Elderly and Citizen Science Volunteers (2006 – 2009)

7 Other Student Volunteers (2007 – 2009)

MEDIA COMMENTARIES

- The Good Times Weekly, Santa Cruz. September 17, 2008. “Pining for the Bristlecone” <http://www.gtweekly.com/20080917249727/good-times/covers/pining-for-the-bristlecone>
- Los Angeles Times. September 25, 2006 “A Top Spot for Higher Education”
- San Francisco Chronicle. August 2, 2006 “Performing High-Altitude Research on Global Warming”

Lockwood Valley Groundwater Basin

- Groundwater Basin Number: 3-6
- County: Monterey
- Surface Area: 59,900 acres (94 square miles)

Basin Boundaries and Hydrology

Lockwood Valley Ground Water Basin is comprised of a northwesterly trending valley in the Coast Range Mountains of Monterey County west of the Salinas Valley. The basin extends from Lake San Antonio in the southeast to the Camp Hunter Liggett gate in the northwest. About the western one half of the basin is within the Hunter Liggett Military Reservation and is used as an artillery firing range. The elevation ranges from 800 to 1,200 feet. Along the San Antonio River the geologic materials are mapped as Quaternary alluvium. Beyond the river floodplain the geologic units are Quaternary nonmarine terrace deposits and Plio-Pleistocene nonmarine units. The basin is bounded on all sides by Middle Miocene marine rocks (Jenkins 1958). The San Antonio and Jolon Faults are mapped within the basin but it is undetermined if they affect groundwater flow. The basin boundary confidence is considered high, due to clear geologic contacts. The San Antonio River and its tributaries drain the basin. Average precipitation ranges from 15 to 23 inches, increasing northward.

Hydrogeologic Information

Water Bearing Formations

The primary water bearing formations are unconsolidated alluvium along the San Antonio River and Quaternary terrace deposits from the river floodplain to the basin boundary (Bader, 1967). San Joaquin District well completion report files contain logs for 223 wells in the basin. All of the wells are shown to be completed in unconsolidated units.

Restrictive Structures

The basin is largely unconfined but some confinement is noted by Bader (1967). There is no evidence to show that faults affect the movement of groundwater within the basin.

Recharge Areas

The primary area of groundwater recharge is from the San Antonio River and the basin margins.

Groundwater Level Trends

No groundwater level hydrographs were available. Information in the Monterey County General Plan (South County Area Plan 1987), indicate that water levels fluctuate between about 9 to 12 feet to water. San Joaquin District well completion report files show depth to water ranging from about 10 feet up to 150 feet at the time the wells were drilled.

Groundwater Storage

Bulletin 118-75 lists the storage capacity on the order of 1,000,000 acre feet (DWR 1975).

Groundwater Budget (Type C)

There is no information to provide an estimate of this basin's budget.

Groundwater Quality

The primary water type in the basin is bicarbonate type with calcium and magnesium cations (DWR 1967). The Monterey County General Plan (1987) describes the water in the area as being both good and plentiful, although there is hard water. The water is not contaminated by nitrates or tainted by sulfur.

Water Quality in Public Supply Wells

Constituent Group¹	Number of wells sampled²	Number of wells with a concentration above an MCL³
Inorganics – Primary	5	0
Radiological	4	0
Nitrates	5	0
Pesticides	5	0
VOCs and SOCs	5	0
Inorganics – Secondary	5	0

¹ A description of each member in the constituent groups and a generalized discussion of the relevance of these groups are included in *California's Groundwater – Bulletin 118* by DWR (2003).

² Represents distinct number of wells sampled as required under DHS Title 22 program from 1994 through 2000.

³ Each well reported with a concentration above an MCL was confirmed with a second detection above an MCL. This information is intended as an indicator of the types of activities that cause contamination in a given basin. It represents the water quality at the sample location. It does not indicate the water quality delivered to the consumer. More detailed drinking water quality information can be obtained from the local water purveyor and its annual Consumer Confidence Report.

Well Characteristics

	Well yields (gal/min)	
Municipal/Irrigation	Range: 2– 1500	Average: 100 (DWR well completion reports)
	Total depths (ft)	
Domestic	Range: 30	Average:
Municipal/Irrigation	Range: - 1000	Average: 270 (DWR well completion reports)

Active Monitoring Data

Agency	Parameter	Number of wells /measurement frequency
	Groundwater levels	0
	Miscellaneous water quality	0
Department of Health Services and cooperators	Title 22 water quality	9

Basin Management

Groundwater management:	None
Water agencies	
Public	None
Private	None

References Cited

- Bader, J.S. 1969. Ground-Water Data as of 1967 Central Coast Subregion, California. USGS Open-File Report.
- California Department of Water Resources (DWR), San Joaquin District. Well completion report files.
- _____. 1967. Monterey County Water Quality Investigation.
- _____. 1975. California's Ground Water. Bulletin 118.
- Jenkins, Olaf P. (compiler). 1958. San Luis Obispo Sheet of Geologic Map of California. California Division of Mines and Geology (CDMG). Scale 1:250,000.
- Monterey County. 1987. South County Area Plan.


Errata


Changes made to the basin description will be noted here.

Proposed Zone 2C Boundary and Existing Zone 2A Boundary

Monterey Bay

Legend

 Zone 2C Boundary

 Zone 2A Boundary

 Major Roads

 Cities

 Water Bodies

Subarea

 Pressure


 Eastside

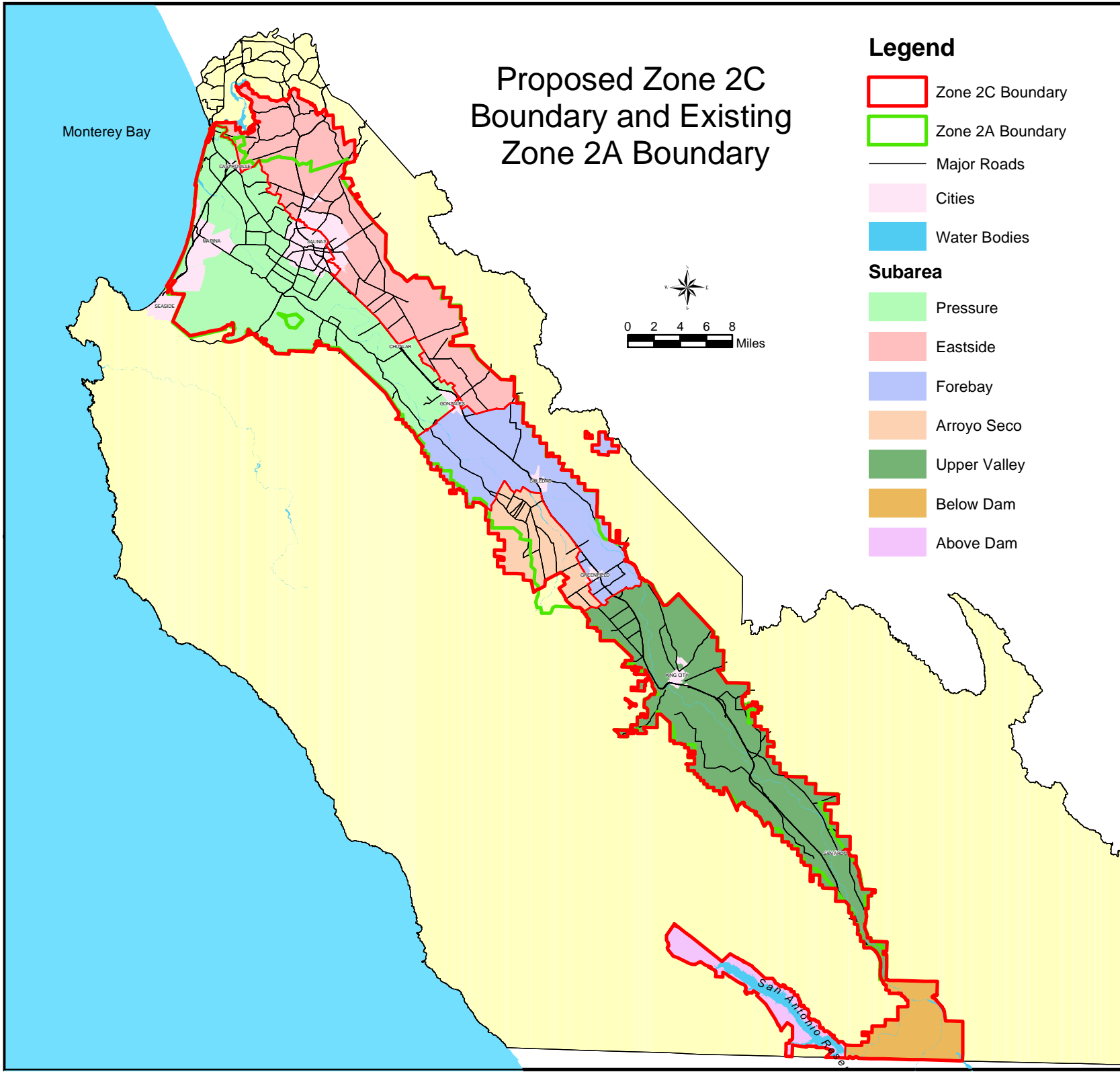
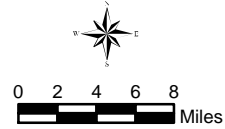
 Forebay

 Arroyo Seco

 Upper Valley

 Below Dam

 Above Dam



Note: The scale and configuration of all information shown hereon are approximate and are not intended as a guide for survey or design work.

Map Date: January 24, 2003



SOUTH COUNTY

AREA PLAN

A PART OF THE MONTEREY COUNTY
GENERAL PLAN

MONTEREY COUNTY BOARD OF SUPERVISORS

Karin Strasser Kauffman, Chair
Marc del Piero, Vice-Chair
Sam Karas
Dusan Petrovic
Barbara Shipnuck

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SOUTH COUNTY AREA PLAN CITIZENS ADVISORY COMMITTEE

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Althea Bernard
Miguel Errea
Janice Smith
Archie Weferling
Jonathan Wooster
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Raymond W. Lamb, Assistant Director of Planning

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Steve Early, Graphics Supervisor

Gale Foss, Graphics
Carmelia Moon, Manuscri,

Steven Sigala, Graphics

UPDATE INDEX

SOUTH COUNTY AREA PLAN - AMENDMENTS

As Adopted by the Monterey County Board of Supervisors for the following date(s):

1. **February 2, 1988** - MAP CHANGE - Add park symbols designation for Riverfront Project - Eade Property - south of San Lucas.
2. **February 2, 1988** - ADD POLICY - Add Policy 51.1.1.1 (SC) adds criteria for approving recreational projects as Williamson Act lands.
3. **February 2, 1988** - ADD POLICY - Add Policy 26.1.5.1(2) (SC) 500' residential setback along military tank road easement connecting Fort Hunter Liggett and Camp Roberts.
4. **December 14, 1993** - MAP CHANGE - APN 423-173-05 - Change land use designation from "Farmlands, 160 Acre Minimum," to "Rural Density Residential, 5+ Acres Per Unit."
5. **February 14, 1995** - MAP CHANGE - APNs 424-051, 060-062 - Change land use designation from "Permanent Grazing, 40 Acre Minimum" to "Rural Grazing, 40 Acre Minimum."
6. **February 14, 1995** - MAP CHANGE - APNs 423-251-034, 040 - Change land use designation from "Low Density Residential, 1 Acre Minimum" to "Commercial."
7. **December 5, 1995** - MAP CHANGE - APN 423-301-033-000 - Change land use designation from "Medium Density Residential, 1 - 5 Units/Acre" to "Commercial."
8. **January 9, 1996** - ADD POLICY - Add Policy 26.1.4.3 regarding sewer and water requirements for proposed subdivisions

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SOUTH COUNTY AREA PLAN PHILOSOPHY

The South County Area Plan was prepared under the guidance of the South County Citizens Advisory Committee (CAC) appointed by the Board of Supervisors on February 14, 1984. This seven member CAC represented a cross-section of Monterey County's largest, but least populated planning area. The process of developing this plan provided a high degree of citizen involvement and allowed numerous local communities the opportunity to help shape their future. The philosophy of the South County Area Plan reflects the values and desires of many local residents sharing common concerns for South County and Monterey County as a whole.

The term "community" as it relates to South County is most often a description of a large geographic area, with neighbors separated by miles of country road and perhaps a cluster of homes and a small store to signify a central location. But the sense of community is much stronger here than more populated areas, perhaps because of friendships that have endured for decades and perhaps because of lifelong commitments to the land. Community ties and even closer ties to the land characterize a way of life that has endured for generations. Thus, a primary concern for many residents is to conserve South County's vast agricultural lands, thereby preserving an irreplaceable, renewable resource and a cherished way of life.

There are also strong concerns for growth and additional economic opportunities in the Planning Area. These opportunities are found in South County's existing economic resources. Foremost among these is Lake San Antonio, which in addition to its value for water conservation and flood control, is also one of the finest recreational areas in the Central Coast. In tandem with its sister lake, Nacimiento, they offer a compelling attraction for additional commercial and residential development in the surrounding area. San Ardo is targeted for a significant increase in industrial use, allowing expansion of an already significant economic base provided by agriculture and oil development. The military continues to intensify development and operations at Fort Hunter Liggett and Camp Roberts, with possible additional economic spinoffs for the Planning Area. On the other side of the coin are concerns that land use conflicts and negative environmental impacts be avoided as land uses change.

The foregoing concerns and opportunities form the basis for a plan that seeks to reconcile the demand for growth with the need to preserve and enhance South County's most attractive qualities for its residents, especially the need to ensure the long-term viability of South County's natural resources.

INTRODUCTION

The South County Area Plan is part of the Monterey County General Plan which is a long-range, comprehensive guide addressing all aspects of future growth, development, and conservation. This Area Plan is one of eight area plans for Monterey County dealing with local issues and concerns. An area plan may be more specific than the General Plan due to its narrow geographic focus. Development opportunities, constraints, and natural resources in South County are unlike those in other parts of the County, hence the policies and land uses for this planning area are more precisely adapted to the characteristics of this area than are the more general features of the General Plan. An area plan must be consistent with the intent and overall direction of the countywide plan.

According to current trends, the South County Planning Area will experience increasing pressure for residential, commercial, industrial, and recreational development. The South County Area Plan, therefore, is particularly critical in establishing a framework for development and resource conservation in South County for the next twenty years.

Once adopted, a plan must be implemented so that it will apply in an explicit manner to each parcel of property and will address every development proposal made in the Planning Area. Regulations and programs will be used to properly implement each plan once it is adopted. These include zoning regulations, subdivision regulations, capital improvements programming, and project review under the California Environmental Quality Act. Each of these has its own focus and purpose and all of these must be in accord with the goals, objectives, and policies adopted in the countywide General Plan.

The ***South County Inventory and Analysis*** background report is a comprehensive study of the South County Planning Area's natural resources, environmental constraints, demography and social setting, development patterns, and land suitability. The first section of this Plan summarizes the information contained in the Inventory. The assumptions, issues, policies, and land uses in the South County Area Plan were developed utilizing this detailed data base.

The South County Area Plan and the other seven area plans will supercede all previous general plans. Specifically, the South County Area Plan will replace the South County General Plan and the Nacimiento/San Antonio General Plan which had previously been superceded by the Monterey County General Plan in 1982. The area encompassed by the new South County Area Plan is somewhat different than the area addressed by the old South County General Plan.

PART I: INVENTORY AND ANALYSIS

CHAPTER 1: NATURAL RESOURCES

In preparing an area plan for South County, it is essential to have an understanding of the opportunities and limitations of the area's physical features and natural resources. Natural characteristics shape the setting in which man's physical development takes place. South County's unique combination of natural resources provides opportunities for an array of land uses.

The natural resources discussed in this plan can be characterized either as those which are unaffected by man or as those which may be depleted or destroyed through improper management. Geography, climate, and geology, for example, are essentially unchanged by man's activities. The remaining categories of this section -- minerals, soils, water, vegetation, wildlife, environmentally sensitive areas, archaeological resources, and energy -- may be significantly altered, or even destroyed through misuse.

NATURAL RESOURCES

GEOGRAPHY AND CLIMATE

As illustrated by Figure 1, the South County Planning Area makes up the southernmost section of Monterey County and contains the largest land area of the eight planning areas. South County is bounded on the north by the Central Salinas Valley Planning Area following Highway 198, San Lucas and Jolon Roads, and the Fort Hunter Liggett and Los Padres National Forest boundaries. The eastern boundary follows the San Benito, Fresno, and Kings County lines. To the west is the Coast Planning Area, defined by the Los Padres/Hunter Liggett boundary and the ridgeline of the Santa Lucia Mountain Range. The San Luis Obispo County line defines the southern boundary.

Among the prominent geographic features in the 1,281 square miles encompassed by South County are portions of the Diablo and Santa Lucia Mountain Ranges, the benchlands of the Upper Salinas Valley, the Salinas, San Antonio and Nacimiento Rivers, San Antonio Reservoir, and numerous canyons, valleys, and creeks.

South County experiences different weather patterns than the coastal area of Monterey County. Although the South County Planning Area experiences some coastal influence, its inland location east of the Santa Lucia Range, and at the southern end of the Salinas Valley, limit the strength of maritime influence. Hot summers and mild but pronounced winters give the area sharply defined seasons. Summer high temperatures often reach into the 80s and 90s while winter lows in the 20s and 30s are not uncommon. Average annual precipitation varies from about 10 inches in the Southern Salinas Valley, to about 12 inches in the Lockwood area, and about 14 inches in the Diablo Range to the east.

MINERAL RESOURCES

The most notable examples of mineral extraction in South County are the oil fields located in the San Ardo area. In fact, almost all of the oil production in Monterey County is from the San Ardo fields. Known reserves, as of 1978, totaled 203 million barrels. Production at the San Ardo field totaled 12.7 million barrels in 1978, from 930 active wells. Oil exploration throughout South County is on the increase.

SOILS AND SLOPE

A wide variety of soils are present in South County. The characteristics of the soils and the slope of the land are significant determinants of appropriate land uses for a specific area. Some of the soils, due to their composition, drainage, and gentle slope, are appropriate for agricultural or urban uses. Such soils are found primarily on the floor of the Salinas Valley, in the Jolon area, and in the communities of San Ardo and Bradley. Other soils pose severe limitations to the agricultural or urban uses of the land. Rugged areas on mountainous slopes and areas underlain by recent alluvium have severe constraints to development.

Slope is a significant factor in soil stability, rate of erosion, and runoff velocity. In general, areas of zero to thirty percent slope, as indicated in Figure 2, correspond roughly to areas of low and moderate soil constraints. Conversely, steep slopes (greater than 30 percent) tend to have high soil constraints. Areas having slopes in excess of 30 percent are not considered suitable for development and are generally considered suitable only for open space uses such as grazing, low intensity recreation, and watershed.

FARMLANDS

The U.S.D.A. Soil Conservation Service has developed and implemented a system for categorizing important farmlands for California and the rest of the nation. The system distinguishes four categories of farmlands, each with specific criteria. The categories are "prime farmlands," "farmlands of statewide importance," "unique farmlands," and "farmlands of local importance." Figure 3 shows where in South County the important farmlands are located.

As shown in Figure 3, most of the important farmlands in South County are in the "local importance" category. Soils in this category have prime characteristics but are not irrigated. Therefore, much of the farming in South County is non-irrigated, or "dryland" farming. This includes crops such as barley, oats, wheat and grains. Irrigated croplands in the "prime" and "statewide" categories are only found along Highway 101 to Sargeants Road and in the Lockwood and Hames Valleys. A small area of "unique" farmlands is found between San Lucas and San Ardo on the east side of the valley floor. Irrigated row crops in South County include sugar beets, tomatoes, lettuce, peppers, grapes, broccoli, alfalfa and beans.

FIGURE 1
Location Map

FIGURE 2
Slope

FIGURE 3
Important Farmlands

WATER RESOURCES

Surface Water Resources

The surface water of the South County Planning Area is divided among portions of three major watersheds: the Salinas Valley Basin, the San Antonio Basin, and the Nacimiento Basin. The entire Planning Area ultimately drains into the Salinas Valley Basin.

The Salinas River has a year-round flow, although during the dry summer months the flow of the river is regulated extensively by releases from San Antonio and Nacimiento Reservoirs. Other tributaries of the Salinas River, such as San Lorenzo Creek are intermittent, carrying surface flows during the wet winter months yet are dry during the summer months.

The natural hydrology of the Salinas Valley Basin was significantly altered with the completion of dams and reservoirs on the Nacimiento and San Antonio Rivers. Both reservoirs provide flood control and water conservation for the basin. The Nacimiento Reservoir was completed in 1957, providing a water conservation capacity of 190,000 acre-feet. Nacimiento is located in San Luis Obispo County but was constructed and is owned and operated by the Monterey County Flood Control and Water Conservation District. San Antonio Reservoir, completed in 1965, provides 280,000 acre-feet of water conservation capacity. San Antonio, located in the South County Planning Area, is also owned and operated by Monterey County Flood Control and Water Conservation District.

Groundwater Resources

South County lies within the Upper Valley subarea of the County's largest groundwater basin, the Salinas Valley Basin. The California Department of Water Resources (DWR) has defined the groundwater basin as four hydrologically interconnected areas. The Upper Valley subarea extends from Bradley nearly to Greenfield. Its unconfined aquifers are recharged by natural runoff of the Salinas River and local streams, precipitation, and agricultural return flows. In addition, releases from the reservoirs are an important source of recharge to the Upper Valley area. In fact, well water levels declined from 1944 through the late 1950s but have generally returned to 1944 levels since the construction of the reservoirs.

The DWR has studied the County's hydrologic system to analyze water supplies and demands. Its figures, which represent a long-term historical average in water supply, indicate that long-term overdrafts exist. Studies by the Monterey County Flood Control and Water Conservation District (MCFCWCD) estimate the overdraft in the Upper Valley area to be 500 acre-feet annually. This is substantially lower than the 4,200 acre-feet overdraft estimated by DWR; the estimates vary considerably depending on methodology used to calculate water supply and demand. The reports are consistent, however, in agreeing that an overdraft condition exists.

To the northwest of the San Antonio Reservoir is the Lockwood groundwater sub-basin. The basin encompasses a mildly sloping and intensely cultivated valley area in the lower drainage

basin of the San Antonio River. The river skirts the southern edge of the basin. The Lockwood aquifer is the primary source of irrigation for the Lockwood area.

A very small but locally significant aquifer is located in Hames Valley just east of Lockwood Basin. The Hames Basin, approximately six miles long and three miles wide, has a watershed of about 46 square miles. Hames Creek, a tributary of the Salinas River, recharges about 9,500 acre-feet per year into the aquifer, much greater than the 6,600-7,000 acre-feet pumped out for irrigation.

VEGETATION

The Planning Area contains four major plant communities: chaparral, grassland, foothill woodland and riparian vegetation. Beyond the particular vegetative types distinguishing each community are the habitats they provide for wildlife. Each different species has a specific vegetation habitat upon which it relies for food and shelter. Often human encroachment has limited the range and size of these communities, thereby threatening the existence of certain plants and animals.

Chaparral communities are typically composed of a uniform covering of hardy, woody shrubs which often form dense impenetrable thickets. Chaparral is found on drier slopes at higher elevations, on slopes with rocky or infertile soil, and in the middle elevations but mixed with oak and grassland.

Grassland usually occurs in soils having too little moisture to support larger types of vegetation. It occurs on ridge tops and dry, hot valleys and intermittently in woodland and chaparral. The foothill woodland community is found in more protected areas having abundant moisture, deep soil, and good drainage and includes such areas as the lower slopes, canyons, and sheltered valleys. Riparian vegetation is found along seasonally and permanently flowing freshwater streams and also in canyon bottoms and other drainage features where conditions are wet enough to support it. The woodland and riparian communities are extremely productive as wildlife habitats in terms of providing food and cover.

FRESHWATER FISH AND WILDLIFE

South County is home to an abundance and diversity of animal life. The foundation for this important resource is the wide array of habitats provided by the Planning Area's vegetation and geographic features. The quality and quantity of these habitats, providing food, shelter, and cover, are directly responsible for the health and vigor of the animal population. The preservation or enhancement of a habitat is directly related to the preservation of the resident species.

The rivers, streams, and reservoirs of South County support limited but diverse habitats for a variety of freshwater game and non-game fishes. As with terrestrial wildlife, fish are extremely sensitive to habitat changes; even more so, perhaps, because of the added dimensions of the aquatic environment and the intense utilization of water resources.

Inventories of freshwater fish populations have been undertaken by correlating particular types of aquatic environments to particular species of fish. Several fish habitats are found in South County. Most significant are the headwaters and tributaries of the Nacimiento and San Antonio Rivers, and the man-made aquatic environment of San Antonio Reservoir. While trout is the prominent association in the three rivers, San Antonio Reservoir contains a number of introduced gamefish that make it a popular sportfishing location.

ENVIRONMENTALLY SENSITIVE AREAS

Several public and private agencies have programs that identify significant natural areas and rare and endangered species.

The California Department of Fish and Game designates Areas of Special Biological Importance (ASBI) for wildlife habitats of special importance and which are considered particularly sensitive to human development. There are three ASBI categories: key wildlife areas, limited habitats, and rare or endangered species habitats.

There are three key wildlife areas in South County. Two are heron rookeries, one at San Ardo and one at Bradley in the Salinas River habitat. The other key wildlife area is a concentration of golden eagle nest sites (not mapped for the protection of the species). Limited habitats are those which have been significantly reduced; riparian habitats are examples of this ASBI type in South County.

The endangered bald eagle has wintering areas in South County at Lake San Antonio. Eagles are protected under the Federal Bald Eagle Protection Act and state law. Blue heron rookeries, found on Lake San Antonio and Fort Hunter Liggett, must also be protected. Another endangered bird, Least Bell's Vireo, has nesting sites along the Salinas River outside of Bradley. The rare San Joaquin kit fox has declined in number due to habitat loss from conversion of valley lands to irrigated agriculture.

The California Natural Areas Coordinating Council (CNACC) offers a statewide inventory of natural areas. Four CNACC natural areas are designated in South County: Burro Mountain on Hunter Liggett; the Hunter Liggett/Jolon area; Mustang Ridge; and Pancho Rico Gorge.

ARCHAEOLOGICAL AND HISTORIC RESOURCES

Numerous archaeological investigations have taken place in South County in conjunction with development project review. The archaeological sensitivity zone designations shown in Figure 4 were based, in part, on the knowledge of the Planning Area gained from these investigations. The majority of known archaeological sites are near the San Antonio and Nacimiento Rivers. Also, there are at least 135 known sites on Hunter Liggett. The three sensitivity zones -- low, moderate and high -- were established to indicate the relative probability of undiscovered archaeological sites being present in a given location.

Within the bounds of South County, there are six historic sites listed on the National Register of Historic Places. All located in the Jolon-Hunter Liggett area, their locations are indicated in Figure 4. The sites include: Cueva Pintada (Painted Cave - 8,000 B.C.) Dutton Hotel, Stagecoach Station (1849); Jose Maria Gil Adobe (1865); Milpita Ranch House; San Antonio de Padua Mission (1780 - also listed in the California Historic Landmark Register); and Tidball Store (1890 - 1910).

ENERGY RESOURCES

Energy resources are characterized as renewable or non-renewable. South County's only non-renewable resource is its significant reserve of oil at San Ardo. The greatest potential for renewable energy resources lies in solar, biomass conversion (from agricultural wastes), and wind generators.

FIGURE 4
ARCHAEOLOGICAL/HISTORIC RESOURCES

CHAPTER II: ENVIRONMENTAL CONSTRAINTS

The environmental constraints analysis identifies conditions and hazards that threaten people and property. The analysis identifies hazard prone or sensitive areas that may or may not be occupied by people. The term "constraints" implies that because of possible negative effects of development in specific hazardous areas, land uses must be critically analyzed and, where necessary, restricted. Environmental constraints include seismic, geologic, fire, flood, noise, miscellaneous hazards, and emergency preparedness, as well as air and water quality.

ENVIRONMENTAL CONSTRAINTS

SEISMIC AND OTHER GEOLOGIC HAZARDS

The South County Planning Area is bordered on the east side by the San Andreas Fault, a highly significant feature given the probability of a great earthquake occurring along its length. Figure 5 illustrates the extent of the San Andreas and other faults in South County. There are four potentially active faults identified, but only one of the four, the King City-Mincie Canyon Fault, is believed capable of inflicting significant damage. However, the San Andreas Fault remains the most significant seismic hazard in South County. Given the 50-125 year recurrence interval for a major quake on this fault, seismic hazards in the region are considerable.

A landslide is the downward and outward movement of slope composed of natural rock, soils, and artificial fills. South County is relatively free of major landslides. The highest susceptibility to landslide and erosion is found along the major fault lines, in the foothills, and on the steep slopes of the Diablo and Santa Lucia Mountain Ranges.

FLOOD HAZARDS

Large areas of South County are subject to some degree of flooding. The Flood Hazard map (Figure 6) illustrates those portions of South County which are prone to be inundated by a 100-year flood, resulting from a prolonged or intense storm. A 100-year flood has a one-percent probability of occurring in any year.

In addition to flood hazards from storms, South County is also subject to flood damage from dam failure. Failure of San Antonio or Nacimiento Dams could inundate much of the valley floor. Dam failure would most probably be generated by seismic activity or slope instability.

FIRE HAZARDS

The California Department of Forestry and Fire Protection (CDF) has developed a wildland fire hazard rating system which analyzes the potential for large, destructive wildfires occurring based on the combination of weather history, vegetative cover and topography. Figure 7 shows the relative wildland fire hazard severity for South County water availability and access for fire protection are addressed in the General Plan which sets the minimum requirements for all of Monterey County.

Much of the Planning Area has been rated as having Very High fire hazard severity, the highest

level. The Lockwood, Peach Tree, James and Cholame Valley floors have been rated as having High fire hazard severity. The Salinas Valley floor from the San Ardo oilfields north through San Ardo has been rated in urban/agricultural zones with low wildland fire hazard severity.

Most of South County is without organized structural fire protection with the exception of the San Ardo Volunteer Fire Department. CDF has wildland fire protection responsibility for most of the Planning Area and maintains three forest fire stations within the area, Lockwood FFS, Parkfield FFS and Bradley FFS. These stations are manned 24 hours a day 7 days a week during the declared fire season (May 1 to October 31) and CDF will respond to any reported fire in the Planning Area during fire season. During the non-fire season, winter, CDF does not maintain 24 hour 7 day coverage at its stations within the Planning Area. The CDF uses the winter to perform extended maintenance on equipment and train personnel which results in the three fire stations often being unmanned. CDF will respond to fires during the non-fire season if men and equipment are available. CDF is concerned with the lack of organized structural fire protection in most of the South County Planning Area.

Potential fire hazards within the San Ardo oilfields are mitigated through regulations on the oil industry and close cooperation between oil company firefighting forces and the CDF.

MISCELLANEOUS HAZARDS

Miscellaneous hazards include pesticides, fertilizers, petroleum, and radioactive, flammable, or explosive materials. Because urban development is sparse in South County, conflicts between agricultural application of pesticides and residential areas have not been a major problem. There are no producers or large-scale storage areas of hazardous chemicals in South County. Fort Hunter Liggett has a fairly large ammunition dump adjacent to Jolon Road.

EMERGENCY PREPAREDNESS

Safety planning is concerned with the prevention of hazards and the ability to deal with emergencies should they arise. While prevention is the most cost-effective and least stressful way to save lives and property, the County must also be prepared if disaster should strike. The County must anticipate possible needs and be able to respond to all emergencies to the fullest extent of its resources.

The countywide General Plan explains the types of affirmative actions needed to respond to widespread emergencies. Further information on these actions can be obtained from the Monterey County Emergency Plan.

AIR QUALITY

South County benefits from generally favorable air quality. This is due to the rural development pattern and geographic context. However, recent studies indicate that local air quality is adversely affected by polluted air being transported from the San Francisco Bay area and the San Joaquin Valley. The Monterey Bay Unified Air Pollution Control District has a monitoring station in the San Ardo oil fields. Operating since 1982, the purpose of the station is to measure the "before and after" impacts of oil-related projects. No violations in air quality standards have been recorded in this period although noxious odors are present.

WATER QUALITY

Quality of surface and ground water in South County varies greatly with location. Natural contamination is present from waters draining the Diablo Mountain Range, which are typically high in mineral concentrations. In contrast, there is generally very good quality surface water draining from the Santa Lucia Range into the Nacimiento and San Antonio Rivers, and eventually into their reservoirs to supply good quality water into the Upper Salinas River.

A large portion of the western half of the Planning Area has groundwater quality and supply problems. The areas between Jolon-San Lucas Road and Lockwood-San Lucas Road, along Jolon-Bradley Road to Highway 101, and near Lake San Antonio contain groundwater high in sulphur. The Lockwood Valley itself has exceptionally good water. In the area north and east of Jolon, some geologic formations yield very little water at all. Groundwater in Hames Valley has high mineralization and sulphur. Areas in the western half of South County where the water is both good and plentiful include Bryson-Hesperia, lower Nacimiento Lake Drive, and the Lockwood community.

In the central portion of the Planning Area, nitrate problems are found along a one-mile strip on either side of Highway 101. In San Ardo few water quality problems exist; however, the water in the area of oil drilling is high in sulphur. Bradley's water system is characterized by numerous wells on tiny lots. The community of Parkfield, in the eastern section of the Planning Area, has water quality problems in the shallow wells because they are located too close to septic systems.

However, below 180' the quality in the aquifer begins to improve. The remainder of the "east side" is characterized by sparse development; consequently water data are scarce.

FIGURE 5
Seismic Hazards

FIGURE 6
Flood Hazards

FIGURE 7
Fire Hazards

NOISE HAZARDS

Within South County the major sources of noise include military activities and traffic on the highways. Existing noise contours developed in 1980 indicate that noise exceeded 60 dBA on Highway 101 at the 198 junction, at the San Bernardo intersection, and at the San Luis Obispo County line. The noise level was in the 70 dBA range at these intersections.

Military activities at Fort Hunter Liggett and Camp Roberts can have significant noise impacts over a wide area. A study of noise impacts from vehicle movement is currently being undertaken by the U.S. Army. Preliminary, informal analysis indicates that significant noise impacts occur during military exercises from aircraft and movement of vehicles over tank trails. The firing and testing of weapons on Fort Hunter Liggett and Camp Roberts can also have significant noise impacts.

CHAPTER III: HUMAN RESOURCES

The human resources component encompasses the demographic and socioeconomic analyses of South County. The size, characteristics, distribution, and structure of South County's population and growth trends are explored in the demographic section. The social and economic characteristics of the population -- level of education, personal income, number of low income households, labor force, and employment -- as well as South County's economic base are analyzed in the socioeconomic section. The size and composition of the population and its economic resources form the foundation for major planning decisions and are essential in assessing future demand for housing, jobs, land, water, recreation facilities, and transportation systems.

HUMAN RESOURCES

DEMOGRAPHIC ANALYSIS

The population of South County has increased significantly since 1960, when the population was only 1,702. Table 1 indicates that the population had grown to 2,989 by 1970, an increase of 75.6%. In 1980 the number of South County residents was 3,597, an increase of 20.3% in ten years. The Planning Area's 20% increase in population ranks seventh among Monterey County's eight planning areas.

TABLE 1
Population Change, 1960 - 1980

Location	1960 Population	1970 Population	% Change 1960-1970	1980 Population	% Change 1970-1980
South County Planning Area	1,702	2,989	75.6%	3,597	20.3%
Monterey County	198,351	247,450	24.8%	290,444	17.4%

Sources: 1960, 1970 and 1980 U.S. Census of Population.

South County is the largest planning area and has the lowest population density -- 2.8 persons per square mile in 1980, compared with 87 persons per square mile countywide. It should be noted that 68% of the Planning Area is devoted to agriculture and 28% of the Planning Area is under public land ownership. Thus, the density throughout South County is not uniform.

South County's ethnic composition is very close to that countywide, as indicated in Table 2. South County has a slightly higher proportion of Whites and persons of Spanish origin and a lower proportion of Asians.

Table 3 compares the age structures of the Planning Area and the County. South County has a higher percentage of teens and young adults between 15 and 24 years of age and a lower percentage of children, adults, and elderly. The age structure reflects the presence of Hunter Liggett, where 60% of the population is between the ages of 18 and 24. Without Hunter Liggett, South County's age composition is very close to that of the County.

TABLE 2
County and Planning Area Population Race & Spanish Origin

RACE AND SPANISH ORIGIN	SOUTH COUNTY PLANNING AREA		MONTEREY COUNTY	
	NUMBER	PERCENT	NUMBER	PERCENT
White	2,235	62.1%	173,456	59.7%
Spanish	1,008	28.0%	75,129	25.9%
Black	265	7.5%	18,425	6.3%
Asian and Pacific Islander	46	1.2%	19,696	6.8%
American Indian, Eskimo, Aleut	43	1.2%	522	0.2%
Other	-----	-----	3,216	1.1%
TOTAL	3,597	100.0%	290,444	100.0%

*The category "Spanish Origin" includes those who reported Mexican, Mexican-American, Cuban, Puerto Rico as well as those whose origins are from Spain or the Spanish-speaking countries of Central or South America.

Sources: 1980 U.S. Census of Population; AMBAG Census Data Center.

TABLE 3
Comparison of County and Planning Area Age Structures

Age Group (Years)	South County*		Monterey County	
	Number	Percent	Number	Percent
Under 5	329	9.1%	24,532	8.4%
5 - 9	269	7.5%	21,687	7.4%
10 - 14	250	6.9%	21,555	7.4%
15 - 19	388	10.8%	27,575	9.5%
20 - 24	621	17.3%	33,962	11.7%
25 - 34	633	17.6%	53,555	18.4%
35 - 44	354	9.8%	30,163	10.4%
45 - 54	274	7.6%	26,319	9.1%
55 - 64	243	6.8%	24,346	8.4%
65 - 74	154	4.3%	16,467	5.7%
75 +	82	2.3%	10,283	3.5%
TOTAL	3,597	100.0%	290,444	100.0%
Median Age	24.5		27.6	

*Includes Fort Hunter Liggett (Census Tract 114.02)

Source: 1980 U.S. Census of Population.

SOCIOECONOMIC ANALYSIS

South County has a relatively high level of education; its percentage of high school graduates in 1980 was 67%, almost as high as the countywide level of 71%. Also, the level of education is rising for South County. In 1970 the percentage of high school graduates was only 57% for the Planning Area.

Cash incomes for households in the Planning Area during 1979 were 89% of the countywide median household income of \$17,661. This is still within the moderate income range. Of the Planning Area's households, 30% were in the low income range compared to 25% countywide; 39% were in the higher income range compared to 44% countywide.

The median income for individuals in South County falls far short of the countywide median of \$6,871. In the portion of the Planning Area outside of Hunter Liggett, median income was only \$4,298 with over one third of individuals earning less than half (43% and under) of the county median. Countywide, only 16% were in the lower income range.

Poverty is most acute in the Planning Area and countywide for female-headed households, particularly those households with children. In the Planning Area, elderly households living below the poverty line are significantly higher proportionately than countywide. Overall, 18% of the total South County population is below the poverty line, compared to 11% countywide.

South County's overwhelmingly agricultural economic base provides employment for almost 53% of the total labor force. Agriculture is far more dominant in South County than countywide, where the sector is third largest and accounts for 12% of the labor force. The military is the second largest sector in both Planning Area and County but accounts for 29% of the total labor force in South County. South County's next largest industries are government and construction; manufacturing only accounts for 30 jobs in the Planning Area (oil production is included in the "agriculture, forestry, fisheries, mining" sector).

Because agriculture is the primary industry in South County, farming is the dominant occupation -- 48% employed as farmers versus 10% countywide. Administrative support workers and craftsmen make up the next largest occupational categories in South County.

CHAPTER IV: AREA DEVELOPMENT

The area development component of this Area Plan includes discussions of existing and future land use, public land ownership, transportation, public services and facilities, and housing. These represent the major considerations in the spatial distribution of human activities and the facilities necessary to support them. Area development encompasses the environment built by man.

The existing land use analysis examines the pattern of existing development; that is, it examines the extent and location of land developed with various uses. Public land ownership examines the extent of land owned by public agencies and therefore unavailable for private development. The adopted land use plan (part of the Monterey County General Plan) officially designates the type, location, and intensity of all future land uses in the Planning Area.

The transportation section describes the circulation network for the movement of people and goods. The adequacy of services and infrastructure is analyzed in the public services and facilities section. The housing analysis describes characteristics and trends in housing supply and conditions.

AREA DEVELOPMENT

EXISTING LAND USE

South County contains a total of 819,896 acres and is the largest of the County's eight planning areas. There are no incorporated cities located in South County. Land use is characterized by extensive grazing, dryland and irrigated farming, watershed, recreation, and small communities. The following paragraphs describe existing land uses while Figure 8 shows their location.

Residential uses total 469 acres (0.06% of the total acreage in the Planning Area), primarily located in the unincorporated communities of Bradley, San Ardo, Parkfield, Jolon, Lockwood, and Bryson-Hesperia. Additionally, residential uses of a very rural nature are scattered throughout the Planning Area. Single family residential uses total 436 acres and multiple unit structures account for only 33 acres.

Commercial land uses total 22 acres, or less than 0.01% of the area. These uses are primarily located in the unincorporated communities and serve both residents and travelers using Highway 101, Jolon Road, and Pleyto Road.

Industrial land uses total approximately 4,710 acres, or approximately 0.6% of the area. Although this acreage includes a small landfill site at San Ardo, the bulk of the industrial use in the Planning Area is due to the presence of extensive oil extraction operations near San Ardo.

Public and quasi-public uses total 212,337 acres, or almost 26% of the total Planning Area. Military uses are the largest sub-category and include Hunter Liggett Military Reservation at the westerly portion of the planning area and Camp Roberts to the south. Military uses total approximately 171,000 acres. The next largest sub-category of public uses is composed of lands in natural resource management which total just over 41,000 acres; these are lands administered by the Bureau of Land Management. Recreational facilities located around the perimeter of San Antonio Reservoir total approximately 140 acres. Other uses include religious (primarily San Antonio Mission), educational, and emergency service uses.

Streets, highways, and railroads total 3,454 acres or about 0.4% of the total Planning Area. Highway 101, a major north-south transportation corridor, is the circulation backbone of the Planning Area, providing for vehicular travel throughout its length. State Highway 198, which borders the Planning Area, begins at San Lucas and provides access to the east into Fresno County. County roads provide access in the westerly and easterly portions of the Planning Area. The Southern Pacific Railroad operates a major route which traverses the County and the Planning Area paralleling Highway 101.

The most significant land use in South County is agriculture, which encompasses 555,000 acres or almost 68% of the total area. Included in this acreage is land along the Salinas River in the northerly portion of the Planning Area used for row crops and land used for dryland farming. As

in the Central Salinas Valley area, bench lands are used for vineyard and orchard production. The bulk of agricultural use, however, is contained in very extensive grazing lands and dryland farming.

Unimproved lands and watershed areas total 38,217 acres or almost 5% of the Planning Area. Watershed uses are particularly important due to the location of San Antonio Reservoir in the Planning Area. This water body is the fourth largest land use in the area, totaling 5,687 acres or about 0.77% of the area.

Approximately 28% of South County is publicly owned and therefore is generally not subject to private development. However, activities which may occur on publicly owned land must be taken into account in the planning process. Most of South County's public lands are in federal ownership -- 212,089 acres out of 225,519. The remainder is owned by the Monterey County Flood Control and Water Conservation District; this 13,430 acres includes San Antonio Reservoir and a large area around the reservoir.

CURRENT HOLDING CAPACITY

The term "holding capacity" refers to the sum of existing development and potential development allowable under current land use regulations. Although there are many different types of land use regulations which could be considered in the estimation of development potential, the major regulatory constraints are this South County Area Plan and zoning. Since this adopted Area Plan supercedes all zoning inconsistent with the General Plan designations, the current holding capacity has been calculated based solely on land use designations of this South County Area Plan.

There are 581,974 acres of land in South County currently designated for residential or agricultural use. Lands under the resource conservation designation, all publicly owned by the Bureau of Land Management, are excluded from these holding capacity calculations. Theoretically, if all parcels presently designated for residential use were subdivided to the maximum extent possible, 6,812 homes could be allowed in South County. If the same was done on agricultural designated lands, 13,094 units would be permitted. The 1980 Census indicates that there are 1,126 existing residential units in South County. This figure, subtracted from the above mentioned build out projections, would yield 18,780 new units in South County. It should be noted that environmental constraints such as steep slopes, poor access, or limited groundwater supplies and General Plan policies such as slope density may significantly reduce the ability to attain the calculated residential holding capacity in the planning area.

FIGURE 8
Existing Land Use

FIGURE 8A
Existing Land Use

A significant amount of new commercial development may also be allowed under the new land use plan. Land devoted to commercial development could increase from the current 22 acres to 680 acres, a potential increase of 658 acres. Industrial land use acreages could increase slightly from the current 4,710 acres (primarily oil extraction near San Ardo), to 4,730 acres. The additional 20 acres is designated for industrial uses other than oil extraction in San Ardo.

TRANSPORTATION

Roads and Highways

The Planning Area's ground transportation system is primarily a network of state highways and county roads. Locations of state highways indicate their primary roles as intercity travel corridors, with county roads connecting more remote areas with cities and highways.

South County contains two state highways. Highway 101 is a principal arterial and is the primary north-south arterial within the County, entering the South County Planning Area south of San Lucas. The four-lane, divided highway connects San Lucas, San Ardo, and Bradley, eventually exiting into San Luis Obispo County at Camp Roberts. Highway 198, also a principal arterial, follows the Planning Area's northern boundary, heading in an easterly direction from Highway 101 at San Lucas to the Fresno County line.

The County road system in South County west of Highway 101 is more highly developed than the network east of the highway. Jolon Road, a paved minor arterial, connects the Jolon and Lockwood communities with Highway 101. Lockwood-San Lucas Road, a paved collector, heads south from Highway 101 and at Lockwood becomes Interlake road, providing access to San Antonio and Nacimiento Reservoirs. Nacimiento-Fergusson Road, although designated a non-classified road, provides the Planning Area's only link with Highway 1 and the coast. The road, which is paved, cuts west through Hunter Liggett at its eastern boundary off of Jolon Road. On the east side of the Planning Area, Peachtree Road is the key road east of Highway 101. It heads southeast from Highway 198 and at Slacks Canyon becomes Indian Valley Road; at this junction it heads south to San Miguel which heads northeast to Parkfield.

The closing of Slacks Canyon and Big Sandy Roads is indicative of a trend in South County to abandon some of the poorest roads. There are several reasons for this. Dirt and gravel roads such as Lowes Canyon, Cross Country and Indians Roads often wash out during the rainy season and become impassable due to slides or raging creek waters. The County is increasingly unable to afford the maintenance of these roads. Also, it may not be cost-effective to allocate scarce public works funds to areas in which only a handful of households are present. Finally, recreational vehicles have caused damage to farmland, crops, and farm animals. Thus, there is growing sentiment among County officials and South County ranchers to abandon these roads and close them to public access.

Use of Roads and Highways

Traffic count data for Highway 101, available from 1968 through 1981, indicate that traffic volumes have remained stable from the highway's junction with Highway 198 to the Camp Roberts overpass. In 1972 the amount of daily traffic for this stretch was 10,800 at the Planning Area entrance; in 1982 the volume was 10,500. At Camp Roberts, for the same period, the volume increased from 10,400 to 10,900 cars. Caltrans reports a current annual increase of 2.5% through the Planning Area.

The key parameter for the evaluation of road performance is Level of Service (LOS) which is derived in part from demand and road capacity. Level of service is an indication of a road's performance based on an evaluation of driving conditions, with six performance levels ranging from ideal (Los A) to "forced flow" (Los F).

Most of South County's roads have LOS "C" or better and few driving constraints. The exception is Jolon Road between Argyle and San Lucas Roads which has been given a LOS "D" rating. This means that the segment of road is reaching capacity and traffic flow is restricted; it has not, however, reached a critical deficiency stage (Los F). Overall, traffic flow is good and roads are adequate to serve South County.

Scenic Highways

The only officially designated County Scenic Route in the Planning Area is Interlake Road, designated a County Scenic Route on November 21, 1971. It is an 11.5 mile road traversing the Nacimiento-San Antonio Recreation Area. The designation of Interlake Road as an official scenic route is an example of a cooperative program between two adjoining counties, Monterey and San Luis Obispo. The route was designated as part of the joint Nacimiento-San Antonio General Plan. No additional roads or highways are proposed for scenic status in this Area Plan.

Public Transit

South County has no municipal bus service. Greyhound Bus Lines provides daily service to San Lucas and San Ardo. There are no rail stops between Salinas and San Luis Obispo.

Truck Transportation

The major highways in Monterey County provide corridors for intercity and interregional truck movements in the County. County highways and roads serve major and minor intracounty movements which the state highways cannot accommodate. Highway 101 is the County's most prominent trucking corridor. Junctions at Highway 198 and Jolon Road measure truck traffic through South County. The Highway 198/Highway 101 junction carries a significant load (18%) of truck traffic; only the junction of Highway 1, 156, and 183 carries a higher proportion of truck traffic. A third of the traffic is small capacity (2 and 3 axle trucks) while two-thirds is large capacity (4 and 5 axle), indicating predominantly long distance commodity movement. The Jolon Road/Highway 101 junction carries 13% truck traffic with similar proportions of short and long distance movement.

Air Transportation

South County contains no air carrier or general aviation airports. There are two military airports located at Fort Hunter Liggett and Camp Roberts. Eleven airstrips are located on private land throughout South County and are used for agricultural, industrial, and private uses.

Pipeline Transportation

Pipeline transportation is a little recognized but very important mode of commodity transportation. In South County the substances transported are crude oil and natural gas. The major oil and natural gas pipelines are those of Mobil Oil and PG&E. Natural gas is supplied by a major line to a point just south of San Ardo. Mobil Oil owns and operates an oil pipeline between San Ardo and Estero Bay in San Luis Obispo. The pipeline has the capacity to pump 56,000 barrels per day from the San Ardo oil fields to the tanker port at Estero Bay. From there, the oil is loaded on tankers for shipment to refineries. During 1978, the pipeline carried an average of about 30,000 barrels per day.

PUBLIC SERVICES AND FACILITIES

Fire Protection Service

With the exception of the California Department of Forestry, the San Ardo Volunteer Fire Department, and the Fort Hunter Liggett and Camp Roberts Fire Departments, South County has no organized fire protection. In fact, most of Monterey County not covered by structural fire protection lies in South County.

Law Enforcement Agencies

The Sheriff's Office of Monterey County is the primary provider of police services to the unincorporated areas of the County, including all of South County. The closest substation to South County is located in King City and one full-time deputy is assigned to patrol San Ardo and a large surrounding area.

The California Highway Patrol (CHP) has jurisdiction and law enforcement powers on all County roads, freeways, and state highways. The CHP is particularly concerned with enforcement of the California Vehicle Code. South County is served by the King City office of the CHP which has jurisdiction in the area from Soledad to the Monterey-San Luis Obispo County line. Twenty-seven officers operate from the King City office of which five are assigned to South County on any given shift.

The Department of the Army's military police has law enforcement responsibility for Hunter Liggett and Camp Roberts. Both have areas of concurrent jurisdiction with the California Highway Patrol and the County Sheriff as well as areas of exclusive federal jurisdiction.

The Monterey County Parks Department's park rangers are authorized to enforce park ordinances, to protect park property and to protect the peace within the park. The Parks

Department has jurisdiction over San Antonio and Nacimiento Recreation Areas. By cooperative agreements, the Sheriff's Office handles all penal code violations and physical arrests within the parks.

Wardens from the California Department of Fish & Game are responsible for enforcing game and trespass violations in Monterey County.

Education Facilities

South County contains all or portions of the following elementary school districts: San Lucas Union, San Ardo Union, Bradley Union, San Antonio Union, Coalinga Unified (split with Fresno County), and Shandon Unified, San Miguel Union, and Ranchita Union (which are shared with San Luis Obispo County).

Regarding high school districts, most of South County is located in the King City Joint Union School District, which extends north to Greenfield. A portion of the Planning Area is located in Fresno County's Coalinga Unified and San Luis Obispo County's Shandon Unified and Paso Robles Joint Union.

Residents in South County are primarily in the Hartnell Community College District. The eastern tip of the Planning Area lies in Fresno's West Hills Community College District and the southeastern section lies in San Luis Obispo's Cuesta Community College District.

Park and Recreation Facilities

The County Parks Department manages 2,500 acres of the 10,870 acre Nacimiento Reservoir Recreation Area. It also manages 7,000 acres of the 13,427-acre San Antonio Recreation Area. San Antonio Reservoir is owned exclusively by the Monterey County Flood Control District zone 2A; and Nacimiento Reservoir is owned by Flood Control District 2. However, the Parks Department manages the recreation facilities located along the lakefronts. Recreation at Nacimiento includes boating, water skiing, fishing, and camping. San Antonio offers a wider variety of recreation: hiking, picnicing, camping, baseball, horseshoes, open playfields, nature study, swimming, boating, water skiing, fishing, and rafting.

There are no private recreational facilities or community parks in South County. Towns such as San Ardo, Bradley, and Parkfield are in need of small scale recreation centers and parks; these facilities would be utilized by community residents as well as people living in outlying areas.

Domestic Water Services

The San Ardo Water District is the only County special district which supplies water in South County. It serves the town of San Ardo and has 152 connections. The remainder of the Planning Area is served by mutual water companies or individual wells. A mutual water company is defined as any private corporation or association organized for the purpose of delivering water only to its stockholders and members at cost. Mutual water companies drill wells and service two or more connections.

Wastewater Treatment

Table 4 identifies the wastewater treatment plants and the level of treatment for each plant in South County.

The remainder of the Planning Area is served by individual or collective septic systems.

TABLE 4
Wastewater Treatment Plants

<i>Wastewater Treatment Provider</i>	<i>Treatment</i>	<i>Design Capacity in Millions of Gallons per day</i>	<i>Current Weather Flow in M.G.D.</i>	<i>Dry Flow</i>	<i>Percent of Capacity</i>
<i>Special District San Ardo Water District</i>	<i>Primary</i>	<i>0.09</i>	<i>0.004</i>		<i>4%</i>
<i>Monterey County Parks San Antonio Reservoir, North Shore San Antonio Reservoir, South Shore</i>	<i>Primary</i>	<i>0.03</i>	<i>0.002</i>		<i>7%</i>
	<i>Secondary</i>	<i>0.14</i>	<i>0.008</i>		<i>6%</i>
<i>Military Fort Hunter Liggett Camp Roberts</i>	<i>Primary</i>	<i>1.0</i>	<i>0.160</i>		<i>16%</i>
	<i>Secondary</i>	<i>1.0</i>	<i>0.165</i>		<i>17%</i>

Source: Monterey County Planning Department, Public Services and Facilities Analysis of Monterey County, 1980

Solid Waste Disposal Facilities and Services

There are three County, one military, and one private waste disposal sites located in South County. Table 5 sets forth pertinent data relative to each site. There are, in addition, two transfer stations at San Ardo and Bradley.

TABLE 5
Solid Waste Disposal Sites

<i>Disposal Site</i>	<i>Owner</i>	<i>Method of Disposal</i>	<i>Site Acreage</i>	<i>Amount Disposed (Tons/Day)</i>	<i>Site Life (Years)</i>	<i>Source of Planning</i>
<i>Jolon Road</i>	<i>County</i>	<i>Cut and Cover</i>	<i>4.0</i>	<i>5.0</i>	<i>30</i>	<i>County</i>
<i>San Antonio South</i>	<i>County</i>	<i>Cut and Cover</i>	<i>0.9</i>	<i>0.5</i>	<i>10</i>	<i>County</i>
<i>San Antonio North</i>	<i>County</i>	<i>Cut and Cover</i>	<i>0.5</i>	<i>0.1</i>	<i>10</i>	<i>County</i>
<i>Hunter Liggett</i>	<i>U.S. Government</i>	<i>Sanitary Landfill</i>	<i>15.0</i>	<i>0.8</i>	<i>15</i>	<i>U.S. Army</i>
<i>Rancho Los Lobos</i>	<i>John Cedarquist</i>	<i>(Leased By The Oil Companies)</i>				<i>Private</i>

Sources: Monterey County Planning Department, Public Service and Facilities Analysis of Monterey County, 1980; personal communication with the Monterey County Environmental Health Department, February, 1984.

HOUSING

Pertinent data on South County's household, housing, and housing unit characteristics are summarized from the 1980 U.S. Census in Table 6. The Planning Area contained 964 households or 1% of the County's households. The average number of persons per household was 3.00 (2.99 without Hunter Liggett) in 1980. Household size has decreased from 3.07 in 1976 and 3.12 in 1970. Countywide, household size has also been decreasing; average household size was 3.11 in 1970 and 2.85 in 1980. Between 1970 and 1980, South County's housing stock increased by 348 units. This represents an increase of 44.7% over the decade, compared with the slightly lower increase of 37% countywide.

The 1980 Census also provides information on different housing types. For owner-occupied

units, South County had a much lower proportion of single family detached units and a much higher proportion of mobile homes than the County. There were no owner-occupied townhouses or apartment units. Half of the renter-occupied units in South County are single-family detached compared with only one-third for the County. Again, South County has a high percentage of mobile homes occupied by renters -- almost one-third -- whereas only 3% of renter-occupied units are mobile homes countywide.

Housing availability can be measured by housing tenure, which refers to the way housing units are occupied. Ideally, the Planning Area's housing stock should be evenly divided between owner-occupied and renter-occupied housing units. South County had a fairly even owner-occupied/renter proportion: 45% and 54%, respectively.

The 1980 U.S. Census figures show the Planning Area's median home value was \$55,600, about 65% of the County's median home value of \$86,000. The Planning Area's median monthly rent level of \$198 was 76% of the County's \$262.

The number of vacant and available houses can have an effect on housing prices. In keeping with supply and demand dynamics, a high effective vacancy rate can curb housing price increases, while a low effective vacancy rate can accelerate housing price increases. The Planning Area had an effective vacancy rate of 3.5% in for sale units, 1.2% in rental units, and an overall vacancy rate of 4.7%. This is fairly low compared with "balanced" vacancy rates of 3 - 5 percent in for sale units 5 - 7 percent in rental units, and an overall standard of about 5 percent.

Overcrowding, like vacancy rates, can be used to measure housing availability. Of the total number of occupied housing units within South County, almost 14% were overcrowded. In contrast, only 9% of the County's housing units were overcrowded. The incidence of overcrowding was most pronounced in rental units -- 22% of South County's rental units were overcrowded while only 6% of the rental units countywide were overcrowded.

TABLE 6
*Selected Housing Information for the South County Planning Area**

HOUSEHOLD CHARACTERISTICS

	<i>Total Households</i>	<i>One Person Households</i>	<i>Households 65+</i>	<i>Female Head w/Children Under 18</i>	<i>Large Households 6+</i>	<i>Household Population</i>	<i>Persons Per Household</i>	<i>Owner Occupied</i>	<i>Percent Owner Occupied</i>	<i>Renter Occupied</i>	<i>Percent Renter Occupied</i>
South County	964	172	154	26	85	2,890	3.00	439	45.5	525	54.5
Monterey County	95,734	20,183	16,860	6,064	6,768	272,425	2.85	50,794	53.1	44,940	46.9

HOUSING CHARACTERISTICS

	<i>Total Housing Units</i>	<i>Year-Round Housing Units</i>	<i>Seasonal Units</i>	<i>Vacant Total</i>	<i>Vacant For Sale</i>	<i>Vacant For Rent</i>	<i>Vacant Other</i>	<i>Gross Vacancy Rate</i>	<i>Effective Vacancy Rate For Sale</i>	<i>Effective Vacancy Rate Rentals</i>
South County	1,126	1,099	27	135	13	39	83	12.0%	3.5%	1.2%
Monterey County	103,557	103,326	321	7,502	1,091	2,359	4,052	7.2%	1.1%	2.3%

HOUSING UNIT CHARACTERISTICS

	<i>One Room</i>	<i>2 - 3 Rooms</i>	<i>4 - 5 Rooms</i>	<i>6+ Rooms</i>	<i>Median Size</i>	<i>Overcrowded Units Owner</i>	<i>Overcrowded Units Rental</i>	<i>Persons in Overcrowded Units</i>	<i>Average Household Size in Overcrowded Units</i>	<i>Occupied Units Without Plumbing</i>	<i>Median Home Value</i>	<i>Median Home Rent</i>
South County	30	271	518	280	4.20	22	116	759	5.52	11	\$55,600	\$198
Monterey County	2,597	20,618	47,694	32,327	4.70	3,137	6,583	54,466	5.60	917	\$86,000	\$262

**Includes Fort Hunter Liggett*

Source: 1980 U.S. Census of Population

PART II: AREA PLAN

CHAPTER V: THE PLAN

THE PLAN

This plan focuses on the balancing of present character and future needs, conservation of resources and opportunities for development, and the sentiments of local communities. The foundation of the plan is the body of goals, objectives and policies of the Monterey County General Plan. All of those goals, objectives, and policies shall apply to South County and be supplemented by the policies in this plan. The South County Area Land Use Plan shall supersede previous general plans for this area, including the adopted countywide land use plan. The South County Area Plan is adopted as an amendment to the Monterey County General Plan and is consistent with the intent and philosophy of that plan.

Major assumptions and issues for the South County Planning Area include the following:

ASSUMPTIONS

1. Agriculture (farming and grazing) will remain South County's leading industry and dominant land use.
2. The growth rate in the South County Planning Area will follow historic growth patterns.
3. The preservation of viable agricultural land and growth directed to existing communities are the guiding principles used to develop the area plan.
4. Continued county, state, and federal fiscal limitations will restrain the future provision of public services and capital improvements.
5. South County's transportation network will remain largely unchanged.
6. Most of South County will continue to be served by individual or collective wells and septic systems.
7. The San Antonio and Nacimiento Recreation Areas will continue to be public recreation areas. Recreation and visitor-serving uses will be encouraged adjacent to Lake San Antonio.
8. Scenic qualities, open space, and private recreation potential in South County are valued resources, worthy of protection.

ISSUES

Natural Resources

1. One of South County's premier assets is its vast stretches of open space. To what extent can this open space be protected from fragmented or poorly-sited development?

2. Considerable development pressure exists to convert valuable agricultural lands to residential uses, particularly in the southwestern portion of the Planning Area. To what extent should these lands be preserved?
3. Soil erosion and its associated problems can be severe on cultivated land and in areas where improperly sited roads and subdivisions have poor drainage controls. How can better soil management be encouraged or required where erosion is a problem?
4. The location, extent, and type of rare and sensitive plant and animal populations within the Planning Area are largely unknown.

Environmental Constraints

1. The Planning Area is a long distance away from fire protection agencies. What, if anything, should be done to improve fire services in South County?
2. Water quality in portions of South County is poor due to natural mineralization or high sulphur content.

Human Resources

1. Should additional manufacturing or commercial activities be encouraged in South County?
2. Does economic growth/diversification necessarily mean a change in South County's basic lifestyle and rural character?

Area Development

1. Where should growth in South County occur?
2. Are there adequate areas for residential and commercial uses?
3. What type of recreation facilities should be developed at Lake San Antonio?
4. Are park and recreation facilities needed elsewhere in South County?
5. What can be done to increase the housing supply while still preserving agricultural land and open space?

SUPPLEMENTAL POLICIES

The foregoing policies are supplemental to the goals, objectives, and policies of the countywide General Plan. Both the General Plan and the South County Area Plan are to be consulted when reviewing planning matters in the South County Planning Area.

Natural Resources

Soils and Agricultural Lands

- 3.1.1.1 (SC) Responsibility for the enforcement of ordinances concerning soil erosion violations shall be assumed cooperatively by the Building Department, the District Attorney's Office, and/or County Counsel.
- 3.1.5 (SC) The County shall actively pursue cooperative soil conservation and restoration programs with neighboring counties within shared watershed basins.
- 3.2.4 (SC) Except in areas designated as medium or high density residential or in areas designated as commercial or industrial where residential use may be allowed, the following formula shall be used in the calculation of maximum possible residential density for individual parcels based upon slope:
1. Those portions of parcels with cross-slope of between zero and 19.9 percent shall be assigned 1 building site per each 1 acre.
 2. Those portions of parcels with a cross-slope of between 20 and 29.9 percent shall be assigned 1 building site per each 2 acres.
 3. Those portions of parcels with a cross-slope of 30 percent or greater shall be assigned zero building sites.
 4. The density for a particular parcel shall be computed by determining the cross-slope of the various portions of the parcel, applying the assigned densities listed above according to the percent of cross-slope, and by adding the densities derived from this process. The maximum density derived by the procedure shall be used as one of the factors in final determination of the actual density that shall be allowed on a parcel. Where an entire parcel would not be developable because of plan policies, an extremely low density of development should be allowed.
- 4.1.4 (SC) The County shall encourage the preservation of irrigated and non-irrigated farmlands in South County.

Water Resources

- 5.1.2.0 (SC) Areas identified by the County as prime groundwater recharge areas shall be preserved and protected from sources of pollution. Development in prime groundwater recharge areas shall be restricted to land uses which will not cause groundwater contamination as determined by the Director of Environmental Health.
- 5.1.2.2 (SC) The County should identify and protect areas in the South County which are valuable for the purposes of either natural groundwater recharge or the development of artificial groundwater recharge projects. Development shall not diminish the groundwater recharge capabilities of such areas, especially those which are highly susceptible to water quality degradation because of either high water tables or rapid percolation rates. Existing agricultural land uses in such areas should be maintained to preserve groundwater quality.
- 5.1.2.3 (SC) The main channels of the Nacimiento, San Antonio and Salinas rivers shall not be encroached on by development because of the necessity to protect and maintain these areas for groundwater recharge, preservation of riparian habitats, and flood flow capacity.
- 6.1.3 (SC) New development shall only be approved in areas with adequate water supplies. New development shall be phased to ensure that existing groundwater supplies are not committed beyond their safe long term yields in areas where such yields can be determined by both the Director of Environmental Health and the Flood Control and Water Conservation District. Development levels which generate a water demand exceeding the safe long term yields of local aquifers shall only be allowed when additional satisfactory water supplies are secured.
- 6.3.1 (SC) Prepare an integrated, basin-wide, long-range water resource plan for the County by 1992.
- 6.3.2 (SC) New development which will have a high water use potential should be approved in accordance with an integrated, basin wide, long range water resource plan which will be developed by the County.
- 16.2.1.2 (SC) Increased stormwater runoff from urban development shall be controlled to mitigate impacts on agricultural lands located downstream.

- 21.1.2.1 (SC) Groundwater recharge areas must be protected from all sources of pollution. Groundwater recharge systems shall be designed to protect groundwater from contamination and shall be approved by both the Director of Environmental Health and the Flood Control and Water Conservation District.
- 21.3.1.4 (SC) Development shall meet both water quality and quantity standards expressed in Title 22 of the California Administrative Code and Title 15.04 of the Monterey County Code subject to review of the Director of Environmental Health.
- 21.3.1.5 (SC) New development shall meet the minimum standards of the Regional Water Quality Control Basin Plan when septic systems are proposed. The minimum lot size shall be one acre. New development shall provide evidence to the Director of Environmental Health that any proposed septic systems will not adversely affect groundwater quality. Inclusionary and clustered housing shall also meet a 1 acre/unit density when septic systems are proposed.

Energy Resources

- 14.3.1 (SC) Co-generation facilities may be allowed only in Industrial designation areas in conjunction with industrial uses and oil and gas removal as a means of energy conservation. Any such facilities shall require a use permit.

Environmental Constraints

Seismic, Geologic, Flood, and Fire Hazards

- 15.1.1.1 (SC) The South County Seismic Hazards Map shall be used to delineate high seismic hazard areas addressed by policies in the General Plan.
- 16.2.1.1 (SC) Site plans for new development shall indicate all perennial or intermittent streams, creeks, and other natural drainages. Development shall not be allowed within these drainage courses, nor shall development be allowed to disturb the natural banks and vegetation along these drainage courses, unless such disturbances are with approved flood or erosion control or water conservation measures.
- 16.2.5.1 (SC) Channelization or realignment work on the Salinas River shall not be permitted without an assessment by the Monterey County Flood Control and Water Conservation District that such work will not increase the flood hazard downstream.

17.3.7 (SC) Roads shall have a weight bearing capability to support the loads of fire fighting equipment used or likely to be used by the local fire protection agency.

17.4.13 (SC) The South County Fire Hazards Map shall be used to identify areas of high and very high fire hazard as addressed by policies in the General Plan.

Area Development

Land Use

26.1.3.1 (SC) Pursuant to the adoption of a Specific Plan, General Development may take place on Rancho Bartolome that may accommodate intensification of land uses. Residential and commercial visitor-serving uses (such as a golf course and/or hotel) may be incorporated in the Specific Plan.

26.1.4.3 (SC) A standard tentative subdivision map and/or vesting tentative and/or Preliminary Project Review Subdivision map application for either a standard or minor subdivision shall not be approved until:

- 1) an applicant provides evidence of an assured longterm water supply in terms of yield and quality for all lots which are to be created through subdivision. A recommendation on the water supply shall be made to the decision making body by the County's Health Officer and the General Manager of the Water Resources Agency, or their respective designees.
- 2) The applicant provides proof that the water supply to serve the lots meets both the water quality and quantity standards as set forth in Title 22 of the California Code of Regulations, and Chapters 15.04 and 15.08 of the Monterey County Code subject to the review and recommendation by the County's Health Officer to the decision making body.

26.1.5.1 (SC) The County shall encourage low densities on lands adjacent to Fort Hunter Liggett and Camp Roberts in order to prevent residential encroachment.

26.1.5.2 (SC) A 500 foot residential setback shall be established on privately owned lands along the military tank road easement connecting Fort Hunter Liggett and Camp Roberts. Such a setback shall not cause existing structures to become nonconforming nor shall it render existing lots of record unbuildable.

- 26.1.7.1 (SC) The County shall develop standards to control the siting, design, and landscaping of mobile home parks.
- 26.1.11.1 (SC) In order to make the most efficient use of land and to preserve agricultural land and open space, clustered development shall be encouraged in all areas where development is permitted.
- 27.1.3.1 (SC) Existing communities shall be the nucleus for residential expansion and premature, scattered development shall be discouraged.
- 30.0.5.2 (SC) The County shall support policies and programs such as large lot zoning and agricultural land trusts which will enhance the competitive capabilities of farms and ranches.
- 32.1.3.1 (SC) Land designated for farmland and grazing uses shall be assessed and taxed accordingly.
- 32.1.3.2 (SC) The County shall encourage the Bureau of Land Management to convey the right of first refusal to adjacent landowners before these lands are put up for public auction.
- 32.1.4 (SC) Government agencies should make the most efficient use of public lands before acquiring additional public land.

Holding Capacity

- 36.0.4 (SC) Except in areas designated as medium or high density residential or in areas designated as commercial or industrial where residential uses may be allowed, an applicant wishing to apply for a subdivision under the countywide General Plan and South County Area Plan must use the following procedures to calculate the maximum density that can be considered in order to prepare an application consistent with, or less than, the maximum allowable density:
1. One factor in density determination shall be the land use designation. The maximum density allowable under the Area Plan land use designation for a parcel shall be divided into the total number of acres found within the parcel. For example, a 100-acre parcel with a maximum density of 1 unit per 2.5 acres would have a density of 40 sites.
 2. The slope of the property shall be determined and the slope density formula defined in Policy 3.2.4 (SC) applied. For example, a 100-acre parcel might consist of 50 percent of the land having a slope

of over 30 percent and the other 50 percent below 19 percent. The maximum density allowable on that parcel as calculated according to slope would be 50 sites.

3. All of the policies of the Area Plan and countywide General Plan must be applied to the parcel. Any policies resulting in a decrease in density must be tabulated. This decrease in density would then be subtracted from the maximum density allowable under the slope formula.
4. The maximum density allowable according to the Area Plan land use designation (Step 1 above) and the maximum density allowable according to Plan policies (Steps 2 and 3 above) shall then be compared. Whichever of the two densities is the lesser shall be established as the maximum density allowable under this Area Plan.
5. The calculations of maximum density made by an applicant will be reviewed during public hearings prior to the approval of any permits or quota allocation pursuant to this Area Plan.

Transportation

40.1.2 (SC) Additional scenic routes are not appropriate and shall not be designated in the South County Planning Area.

Public Services and Facilities

51.1.1.1 (SC) Commercial recreational facilities for boating, water sports, camping, and similar uses at any proposed park site shall be of moderate size, compatible with surrounding uses, and consistent with all resource protection and hazard avoidance policies. An Environmental Impact Report shall be certified for any such project prior to the project approval.

The owner(s) of any such recreational project shall pay to the County an annual assessment equal to the difference between tax assessed under a Williamson Act preserve contract, if any, and the tax which would be assessed if the property was not under a Williamson Act contract. The first annual assessment shall be paid upon clearance for occupancy or use of the project. Such an annual assessment shall be deemed by the land owner(s) and the County to be fair and appropriate to compensate the County for costs associated with the increased need for public facilities and services generated by such projects.

51.1.4 (SC) The Board of Supervisors shall appoint a South County Trails Advisory

Committee to consider recommending a comprehensive recreational trails plan.

51.1.5 (SC) A land owner shall not be held responsible for trail maintenance or public liability when a public recreational trail easement is appurtenant to private land. Public recreational trail easements shall not be required to be opened to public use until either a public agency or private association agrees to accept liability and responsibility for maintenance of the trail easement. The County shall implement necessary measures for services that cannot be adequately provided by private organizations. The implementation of such measures shall be funded by user fees and tax revenues.

51.1.6 (SC) The County may, through the public hearing process, cancel its agreements with private landowners for existing public recreational trail easements under the following conditions:

1. The easement must not be used as an existing public recreational trail easement; and
2. The easement must not be a useful segment of the trails system because of its location or some other reason.

51.1.7 (SC) The County shall enforce public access on legally established recreational public recreational trail easements.

51.2.1.1 (SC) The County shall work with Camp Roberts to obtain a park site on the Salinas River.

Housing

57.1.4 (SC) The County shall encourage increased housing development, particularly mobile homes, in appropriate areas of South County.

62.2.2 (SC) The County shall delete the Community of San Ardo as a Development Incentive Zone when the Housing Element is next updated.

AREA LAND USE PLAN

The South County Planning Area land use plan, as represented by Figure 9, is a graphic representation of the general distribution and location, extent, and intensity of future land uses and transportation routes in this planning area. The land use plan, which must be used in conjunction with the countywide General Plan goals, objectives, and policies and the supplemental area policies contained within this Plan, constitute a "blueprint for the future" of South County for the next 20 years. It is important to note that this land use plan represents the desires of the South County community, as expressed by the South County Area Plan Citizens Advisory Committee, and as stated in the opening philosophy of this document. The Plan also received extensive review and input from residents throughout South County.

The South County Area Plan is intended to provide refinement to the countywide General Plan in order to reflect local concerns which could not be addressed at the countywide level. However, changes for this area plan must be consistent with the intent and overall direction of the countywide plan. Thus, changes at the area plan level which require changes in land use type or intensity must be consistent with the General Plan's goals, objectives, and policies.

Preparation of the Land Use Plan

The land use plan was prepared after careful consideration of various factors which are critical with regard to the County's planning program. These factors include countywide General Plan and South County Area Plan policies and land uses, the Growth Management Policy, existing land use patterns and emerging growth centers in South County, current development activity, proposed specific plans, and anticipated military uses of Fort Hunter Liggett and Camp Roberts. Finally, detailed resource information contained in the South County Area Plan Inventory and Analysis was incorporated into land use and density decisions. Part one of this Area Plan contains an abbreviated version of the complete Inventory and Analysis, which is available from the Monterey County Planning Department.

Land Use Designations

All proposed major land uses are indicated by one of seven basic designations: residential, commercial, industrial, agricultural, resource conservation, public/quasi-public, and transportation. These basic designations are discussed in the following paragraphs. It should be noted that all reference to development densities are expressed in gross acres and all densities are maximum densities. These maximum densities will be allowed only where there is provision for an adequate level of facilities and services and where plan policy requirements and criteria can be met.

Residential

This category applies to areas to be used for the development of housing at various densities. Within the time frame of this plan, the County will direct residential development into areas designated according to the following density categories:*

Rural Density - greater than 5 acres per unit;

Low Density - 5 acres per unit up to 1 acre per unit;

Medium Density - less than 1 acre per unit up to 0.2 acres per unit (i.e., more than 1 unit per acre up to 5 units per acre); and

High Density - less than 0.2 acres per unit up to 0.05 acres per unit (i.e., more than 5 units per acre up to 20 units per acre).

Commercial

This category applies to areas which are suitable for the development of retail and service commercial uses, including visitor accommodation and professional office uses. In general, building intensity for commercial areas shall conform to standards which limit building height to a maximum of 35 feet and lot coverage to a maximum 50 percent, excluding parking and landscaping requirements.

Industrial

This land use category applies to areas designated for the development of suitable types of manufacturing, research, mineral extraction, and processing operations. In general, building intensity for industrial areas shall conform to standards which limit building height to a maximum range of 35 feet to 75 feet and lot coverage to a maximum of 50 percent, excluding parking and landscaping requirements.

Agricultural

This category includes the sub-categories of farmlands, rural grazing lands, and permanent grazing lands.

The farmlands sub-category includes those farmlands designated by the USDA Soil Conservation Service as prime, of statewide importance, unique, or of local importance. The minimum parcel size for these farmlands shall be 40 acres.

*Where clustering is allowed, total site density shall not exceed the density allowed by the appropriate residential category. In addition, on development sites where clustering is allowed, minimum lot sizes may be reduced consistent with environmental, health, and other planning requirements.

The permanent grazing sub-category is applied to those portions of South County in which grazing, dryland farming or other agricultural uses are to be preserved, enhanced, and expanded. On permanent grazing lands, minimum parcel sizes shall be 40 acres and larger. Subdivision of land may be allowed only for agricultural purposes, for farm labor housing, or in order to create a building site for immediate family members and spouses.

The rural grazing sub-category is applied to grazing and dryland farming lands which are located in the County's developing areas and on which the County intends to allow mixed residential and agricultural land uses. Clustering of residential uses shall be encouraged provided that site density shall not exceed that allowed by the appropriate rural grazing land use category.

Resource Conservation

This category is intended to ensure conservation of a wide variety of South County's resources while allowing for some limited use of these properties. Typical of lands included in this category are watershed areas, riparian habitats, scenic resources, and lands which are generally remote, have steep slopes, or are inaccessible. This category also includes the floodways of the County's major rivers as well as its major water bodies. Uses in resource conservation areas must be in keeping with the conservation intent of this category. For example, allowed uses may include grazing and other agricultural uses and passive recreation such as camping, riding, and hiking.

Minimum parcel sizes in resource conservation areas shall range from 10-acre to 160-acre minimums but they shall not be less than the minimum on the date of adoption of the county-wide General Plan. Residential uses are not a primary use in this category and will be allowed only if the applicant can demonstrate that conservation values are not compromised. Density for residential uses, where allowed, shall range from 10 acres or more per unit to 160 acres or more per unit.

Public/Quasi-Public

This category is applied to a wide variety of existing and proposed uses which are either operated by a public agency or which service a large segment of the public. Public/quasi-public uses include the following:

- o Schools (public and private), churches, hospitals, community halls
- o Parks, recreation areas, and public and privately operated recreational facilities (i.e., tennis clubs and golf courses with accessory uses such as a clubhouse, pro shop, restaurant and/or administrative/business office)
- o Natural reserves
- o Emergency services (i.e., police, fire, and hospital)
- o Solid and liquid waste disposal
- o Military
- o Religious facilities
- o Other public facilities

Transportation

This category includes highways, major arterials (i.e., major county roads), railroads, airports, and harbors.

Land Use Philosophy

The specific provisions of this land use plan for South County are based on two general philosophical premises -- to ensure that the rural quality of life for South County residents is preserved and to ensure that present and future generations may continue to benefit from South County's natural resources. Several planning concepts, or principles, offer direction for implementing these philosophies. Foremost among these principles is to provide for land use activities within the confines of limited natural resources. This must be an integrated approach; often where one resource such as topsoil is degraded, other resources, such as water, vegetation, or even the scenic viewshed may also be degraded.

Within the confines of South County's limited resources the land use plan also seeks to prevent future land use activities from conflicting with existing land uses and disrupting established lifestyles. Thus, the plan provides for future land uses that are generally consistent with the type and intensity of established development and land use patterns. Designated commercial and industrial locations are therefore concentrated around existing centers; likewise, residential densities are generally consistent with existing lot sizes; and viable agricultural areas are protected from encroaching development.

Major Land Use Recommendations

The following sections describe major recommendations for each of the designations shown graphically on the land use plan (Figure 9). The land uses and designated densities must be reviewed in conjunction with the plan policies. Certain areas may be less suited for a particular density due to environmental constraints or overriding scenic value than other areas with the same density. For example, areas with steep terrain will have a lower density because of the slope density policy.

Residential

The plan designates new residential development for areas which, for the most part, either have established development at the densities shown, or are adjacent to existing developed areas.

Rural density residential use is planned for only one location in South County. It extends between Jolon Road and the San Antonio Lake Recreation Area, on both sides of Pleyto Road. The density for this area is 5+ acres per unit. Encompassed within this rural density area is a smaller, low density residential area, just southwest of the intersection of Jolon and Pleyto Roads.

Other low density residential areas are concentrated in Lockwood and on Argyle Road, about two miles south of its intersection with Jolon Road. All low density areas are shown for a maximum density of one acre per unit.

The medium density residential category is shown only for Parkfield. The maximum density within this category is five units per acre.

High density residential development is designated for Bradley, San Ardo, Lockwood and two isolated sites that had previously been zoned for mobile home parks. The two locations of these sites are: at the intersection of Argyle and Jolon Roads, and straddling Bryson-Hesperia Road, about one-half mile south of Interlake Road. Residential development within the range for high density (5 - 20 units per acre) would require sewage treatment. Formal sewage treatment systems currently operate only at San Ardo, Lake San Antonio Recreation Area, Hunter Ligget, and Camp Roberts. Only San Ardo's system has additional capacity available for private residential development.

Commercial

The plan provides for existing commercial centers to be the foundation for expanded commercial development. The communities of San Ardo, Bradley, Parkfield, and Lockwood will continue in their roles as commercial centers. The extent of the commercial areas planned for San Ardo, Bradley, and Parkfield are precisely illustrated in the Land Use Plan. The commercial area for Lockwood is centered at the intersection of Jolon and Interlake Roads. It extends outward in three directions for one quarter mile, along both sides of the two roads at a depth of 300 feet.

The only other commercially designated area in South County is located on the southern portion of Pleyto Road, near its intersection with Interlake Road.

Industrial

Under this plan San Ardo will continue in its role as the industrial center of South County, with no new areas proposed. Industrial uses are concentrated between Railroad Street and the railroad tracks. However, an additional parcel is designated on Jolon Street, at the west end of town.

A very large area of industrial use is designated for the San Ardo oil fields, southeast of the town. The designation is intended exclusively for activities related to oil extraction.

Agricultural

The plan designates as Farmland those lands with prime agricultural soils in many of South County's larger valleys. The largest expanse is the upper end of the Salinas Valley, with fingers of land stretching westward along San Lucas and Oasis Roads, and eastward along Highway 198 and Pine Valley Road. Other significant expanses of the Farmland category are in the Lockwood and Hames Valley areas, for the western half of the Planning Area, and in the Vineyard Canyon and Peachtree, Indian, and Cholame Valleys, for the eastern half.

The Rural Grazing designation is limited to areas west of Highway 101. In the Lockwood area this designation is intermingled with the Farmlands category, while in Hames Valley and Bryson-Hesperia, to the northeast and southwest, respectively, of San Antonio Lake, it is the dominant land use category for privately held lands. Most of the Rural Grazing areas are shown for a 40-acre density, although the Land Use Plan indicates higher minimum parcel sizes for some areas near Lockwood.

A portion of the Rural Grazing area southwest of Lake San Antonio is known as Rancho San Bartolome. The Rancho extends south to the county line and covers approximately 8,000 acres. Subdivision and development of this property shall be in accordance with an approved comprehensive development plan. The plan shall emphasize clustered development and other land use techniques to maximize permanent open space uses and promote resource conservation.

Other land uses that may be considered as part of the development plan include mixed density residential, recreation, commercial, and an air strip. In general, the maximum number of residential units allowed in the area shall be determined by the 40-acre per unit density indicated on the land use plan, but this may be reduced by General or Area Plan policies, or by resource constraints. However, if an overall development plan demonstrates a greater development potential, the County may consider an intensification of residential and visitor-serving uses.

By far the largest land area in South County is designated for Permanent Grazing. Large tracts of land in this category are found throughout the Planning Area, generally with the other land uses interspersed among them. The densities shown on the land use plan for the Permanent Grazing category range from a 40-acre minimum for most of the lands in the western and northeastern sections of the Planning Area, to a 160-acre minimum in the southeastern section.

Subdivision of land may be allowed only for agricultural purposes, for farm labor housing, or in order to create a building site for immediate family members and spouses.

FIGURE 9
LAND USE PLAN

The division of property to create a one-acre minimum building site may be considered by the County if the division is to accommodate housing for members of the immediate family of the property owner who earn their livelihood from grazing or farming use of the family land immediately contiguous to the parcel being created by subdivision. Such subdivision shall be conditioned to allow for the exclusive occupancy by immediate family members and their spouses. Likewise, another condition shall require the parcel to be an accessory use to the ranch in question or to an adjoining ranch, providing the residence is accessory to the adjoining agricultural use is occupied exclusively by immediate family owners and spouses of the owners or lessors.

Resource Conservation

The many small or odd-shaped areas designated in the Plan under the Resource Conservation category reflect those lands that are owned by the U.S. Department of the Interior's Bureau of Land Management. The density for these parcels, should they ever come under private ownership, is 160 acres per unit.

Public/Quasi Public

Major areas designated under this category are Fort Hunter Liggett, Camp Roberts, and the San Antonio Lake Recreation Area. The U.S. Army has plans to intensify the use of its two military reservations, including increased use of the "tank trail" between them. These plans must be carefully coordinated with the County's land use activities in the area to avoid conflicts.

The Monterey County Parks Department also has plans to intensify recreational uses in and around the north share of San Antonio Lake, but within the existing boundaries of the publicly-owned recreation area.

Other Public/Quasi-Public lands within the Planning Area include the schools at Lockwood, San Ardo, Bradley, and Parkfield, and the California Department of Forestry stations in Bradley and Parkfield.

Transportation

South County's roads and highways are considered to be adequate for the amount of growth anticipated for the area over the life of this Plan. Therefore, there are no recommendations in this Plan for major road improvements.

The Planning Area currently has one officially designated County Scenic Route, Interlake Road. The Route extends from Lockwood to Lake Nacimiento, in San Luis Obispo County. All land use and scenic provisions previously adopted for this route and its scenic corridor are incorporated by reference into this Plan. No other scenic routes or highways are proposed in this Plan.

CHAPTER VI: PLAN IMPLEMENTATION

PLAN IMPLEMENTATION*

As in the Monterey County General Plan, the South County Area General Plan consists of policies and a future land use map, and is a comprehensive long-range plan designed to guide the area's development and resource conservation. It is the product of an analysis of information found in a background report and resource maps compiled in a study of the planning area. It reflects physical opportunities and limitations for growth.

The South County Area Plan, as part of the General Plan, is to be used as the basis for discretionary actions by the Board of Supervisors and the Planning Commission. While the General Plan sets the framework for community development, the day-to-day actions of the County truly shape the community. Thus, the manner in which the Plan is implemented is the real test of the worth of its goals, objectives, and policies, and eight area plans.

The following sections discuss aspects of implementing the countywide General Plan which will also apply to the eight area plans. Because each area plan is a sub-unit of the General Plan, references to the "General Plan" are intended to include the South County Area General Plan.

Most tools for implementation of the General Plan derive from the County's corporate powers and police powers. State law requires the County to have subdivision and building regulations; most other measures are optional. If the goals, objectives, and policies of the General Plan are to be served effectively, the implementing measures must be carefully chosen, adapted to local needs, and carried out as an integrated program of complementary and mutually reinforcing actions. In addition to the requirements that the General Plan address seven specific elements and be internally consistent, implementing measures must be consistent with the General Plan. Ordinarily an action, program, or project is consistent with the General Plan if it will further the objectives and policies of the General Plan and not obstruct their attainment.

Some of the more important implementation measures for the County include zoning regulations, subdivision regulations, capital improvements programming, preparation of specific plans, and project review under the California Environmental Quality Act.

*Excerpted from Chapter 6 of the Monterey County General Plan.

ORDINANCES

Zoning Ordinance

Zoning is the primary tool for implementing the General Plan. In its simplest form, zoning is the division of a geographical area into districts, accompanied by a written description of allowable land uses and development standards for each of the districts. The function of zoning is to translate the comprehensive, long-range, and relatively broad policies of the General Plan into single purpose, short-range, and specific development standards for each piece of property in the County. Proper zoning will help to ensure that development on any parcel in the County is in conformance with the updated General Plan. Planning law stipulates that no open space zoning ordinance may be adopted, no building permits issued, and no subdivision map approved unless consistent with the Plan's policies regarding open space. Revising the zoning ordinance to secure conformity with the General Plan will include the establishment of appropriate zoning districts and densities to implement the Plan, specification of zoning for each parcel, and continued enforcement and amendment as appropriate.

Subdivision Ordinance

In order to ensure conformity to the General Plan, the County is directed to regulate the "design and improvement" of subdivisions, which includes the physical layout of lots, dedication of public improvements and easements, and other measures. Furthermore, the County is authorized by the Subdivision Map Act to require dedication of public improvements or require payment of in-lieu fees for improvements such as streets, drainage, local transit, school sites, parks and recreation, coastal access, and erosion control.

The subdivision ordinance should address the issues of on-site improvements, off-site improvements, and protection of environmentally sensitive areas. Specific subdivision proposals must demonstrate consistency with the General Plan on these points as well as on the issue of proper timing or other issues addressed in the subdivision ordinance.

Other Ordinances

Other existing ordinances and policies which will be reviewed in the interest of consistency with the General Plan and to facilitate its implementation include the Erosion Control Ordinance, the Noise Pollution Ordinance, the Official Plan Line (OPL) Ordinance, the Building Ordinance, energy policies, and the Growth Management Policy. These must reflect the goals, objectives and policies adopted in the Monterey County General Plan.

CAPITAL IMPROVEMENTS PROGRAM

The network of publicly owned facilities such as roads, streets, water and sewer facilities, public buildings, and parks forms the skeletal structure of a community. Certain public facilities, particularly water and sewer facilities and roads and streets, play a major role in determining the location, intensity, and timing of future development.

Because of their importance in the growth of the community, state law requires that decisions about capital facilities be reviewed for consistency with the adopted General Plan. All departments within the County and all other local governmental agencies, including cities, school districts, and special districts that construct capital facilities, must annually submit to the Planning Commission a list of projects being planned or constructed in the coming year. The Planning Commission must review the projects for conformity to the General Plan. A similar review for individual capital projects is also required.

Rather than consider individual capital improvement projects or only those projects to be undertaken in a single year, the County will prepare and annually revise a Capital Improvements Program (CIP) covering a period of at least six years. Because of the tremendous influence that capital improvement projects have on physical development within a jurisdiction, the Capital Improvements Program has important strategic value for implementing General Plan policies. It can help shape and phase growth according to adopted policies.

Major steps in the development of a CIP are (1) selection of necessary improvements and projects to implement the General Plan, (2) establishment of priorities to promote staged development of capital facilities in a manner consistent with the General Plan, and (3) development of adequate and equitable financing for each project. The CIP should be reviewed annually and revised to reflect the County's evolving needs and fluctuating budgetary constraints.

ONGOING REVIEW

Due to the nature of the General Plan, most of its implementation is an ongoing process. Further specification and guidance is extended through the development of area plans, specific plans, and review under the California Environmental Quality Act (CEQA).

Specific plans may be used in all or part of the County to ensure systematic execution of the General Plan. A specific plan must include all detailed regulations, conditions, programs, and proposed legislation to implement each of the required General Plan elements. By coordinating efforts of the public and private sectors in a detailed manner, specific plans provide for the efficient and focused application of General Plan policies in developing portions of the County.

Every proposed development project must be evaluated for potential environmental effect under regulations set forth in the California Environmental Quality Act. This review ensures that the same concern for the environment which went into the formulation of the General Plan will be

brought to bear on each development project proposed under the Plan. Preparation of an environmental impact report will be required for those projects which may have significant effects on the environment.

The General Plan may be amended to reflect changing community values, conditions, and needs. With a few exceptions, no mandatory element may be amended more frequently than four times during any calendar year. Each amendment may encompass several different changes. General Plan amendments are considered projects and are subject to environmental review under CEQA. The Plan should only be considered for amendment when the County determines, based on new information, that a change is necessary.

Monterey County's Growth Management Policy and its General Plan must be consistent with one another. Data and policies in the Plan supporting the objectives of growth management can provide a solid rationale upon which the regulations may rest. A share of the countywide growth management allocation shall be incorporated into each area plan.

The Growth Management Policy and the General Plan should be in harmony to avoid conflicts. Competing interests, obligations, and objectives are balanced in the General Plan. Furthermore, tools used to implement the General Plan are often used to implement the Growth Management Policy: zoning and subdivision regulations and capital improvements program. Use of all implementation tools must be consistent with the General Plan.

***CHAPTER VII:
ENVIRONMENTAL IMPACT REPORT***

***SOUTH COUNTY AREA PLAN
ENVIRONMENTAL IMPACT REPORT***

SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES

IMPACTS

MITIGATION MEASURES

- | | |
|---|---|
| 1. Policy 26.1.11.1 (SC)
Clustered development which would cause the loss of agricultural land and impact visual and water supplies. | Clustered development should avoid agricultural land, visually sensitive areas and demonstrate adequate safe yield of water supplies. |
| 2. Policy 32.1.3.1 (SC) BLM land sales may preclude public recreational opportunities. | Public recreational opportunities should be determined before any sales. |
| 3. Policy 40.1.2 (SC) Failure to designate scenic routes could impact visually sensitive areas. | Require that all development be compatible with local aesthetic values. |
| 4. Policy 62.2.2 (SC) Deletion of the San Ardo Development Incentive Zone could limit production of affordable housing. | Encourage higher density housing in urbanized areas where infrastructure is available. |
| 5. Map Change #1 Commercial development at interchanges could remove some agricultural land from production and create visual impacts. | Carefully consider the need for, extent, siting and design of proposed highway commercial development. |
| 6. Map Change #2 An increase in density on Rural Grazing and Farmlands could result in exposure to geologic and soils hazards; reduction of wildlife habitat; increased energy use; adverse visual effects; impacts on water supplies; increased traffic; and impacts on services and facilities, cultural sites and grazing lands. | Comprehensive technical analysis of geology, soils, biology, hydrology, archaeology, traffic/circulation and services and facilities prior to consideration of development proposals. |

IMPACTS

7. Map Change #3 Increasing the allowable density in Resource Conservation areas could result in the same impacts as Map Change #2.
8. Map Change #4 Changing Farmlands to Public/Quasi-Public to allow a proposed recreational development could result in impacts on agricultural lands, water supplies and local traffic conditions.
9. Map Change #5 Changing Rural Density Residential to Commercial could result in visual and water supply impacts and reduce potentially affordable housing.
10. Map Change #6 Allowing an intensive commercial use in Parkfield could expose the public to high seismic risk.

MITIGATION MEASURES

- Mitigations would be the same as for Map Change #2.
- Since exact nature and extent of proposed project is unknown, the County should conduct a thorough environmental analysis and develop appropriate mitigation measures for consideration by the decision-making body. Modification of the project may be necessary in order to reduce impacts.
- Establish site and design regulations, require proof of adequate water supply, and encourage new housing in areas designated for such use.
- Require appropriate geologic study prior to development and require strict seismic hazard area construction standards.

1.0 INTRODUCTION

1.1 AUTHORIZATION AND PURPOSE

This EIR has been prepared by the County of Monterey in accordance with State CEQA Guidelines. As stated in the guidelines, an EIR is an "informational document" with the intended purpose to "inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project." Although an EIR cannot control the County's ultimate decision on a project, the County must consider the information in the EIR and respond to each significant effect identified in the EIR. As defined in the CEQA guidelines, "significant effect on the environment" means:

"...a substantial or potentially substantial, adverse change in any of the physical conditions within the area affected by the project..."

In May, 1982, the Monterey County Board of Supervisors directed staff to prepare an EIR for a proposed new countywide General Plan. The EIR and Plan were adopted on September 30, 1982. An integral part of the new Plan was the provision for the subsequent preparation of more detailed area land use plans for the various geographic sections of the County. The South County Area Plan is one such sectional plan.

The Draft South County Area Plan further refines and supplements the countywide General Plan.

Because the Area Plan constitutes an amendment to the General Plan, it is necessary to consider potential environmental impacts through a new EIR. However, the potential environmental impacts are evaluated in terms of the existing land use, rather than the allowed land use in the General Plan. Where a proposed change would not have the potential for greater impacts than any which may result from the original General Plan designation or present condition, the change need not and will not be addressed.

1.2 PROJECT DESCRIPTION

1.2.1 Area Location and Size

The South County Planning Area is the largest and southernmost in the County. It includes over 1,281 square miles, extending east from the Coast Range to the Monterey-Fresno County boundary and south from the town of San Lucas to the Monterey-San Luis Obispo County boundary.

1.2.2 *Project Objectives*

The South County Area Plan EIR will identify and address all significant adverse environmental effects which may occur in implementing the Plan.

1.2.3 *General Description of the Planning Area*

1.2.3.1 *Geography*

The South County Planning Area makes up the southernmost section of Monterey County and contains the largest land area of the eight planning areas (1,281 square miles). South County is bounded on the north by the Central Salinas Valley Planning Area which follows Highway 198, San Lucas and Jolon Roads, and the Fort Hunter Liggett and Los Padres National Forest boundaries. The eastern boundary follows the San Benito, Fresno, and Kings County lines. To the west is the Coast Planning Area defined by the Los Padres/Fort Hunter Liggett boundary and the ridgeline of the Santa Lucia Mountain Range. The San Luis Obispo County line defines the southern boundary.

The narrowest portion of the Salinas Valley is found in South County; the valley is approximately three miles wide at the northern entrance to the planning area and ends just south of San Ardo. Most of South County's irrigated agriculture is found in this valley.

Adjacent to either side of the valley floor the terrain rises to gently rolling hills, then to steeper ravines. Finally, the Diablo Mountain Range forms the eastern wall of the planning area with the highest elevation at Castle Mountain (4,336 feet); the Santa Lucia Mountain Range forms the western wall with the highest elevation (3,509 feet) in the northwestern corner of Fort Hunter Liggett.

On the western side of the planning area, the Lockwood, Hames, San Antonio River, and Nacimiento River Valleys traverse the hills in a northwest to southeast direction. On the eastern side of the planning area numerous canyons and valleys extend like fingers from the Salinas Valley; these include Indian Valley, Vineyard Canyon, Portuguese Canyon, Pine Valley, and Pancho Rico Canyon. Peachtree and Cholame Valleys parallel the eastern boundary of the planning area.

1.2.3.2 *Existing Land Use*

South County land use is characterized by extensive grazing, dryland and irrigated farming, watershed, recreation, and small communities (the area contains no incorporated cities).

Residential Uses

Residential uses total 469 acres (0.06% of the total acreage in the planning area), primarily located in the unincorporated communities of Bradley, San Ardo, Parkfield, Jolon, Lockwood, and Bryson-Hesperia. Additionally, residential use of a very rural nature is scattered throughout the planning area. Single family residential uses total 436 acres and multiple unit structures account for only 33 acres.

Commercial Uses

Commercial land uses total 22 acres, or less than 0.01% of the area. These uses are primarily located in the unincorporated communities and serve both residents and travelers using Highway 101, Jolon Road, and Pleyto Road.

Industrial Uses

Industrial land uses total approximately 4,710 acres, or approximately 0.6% of the area. Although this acreage includes a small landfill site at San Ardo, the bulk of the industrial use in the planning area is due to the presence of extensive oil extraction operations near San Ardo. Much of this area is used in conjunction with grazing.

Public and Quasi-Public Uses

Public and quasi-public uses total 212,337 acres, or almost 26% of the total planning area. Military uses are the largest sub-category and include Fort Hunter Liggett at the westerly portion of the planning area and Camp Roberts to the south. Military uses total approximately 171,000 acres. The next largest sub-category of public uses is composed of lands in natural resource management which total just over 41,000 acres; these are lands administered by the Bureau of Land Management. Recreational facilities located around the perimeter of San Antonio Reservoir total approximately 140 acres. Other uses include religious (primarily San Antonio Mission), educational, and emergency services.

Streets, Highways, and Railroads

Streets, highways, and railroads total 3,454 acres or about 0.4% of the total planning area. Highway 101, a major north-south transportation corridor, is the circulation backbone of the planning area, providing for travel throughout its length. State Highway 198, which borders the planning area, begins at San Lucas and provides access to the east into Fresno County. County roads provide access in the westerly and easterly portions of the planning area. The Nacimiento-Ferguson Road provides access to Highway 1 through Fort Hunter Liggett and the National Forest. Interlake Road connects San Antonio and Nacimiento Reservoirs. The Southern Pacific Railroad operates a major route which traverses the County and the planning area paralleling Highway 101.

Agricultural/Grazing Uses

The most significant land use in South County is agriculture, which encompasses 555,000 acres or almost 68% of the total area. Included in this acreage is land along the Salinas River in the northerly portion of the planning area used for row crops and land used from dryland farming. As in the Central Salinas Valley area, bench lands are used for vineyard and orchard production. The bulk of agricultural use, however, is contained in very extensive grazing lands and dryland farming.

Unimproved Lands/Watershed Areas/Water Bodies

Unimproved lands and watershed areas total 38,217 acres or almost 5% of the planning area. Watershed uses are particularly important due to the location of San Antonio Reservoir in the planning area. This water body is the fourth largest land use in the area, totaling 5,687 acres or about 0.77% of the area. Watershed areas also serve an important function as wildlife habitat.

Public Land Ownership

Approximately 28% of South County is publicly owned and, therefore, is generally not subject to private development. Most of South County's public lands are in federal ownership--212,089 acres out of 225,519. The remainder is owned by the Monterey County Flood Control and Water Conservation District; this 13,430 acres includes San Antonio Reservoir and a large area around the reservoir.

1.2.3.3 Proposed Land Use

The "Land Use Plan," as found in Figures 9 and 9A of the South County Area Plan, illustrates the proposed land use designations for the area. Certain land use designation and density changes from the Monterey County General Plan will occur upon adoption of the Area Plan. The focus of this EIR is to consider Area Plan changes against existing land use. This focus resulted in the identification of map change areas illustrated in Figures EIR-1, 1A, 1B and EIR-2, 2A. Only those land use change areas proposed in the new Area Plan which may result in significant adverse impacts are analyzed within Section 1.5.3 of this EIR.

The San Ardo, Bradley and Parkfield area land uses are of necessity only generally illustrated in the County General Plan. The purpose of the various area plans is to clarify and more precisely present both changes in land use and existing uses which are to remain unchanged. Figures 9 and 9A (Proposed Land Use) and Figures EIR-1, 1A, 1B and EIR-2, 2A (Proposed Land Use Plan Changes) accomplish this.

1.2.3.4 *Vicinity and Neighboring Land Use*

Land uses in the vicinity of the South County Planning Area are merely extensions of local uses. In all adjacent areas the predominant use is either irrigated farmland (to the north) or grazing/rangeland with small areas of dryland farming. The surrounding areas are generally sparsely populated with scattered small towns. Fort Hunter Liggett, primarily a military testing and training area, occupies the entire western portion of the planning area. Los Padres National Forest extends west and northwest from the area boundary.

1.3 *GENERAL PLAN AND ZONING*

1.3.1 *Monterey County General Plan*

The Monterey County General Plan, adopted in September 1982, is the current governing land use and policy document for the South County Planning Area. The Area Plan will amend and supplement the Monterey County General Plan. The County General Plan will then address the South County Area through two different levels of policy reflected in the General Plan and the Area Plan.

The Monterey County General Plan Inventory and Analysis section has been organized into four separate components. These components include the following: Natural Resources, Environmental Constraints, Human Resources, and County Development. Appendix A of the General Plan contains the Monterey County Growth Management Policy. The Area Plan must and does conform in all respects to these components. Attention is directed to the General Plan for discussion of these issues.

1.3.2 *Zoning*

Most of the South County Planning Area is currently zoned in districts reasonably consistent with the land use designations of the General Plan. There are certain inconsistencies in densities and a few instances of obsolete designations. In these cases the General Plan designations take precedence over the applied zoning. Following adoption of the Area Plan, the County will conduct a general study and prepare a consistent zoning proposal for consideration.

1.4 *INTENDED USES OF EIR*

1.4.1 *Agencies Expected To Use EIR In Their Decision Making*

The South County planning area is within unincorporated Monterey County and it is, therefore, the County Board of Supervisors which will adopt the Plan and use it in its decision making.

1.4.2 List Of Approvals For Which the EIR Will Be Used

The EIR will be used for consideration in approving the South County Area Plan.

1.5 AREA PLAN POLICY AND MAP CHANGE IMPACT ANALYSIS

1.5.1 Environmental Impacts Matrix

The environmental impacts resulting from the supplementary policies and map changes are presented in matrix form as Table EIR 2. Only those land use map changes and supplementary policies which are determined to have potential significant (substantial) adverse impacts are included in the subsequent analysis.

1.5.2 Policy Analysis

Policy 26.1.11.1 (SC)

In order to make the most efficient use of land and to preserve agricultural land and open space, clustered development shall be encouraged in all areas where development is permitted.

Potential Impacts:

Clustered development, unless carefully sited and reviewed with consideration for the opportunities and constraints of the intended locations, could result in significant adverse impacts. Specific impacts could be the loss of agricultural land (some of which may be prime land), visual effects which detract from the rural character, and localized withdrawal of water in excess of safe yield.

Mitigation Measures:

1. Clustered development should not be permitted to encroach upon prime agricultural land or in locations which could affect normal agricultural practices such as aerial spraying.
2. Add a new Plan policy requiring a visual sensitivity study to read:

26.1.6.1 (SC) The County shall conduct a visual sensitivity study of the South County area which will result in a map and development standards for sensitive areas.
3. Only locations which are not visually sensitive should be considered acceptable for clustered development.
4. Adequate water supplies which do not exceed the local safe yield should be demonstrated prior to consideration of clustered development.

Policy 32.1.3.1 (SC)

The County shall encourage the Bureau of Land Management to convey the right of first refusal to adjacent landowners before these lands are put up for public auction.

Policy Impacts:

Bureau of Land Management lands are publicly owned and generally open for public use. Sale of these lands could adversely affect local public recreational opportunities and may be in conflict with the Bureau of Land Management policies.

Mitigation Measure:

4. All Bureau of Land Management lands considered for sale should first be carefully reviewed for public use potential. Deletion of the proposed policy would achieve consistency with BLM policy and practice.

Policy 40.1.2 (SC)

Additional scenic routes are not appropriate and shall not be designated in the South County Planning Area.

Potential Impacts:

Monterey County was the first in California to have a scenic route designated and has long planned to seek such designation for many of the more scenic County roads and State highways. To preclude such designation and subsequent land use regulation could result in inappropriate development in visually sensitive areas thereby adversely affecting the rural character.

Mitigation Measure:

5. Establish land use regulations along visually sensitive corridors to ensure that all development will be compatible with local esthetic values.

Policy 62.2.2 (SC)

The County shall delete the Community of San Ardo as a Development Incentive Zone when the Housing Element is next updated.

TABLE

TABLE

TABLE

Potential Impacts:

Affordable housing is much in demand in the South County Planning Area. Such housing is needed by agricultural workers, military personnel, and area residents. Since the purpose of a DIZ is to promote intensive development, primarily to lower its cost, to eliminate this possibility could reduce the potential for providing a certain amount of lower to moderate cost housing.

Mitigation Measure:

6. Encourage higher density housing development in urbanized areas where adequate infrastructure exists or could be provided.

1.5.3 Map Change Analysis

The land use plan change map and the environmental impacts matrix illustrate the proposed South County Area Plan changes to existing land use. This section will discuss the resulting land use modifications, significant impacts and possible mitigation measures. Those portions of the South County area not described within this map change analysis are either proposed for a use which is equivalent to the existing use, or are not proposed for any land use change.

The impact of potential development is considered within the more general discussion of potential environmental impacts in Section 2 of this EIR.

It should be noted that the Monterey County General Plan in its discussion of Rural Grazing, Permanent Grazing and Resource Conservation designations provides guidelines for subsequent area plans to propose densities/lot sizes which differ from those adopted in 1982. However, such changes in densities/lot sizes are expressly precluded from being less restrictive (pages 203 and 204). Map changes 2 and 3 appear to violate this requirement.

Map Change #1A, B, C, D:

Agriculture and Permanent Grazing to Commercial use on approximately 10-15 acres at Highway 101 interchanges.

The proposed highway commercial areas are not intended to change the mapped land use designations. They are instead intended to represent locations where amendments could be considered when and if appropriate projects are proposed.

Potential Impacts:

Development of highway commercial uses could remove a small amount of land from possible agricultural production and create adverse visual impacts of limited, but intensive construction in otherwise rural locations.

Mitigation Measure:

7. Add a policy to the plan to address the need for, extent, siting and design of proposed highway commercial uses in order to limit overbuilding and minimize loss of usable agricultural lands and adverse visual effects.

Map Change #2:

Change approximately 261,300 acres of Rural Grazing and Farmlands density from one unit per 160 acres to one unit per 40 acres (except B.L.M. lands).

Potential Impacts:

This substantial increase in allowable density could result in numerous significant adverse impacts including exposure to geologic hazards, construction in areas of unstable or erodible soils, elimination of wildlife habitat including that of rare and endangered species, wide dispersal of residential use resulting in increased travel and energy use, visual effects and loss of rural character, potential overdraft of water supplies in an area of recognized limited water availability, extensive expansion of local services and facilities, possible loss of archaeological resources in an area of moderate and high sensitivity, and effective loss of grazing area. Additional impacts may result from private roads needed to serve development which is not adjacent to County roads.

Mitigation Measure:

8. In order to adequately assess the effects of subdivision proposals, the County should require several comprehensive technical reports. These should include: geologic/seismic hazard, soils, biology, hydrology, archaeology, traffic/circulation, and public services and facilities. These reports should be used to determine a site's suitability for subdivision and subsequent development.

Map Change #3:

Change in land use designation of approximately 7,000 acres from Resource Conservation (one unit per 160 acres) to Permanent Grazing with a density of one unit per 40 acres (except B.L.M. lands).

Potential Impacts:

See impact analysis for map change #2.

Mitigation Measure:

See mitigation measure for map change #2.

Map Change #4:

Change in land use designation of approximately 460 acres from Farmlands to Public/Quasi Public to allow a development project consisting of various recreational uses. The types and intensities of proposed uses are admitted to be subject to refinement and revision. Because of this, the potential impacts could vary substantially as the scope of the proposal becomes fixed.

Potential Impacts:

The proposed project could result in the loss of agricultural land, affect water supplies by significant generation of sewage effluent and generate additional traffic on local roads.

Mitigation Measures:

9. Since the exact nature of any project is unknown, the magnitude of potential impacts is speculative. Prior to consideration of any project of the type now envisioned, the County should conduct a thorough impact assessment and develop appropriate mitigation measures for consideration by the decision-making body. Such mitigation measures may indicate that a proposed project must or should be modified in order to reduce impacts to an insignificant level. In addition, the County should develop a policy to clarify the scope of allowable recreation uses and establish standards for their development.

Map Change #5:

Numerous parcels designated Low and Rural Density Residential and Rural Grazing (approximately 200 acres) changed to Commercial along Jolon and New Pleyto roads.

Potential Impact:

Development of additional strip commercial along Jolon and New Pleyto roads could result in a visual corridor incompatible with the existing rural character, adversely affect groundwater supply and quality, preclude housing opportunities now possible under the County General Plan, and generate additional traffic.

Mitigation Measures:

10. Establish comprehensive site and design regulations to encourage compact, appropriately located and designed commercial development which conforms to the visual character and physical constraints/opportunities of the area.
11. Allow only those commercial projects that conform to policy 27.1.3.1 (SC), which reads: "Existing communities shall be the nucleus for residential expansion and premature, scattered development shall be discouraged".
12. Promote housing opportunities to the maximum feasible density in urbanized areas, subject to site suitability and infrastructure availability.

Map Change #6:

Low Density Residential (two lots totaling less than one acre) changed to Commercial.

Potential Impacts:

The proposed commercial use would generate a concentration of people in an area of very high seismic hazard.

Mitigation Measure:

13. Require thorough geologic/seismic studies for any proposed commercial development in the Parkfield area. Construction of any such commercial projects should incorporate all feasible hazard-reducing measures.

2.0 ENVIRONMENTAL SETTING, IMPACTS AND MITIGATION MEASURES

2.1 REGIONAL SETTING

The South County Planning Area makes up the southernmost section of Monterey County and contains the largest land area of the eight planning areas. South County is bounded on the north by the Central Salinas Valley Planning Area which follows Highway 198, San Lucas and Jolon Roads, and the Fort Hunter Liggett and Los Padres National Forest boundaries. The eastern boundary follows the San Benito, Fresno, and Kings County lines. To the west is the Coast Planning Area defined by the Los Padres/Hunter Liggett boundary and the ridgeline of the Santa Lucia Mountain Range. The San Luis Obispo County line defines the southern boundary.

Among the prominent geographic features in the 1,281 square miles encompassed by South County are portions of two mountain ranges, the benchlands of the Salinas Valley floor, one major reservoir, three rivers, and numerous canyons, valleys, and creeks.

Adjacent to either side of the valley floor the terrain rises to gently rolling hills, then to steeper

ravines. The Diablo Mountain Range forms the eastern wall of the planning area with the highest elevation at Castle Mountain (4,336 feet); the Santa Lucia Mountain Range forms the western wall with the highest elevation (3,509 feet) in the northwestern corner of Hunter Liggett.

On the western side of the planning area, the Lockwood, Hames, San Antonio River, and Nacimiento River Valleys traverse the hills in a northwest to southeast direction. On the eastern side of the planning area numerous canyons and valleys extend like fingers from the Salinas Valley; these include Indian Valley, Vineyard Canyon, Portuguese Canyon, Pine Valley, and Pancho Rico Canyon. Peachtree and Cholame Valleys parallel the eastern boundary of the planning area.

2.2 GEOLOGY AND SOILS

The South County Planning Area is bordered on the east side by the San Andreas Fault, a highly significant feature given the probability of a great earthquake occurring along its length. The fault runs for 30 miles through the planning area in a southeasterly direction and runs directly through the community of Parkfield.

Because of the likelihood of an earthquake occurring along its length, the San Andreas Fault has been classified as an "active" fault as per the Alquist-Priolo Special Studies Zones Act of 1972. This state classification mandates that seismic surveys be conducted for any project located within the fault "zone" (all lands within 1/8 mile of the observed fault trace). Because the process of adding new faults to the Act is complex, many faults which are not classified as "active" by the Alquist-Priolo Act are still considered by geologists to be active and capable of inflicting severe loss of life and property. The Coalinga earthquake of 1983 is an example of an "inactive" fault causing tremendous destruction.

Liquefaction is the loss of soil strength due to the seismic forces acting on water-saturated granular soil. It is a common result of earthquakes in areas underlain by saturated, unconsolidated deposits. Areas susceptible to liquefaction include the alluvial valleys of the Salinas, San Antonio, and Nacimiento rivers.

A wide variety of soils are present in South County. The characteristics of the soils and the slope of the land are significant determinants of appropriate land uses for a specific area. Some of the soils, due to their composition, drainage, and gentle slope, are appropriate for agricultural or urban uses. Such soils are found primarily in the Salinas Valley. Other soils pose severe limitations to the agricultural or urban uses of the land. Rugged areas on mountainous slopes and areas underlain by recent alluvium have severe constraints to development.

Categories of constraints are rated as low, moderate, and high. Soils in areas with a low constraint rating are favorable for most land uses. Soils with moderate constraints have properties which render them unfavorable for specified uses, but limitations can be overcome by special planning and design. Areas with soils given a high constraint rating have soil properties which are so unfavorable or difficult to overcome that a major increase in construction effort, special design, or intensive maintenance is required to such an extent that development may be

entirely precluded.

Slope is a significant factor in soil stability, rate of erosion, and runoff velocity. In general, areas of zero to thirty percent slope correspond roughly to areas of low and moderate soil constraints. Conversely, steep slopes (greater than 30 percent) tend to have high soil constraints. Areas having slopes in excess of 30 percent are not considered suitable for development and are generally considered suitable only for open space uses such as grazing, low intensity recreation, and watershed.

Potential Impacts:

It is not anticipated that implementation of the Plan will have any adverse effect on the geology or liquefaction potential of the area. The geology of the area and its resulting earthquake and liquefaction potential, however, should be considered in the design and location of development.

Mitigation Measures:

13. Earthquake and liquefaction potential should be considered in all building design within the planning area. Development should be discouraged in areas with high seismic or liquefaction potential. Areas mapped as moderately high, high, or very high hazard shall be considered to be "high hazard" areas for the purpose of applying General Plan policies.
14. Soils reports should be required for all projects in areas of potential soil stability and erosion problems. Appropriate mitigation measures should be mandatory when such reports indicate obvious or potential problems.

2.3 *HYDROLOGY AND WATER QUALITY*

The natural hydrology of the Salinas Valley Basin was significantly altered with the completion of dams and reservoirs on the Nacimiento and San Antonio rivers. Both reservoirs provide flood control and water conservation for the basin. The Nacimiento Reservoir was completed in 1957, providing a total capacity of 350,000 acre-feet. The reservoir's capacities for flood control, water conservation, and minimum pool are 150,000 acre-feet, 190,000 acre-feet, and 10,000 acre-feet, respectively. Nacimiento is located in San Luis Obispo County but was constructed and is owned and operated by the Monterey County Flood Control and Water Conservation District.

San Antonio Reservoir, completed in 1965, also provides 350,000 acre-feet of total capacity. Since the inflow of the San Antonio River is approximately one-third of the Nacimiento, flood control capacity is only 50,000 acre-feet. This allows 280,000 acre-feet for conservation and other uses. San Antonio, located in the South County Planning Area, is also owned and operated by Monterey County Flood Control and Water Conservation District.

The existence of groundwater is the result of water percolating into alluvial materials and porous geologic structures. The occurrence of groundwater basins follows the general pattern of surface

water. Groundwater is the sole source of water supply through most of South Monterey County.

The California Department of Water Resources (DWR) is one agency which studies the County's hydrologic system to analyze water supplies and demands. The Department's figures, which represent an historical picture of water supply and use (surface water inflow/outflow, precipitation, stored water, use by vegetation, agricultural use, evaporation), indicates that long-term overdrafts exist.

The Monterey County Flood Control and Water Conservation District (MCFCWCD) has estimated the overdraft in the Upper Valley area to be 500 acre-feet annually. This is substantially lower than the 4,200 acre-feet overdraft estimated by DWR. The reports are consistent, however, in agreeing that an overdraft condition exists.

To the northwest of the San Antonio Reservoir is the Lockwood groundwater sub-basin. The basin encompasses a mildly sloping and intensively cultivated valley area in the lower drainage basin of the San Antonio River. Separate from the Salinas Valley aquifers, but part of its drainage system, the Lockwood aquifer is the primary source of irrigation for the Lockwood area. From measurements taken since 1965 (the base year), the groundwater table was at its lowest point (-11.5 feet) in 1979; this was due to a lack of rainfall and increased pumping. By 1982, with abundant rainfall in recent years, the groundwater table had risen two feet (to a -9.5 feet).

South County's water supply lies within the upper Salinas Valley Basin. Quality of surface and groundwater varies greatly with location. The upper valley has generally good water quality; however, contamination does exist. Natural contamination is present from waters draining the Diablo Mountain range which are typically high in mineral concentrations. Total dissolved solids (TDS) in water from the eastern range can be ten times the amount draining the Santa Lucia Range. Primary sources of dissolved solids are the settling areas where surface water from creeks reach the valley floor.

Chemical samples taken by the County Environmental Health Division indicate that the water quality in the Salinas River, from a point south of Bradley to King City, is generally very good because of the outflow from the reservoirs. The water is not stagnant or malodorous but coliform bacteria are found in low levels due to the running and grazing of cattle along the river.

The water quality of the San Antonio River is generally good with coliform also found in small amounts. Mercury from geologic deposits and from active mines in the Santa Lucia Mountains drains into the Nacimiento River; however, the water quality is otherwise good. The water quality of San Lorenzo Creek is poor due to high mineralization.

A large portion of the western half of the planning area has water quality and supply problems. The areas between Jolon-San Lucas Road and Lockwood-San Lucas Road, along Jolon-Bradley Road to Highway 101, and near Lake San Antonio contain groundwater high in sulfur. This may be due to oil exploration and sulfur flowers found in shale deposits. The Lockwood Valley itself has exceptionally good water. In the area north and east of Jolon, some geologic formations yield very little water at all. Wells throughout the Hames Valley indicate that the groundwater is

high in mineralization and sulfur; tar and sulfur have been found in Hames Creek.

Areas in the western half of South County where the water is both good and plentiful include Bryson-Hesperia (although there is hard water, high in iron), lower Nacimiento Lake Drive, and the Lockwood community. The water is not contaminated by nitrates or tainted by sulfur and is found, generally, wherever wells are drilled.

In the central portion of the planning area, nitrate problems are found along a one-mile strip on either side of Highway 101; numerous well tests have resulted in standard-exceeded nitrate levels. In San Ardo few water quality problems exist. However, the water in the area of oil drilling is high in sulfur. Bradley's water system is characterized by numerous wells on tiny lots.

The community of Parkfield, in the eastern section of the planning area, has water quality problems in the shallow wells; the water is soapy and contaminated with nitrates because the wells are located too close to septic systems. However, below 180' the quality in the aquifer begins to improve. East of Parkfield, in the area along Parkfield-Coalinga Road, some places use spring water; other places have no water and trucking in of water is occurring. Where water is found, the quality and quantity are excellent.

The remainder of the "east side" is characterized by sparse development; consequently water data are scarce.

In Monterey County, the major cause of flooding is surface runoff from the mountainous watersheds. Runoff occurs when storms of high intensity and/or long duration exceed the soil's ability to absorb water. Runoff is influenced by soil type, land cover, slope, and amount of rainfall. The average annual rainfall in South County ranges from 10 to 35 inches. Since 90% of the rainfall occurs between November and April, flooding is a seasonal hazard, with the hazard greatest from an intense or prolonged storm. Large areas of South County are subject to some degree of flooding.

The 100-year floodplain encompasses all of the upper Salinas Valley and areas adjacent to rivers, creeks, and streams. The communities of San Ardo, Bradley, and Parkfield are within or adjacent to the 100-year floodplain. Agricultural land could expect to be inundated by such a flood and communities may incur extensive damage. Development within this floodplain could prove locally disastrous and could enlarge the floodplain downstream as well.

In addition to flood hazards from storms, South County is also subject to flood damage from dam failure. Failure of San Antonio or Nacimiento could inundate much of the valley floor. Dam failure would most probably be generated by seismic activity or slope instability.

Potential Impacts:

Water in adequate quantity and quality is the exception in most areas of South County. Furthermore, much of the planning area is considered to be in overdraft, which could be worsened by projects being approved without adequate water resource consideration.

Significant flood hazards occur along virtually all stream and river channels within the planning area. Those areas downstream from Nacimiento and San Antonio reservoirs are further subject to inundation from dam failures.

Mitigation Measures:

15. Where appropriate, development shall be designed to maintain groundwater recharge capabilities. Runoff shall be carried to recharge areas, when feasible.
16. New development shall be phased so that the existing water supplies are not committed beyond their safe long-term yields in areas where long-term yield can be determined. Development levels that generate a water demand which exceeds the safe yields of local aquifers shall only be allowed when additional satisfactory water supplies are secured.
17. Development within the 100-year floodplain or areas subject to inundation from dam failure should be consistent with the Monterey County Floodplain Ordinance.

2.4 *BIOLOGICAL RESOURCES*

The planning area contains four major plant communities: chaparral, grassland, foothill woodland, and riparian. The balance of the area is in agricultural and urban uses.

Beyond the particular vegetative types distinguishing each community are the habitats they provide for wildlife. Each different species has a specific vegetation habitat upon which it relies for food and shelter. Often human encroachment has limited the range and size of these communities, thereby threatening the existence of certain plants and animals.

Chaparral communities are typically composed of a uniform covering of hardy, woody shrubs which often form dense impenetrable thickets. Solid chaparral is found on drier slopes at higher elevations and sometimes on slopes with rocky or infertile soil.

Grassland usually occurs on soils having too little moisture to support larger types of vegetation. It occurs on ridge tops and in dry, hot valleys. Grasslands species also appear intermittently in woodland and chaparral.

In this planning area, the foothill woodland community is found in more protected areas having abundant moisture, deep soil, and good drainage. Such areas include lower slopes, canyons, and sheltered valleys.

Riparian vegetation is found along seasonally and permanently flowing freshwater streams and also in canyon bottoms and other drainage features where conditions are wet enough to support it. There are often dense stands of trees and an understory of shrubs.

There is a direct relationship between South County's plant communities (and mixed plant

communities) and the types of local wildlife.

It should be noted that many of the species found in one plant community or mixed plant community are also found in other plant communities. For example, the deer population is at its highest in mixed chaparral but is found in moderate numbers in each of the other communities. The mixed chaparral is also the most productive wildlife habitat for food and cover; thus, it contains both predator and prey species. Solid chaparral is extremely dense and contains the fewest species. Riparian wildlife are found along continuous migration corridors; these waterways where riparian vegetation is found produce all of the needed essentials to sustain wildlife -- water, food, and cover.

The rivers, streams, and reservoirs of South County support limited but diverse habitats for a variety of freshwater game and non-game fishes. As with terrestrial wildlife, fish are extremely sensitive to habitat changes; even more so, perhaps, because of the added dimensions of the aquatic environment and the intense utilization of water resources.

No comprehensive survey of South County has been undertaken to determine the species and location of rare and endangered plants and animals. However, the area is known to be inhabited by Bald Eagles, Blue Herons, Least Bell's Vireos and San Joaquin Kit Foxes as well as containing several endemic, rare and endangered plant species.

Potential Impacts:

Large tracts of agricultural and grazing land have been created throughout the South County Planning Area thereby partially removing their native vegetation and wildlife habitat value. The extent of this conversion, the negative economic reality of further conversion and the retention of these uses in the Plan would indicate no adverse impacts will occur.

Similarly, the overall impact of other land use plan changes on vegetation and wildlife habitat within the planning area should not be significant.

Mitigation Measures:

18. New development shall not be approved in areas which contain rare or endangered plant or animal species or in other areas where significant areawide adverse impacts on biological resources would occur.

2.5 NOISE

Within South County the major source of noise is from traffic on the highways. Existing noise contours developed in 1980 indicate that noise exceeded 60 dBA on Highway 101 at the 198 junction, at the San Bernardo intersection, and at the San Luis Obispo County line. The noise level was in the 70 dBA range at these intersections.

Military activities at Fort Hunter Liggett can have significant noise impacts. A study of noise

impacts from vehicle movement is currently being undertaken by the U. S. Army. Preliminary, informal analysis indicates that significant noise impacts occur during military exercises with movement of vehicles over the tank trails. The firing and testing of weapons on Fort Hunter Liggett at Lockwood near Jolon Road can also have significant noise impacts.

Potential Impacts:

Implementation of the proposed Area Plan would generally allow a low level of new development. Such development is not expected to be impacted by noise or generate significant new noise.

Mitigation Measures:

19. In areas of noise sensitivity, one of the following alternatives should be implemented when new development occurs: (1) shield or insulate the area around the noise receiver; or (2) locate the noise sensitive use away from the noise source.
20. New residential developments in potentially noise impacted areas and developments which may generate significant noise level increases in residential areas shall require noise studies to determine whether the proposed land use is consistent with standards established by the County of Monterey.

2.6 TRAFFIC AND CIRCULATION

The planning area's ground transportation system is primarily a network of state highways and county roads. Locations of state highways indicate their primary roles as intercity travel corridors, with county roads connecting more remote areas with cities and highways.

South County contains two state highways. Highway 101 is a principal arterial and is the primary north-south arterial within the County, entering the South County Planning Area south of San Lucas. The four-lane, divided highway traverses the center of the planning area for 36 miles. It connects San Lucas, San Ardo, and Bradley, eventually exiting into San Luis Obispo County at Camp Roberts. Highway 198, also a principal arterial, follows the planning area's northern boundary, heading in an easterly direction approximately 26 miles from Highway 101 at San Lucas to the Fresno County line. The County road system in South County west of Highway 101 is more highly developed than the network east of the highway.

Traffic data, available from 1968 through 1981, indicate that traffic volumes have remained stable on Highway 101 from the Highway 198 junction to the Camp Roberts overpass. In 1972, the AADT for this stretch was 10,800 at the planning area entrance; in 1982 the volume was 10,500. At Camp Roberts, for the same period, the volume increased from 10,400 to 10,900 cars.

Most of South County's roads have LOS "C" or better and few driving constraints. The exception is Jolon Road between Argyle and San Lucas Roads which has been given a LOS "D"

rating. This means that the segment of road is reaching capacity and traffic flow is restricted; it has not, however, reached critical deficiency stage (LOS "F"). Overall, traffic flow is good and roads are adequate to serve present and future development.

South County has no municipal bus service. Greyhound Bus Lines provides daily service to San Lucas and San Ardo. There are no rail stops between Salinas and San Luis Obispo.

South County contains no air carrier or general aviation airports. There are two military airports located at Fort Hunter Liggett and Camp Roberts. Eleven airstrips are located on private land throughout South County and are used for agricultural, industrial, and private uses.

Pipeline transportation is a little recognized but very important mode of commodity transportation. In South County the substances transported are crude oil and natural gas. The major oil and natural gas pipelines are those of Mobil Oil and P.G.&E. Natural gas is supplied by a major line to a point just south of San Ardo. Mobil Oil owns and operates an oil pipeline between San Ardo and Estero Bay in San Luis Obispo.

Potential Impacts:

Changing the allowable density in the southeast portion of the Planning Area from one unit per 160 acres to one unit per 40 acres (map changes 2 and 3) potentially could increase traffic in that area to a significant degree. However, apparent low demand for building sites, the remoteness of much of the area, and extremely variable and uncertain availability of water indicate that any local traffic increases will be minimal. The most significant circulation impact may result from private roads needed to serve development which is not adjacent to County roads.

Mitigation Measures:

The lack of anticipated significant adverse impacts indicate that no mitigation measures are required. Furthermore, the South County circulation and land use correlate and are consistent with the General Plan.

2.7 CLIMATE AND AIR QUALITY

South County experiences different weather patterns than the coastal area of Monterey County. Although the South County Planning Area experiences some coastal influence, its inland location east of the Santa Lucia Range, and at the southern end of the Salinas Valley, limit the strength of maritime influence. Hot summers and mild but pronounced winters give the area sharply defined seasons; winters are not severely cold or humid, however.

The planning area benefits from generally favorable air quality. This is due to the rural development pattern and geographic context. However, there are some air pollution problems affecting South County which are regional in nature. Recent studies indicate that local air quality is adversely affected by polluted air being transported from the San Francisco Bay area

and San Joaquin Valley. This influx combines with County pollutants to make Monterey County a "non-attainment" area with respect to ozone, as defined by national standards.

Potential Impact:

Due to the low development potential in South County, no significant adverse impacts on air quality are anticipated.

Mitigation Measures:

The lack of anticipated significant adverse impacts indicate that no mitigation measures are required.

2.8 PUBLIC SERVICES AND UTILITIES

2.8.1 Sewage Disposal

Except for San Ardo, Lake San Antonio (County Parks) and military facilities, the planning area is served by individual septic systems.

Potential Impacts:

Since the existing treatment plants are operating at 4%-17% of capacity and the combination of an expected low intensity of development and good soil conditions, no significant adverse impacts are anticipated.

Mitigation Measures:

The lack of anticipated significant adverse impacts indicate that no mitigation measures are required.

2.8.2 *Water Service*

The San Ardo Water District is the only County special district which supplies water in South County. It serves the town of San Ardo and has 152 connections. The remainder of the planning area is served by mutual water companies or individual wells. A mutual water company is defined as any private corporation or association organized for the purpose of delivering water only to its stockholders and members at cost.

Potential Impacts:

The low intensity of existing and expected development is in large measure due to the difficulty of providing adequate, usable water. Furthermore, the current overdrafting of certain aquifers could be worsened by inadequately considered development.

Mitigation Measures:

See mitigation measures from Policy Analysis (Section 1.5.2) of policy 26.1.11.1 and Map Change Analysis (Section 1.5.3) of changes 2 and 3.

2.8.3 *Fire Protection*

Much of the planning area has been rated as having moderate to extreme fire hazard. The canyons, foothills, and mountainous slopes are covered with combinations of grassland, oak woodland, and chaparral plant communities. Under the hot, dry, windy conditions of summer and fall, this vegetation becomes highly combustible. In contrast, the Salinas, Lockwood, Hames, Peachtree, and Cholame valley floors and the San Ardo, Bradley, and Parkfield communities pose a negligible wildland fire hazard because of the altered state of the landscape - irrigated agriculture or urban development.

With the exception of the California Department of Forestry (CDF), the San Ardo Volunteer Fire Department, and the Fort Hunter Liggett and Camp Roberts Fire Departments, South County has no organized fire protection - not even volunteer fire protection. The California Department of Forestry has the jurisdiction to respond to wildland and structural fires in areas without fire services. With CDF operating from King City, the response time is lengthy for much of South

County. Additionally, many areas have poor road access or have roads which are inadequate for carrying fire-fighting equipment.

Potential Impacts:

Development is generally sparse in South County. Because of the low population density, overall fire hazards for this area are low. CDF's major concerns, in summary, are the lack of any organized fire protection services, easily ignitable grassland, non-paved and narrow roads, and structures built without sufficient regard to fire safety standards.

Mitigation Measures:

21. All new development shall be sited and designed to minimize fire hazards.
22. Educational and fire prevention programs should be carried out to minimize fire hazards.
23. Development in high and extreme fire hazard areas should be clustered and shall be separated from wildland by fuel breaks in order to concentrate development in fire manageable areas.
24. Residential development in the more remote, high and extreme fire hazard areas (e.g. the Bryson/Hesperia area) should be discouraged due to inability to provide adequate fire protection.

2.8.4 Police Protection

The Sheriff's Office of Monterey County is the primary provider of police services to the unincorporated areas of the County, including all of South County. Services include response to citizen requests, investigations, making arrests, preserving the peace, and preventing crimes by regular uniformed patrol. The closest substation to South County is located in King City and one full-time deputy is assigned to patrol San Ardo and a large surrounding area.

The California Highway Patrol (CHP) has jurisdiction and law enforcement powers on all County roads, freeways, and state highways. The CHP is particularly concerned with enforcement of the California Vehicle Code.

Potential Impacts:

Due to the low development potential in South County, no significant increase in the need for police services is anticipated.

Mitigation Measures:

The lack of anticipated significant adverse impacts indicate that no mitigation measures are required.

2.8.5 Public Utilities

Electrical power and natural gas service in South County is provided by the Pacific Gas and Electric Company (P.G.&E.). Electrical transmission lines follow Highway 101 to a point halfway between San Ardo and Bradley and along Jolon Road. Three substations are located along these corridors. Natural gas pipelines are located along Highway 101 to San Ardo. San Ardo is the only South County community served by natural gas; the remaining communities such as Jolon, Lockwood, Bradley, and Parkfield rely on other energy sources which include bottled butane and propane, electricity, wood, and solar.

There are three television stations and seventeen radio stations serving Monterey County. Reception of each station is determined by transmission power and location.

Telephone service is provided throughout South County by Pacific Bell and is generally adequate. Continental Telephone Company, an independent company, also serves South County. Isolated residents can pay to have telephone lines extended to their homes.

Potential Impacts:

Due to the low development potential in South County and the excess available capacity of utilities, no future service impacts are anticipated.

Mitigation Measures:

The lack of anticipated significant adverse impacts indicate that no mitigation measures are required.

2.8.6 Schools

South County contains all or portions of the following elementary school districts: San Lucas Union, San Ardo Union, Bradley Union, San Antonio Union, Coalinga Unified (split with Fresno County), and Shandon Unified, San Miguel Union, and Ranchita Union (which are shared with San Luis Obispo County).

Regarding high school districts, most of South County is located in the King City Joint Union School District, which extends north to Greenfield. A portion of the planning area is located in Fresno County's Coalinga Unified and San Luis Obispo County's Shandon Unified and Paso Robles Joint Union.

Residents in South County are primarily in the Hartnell Community College District. The eastern tip of the Planning Area lies in Fresno's West Hills Community College District and the southeastern section lies in San Luis Obispo's Cuesta Community College District.

Potential Impacts:

Although the South County area has limited development potential, the ability of the school districts serving the area to accommodate the resulting enrollment increases varies and some future service impacts are anticipated.

Mitigation Measures:

25. The present and projected need for additional school facilities shall be determined from consultation with the local districts.
26. Those districts which are or expect to be impacted by local growth should explore all sources of possible funding.
27. The County should implement General Plan policies in section 47 relating to educational facilities.

2.8.7 *Solid Waste*

There are three County, one military, and one private waste disposal sites located in South County. There are, in addition, transfer stations at San Ardo and Bradley.

The entire planning area lies within the service area of a private refuse collector, King City Disposal Service. King City Disposal serves the Pine Canyon, Jolon, Lockwood, Bradley, San Ardo, Nacimiento, and San Antonio communities.

Potential Impacts:

Due to the low development potential in South County, no future adverse service impacts are anticipated.

Mitigation Measures:

The lack of anticipated significant adverse impacts indicate that no mitigation measures are required.

2.8.8 Other Services

Other services include health, social, library and recreation.

Potential Impacts:

Although these services tend to be actively used and access from more remote areas can be inconvenient, the low development potential of the Area Plan should not generate significant impacts.

Mitigation Measures:

The lack of anticipated significant adverse impacts indicate that no mitigation measures are required.

2.8.9 Energy Conservation

Adoption of the Area Plan could result in a certain amount of new residential and commercial opportunities which will consume energy. New development will consume energy irregardless of location; however, some locations may be more conducive to energy conservation than others.

Potential Impacts:

Increased consumption of fuel and electricity will lead to depletion of fossil fuels and degradation of the environment.

Mitigation Measures:

28. Energy conservation education programs could help minimize the energy consumption of new development.
29. Optimum use of solar energy opportunities should be encouraged.

2.9 CULTURAL RESOURCES

Less than 5% of the total land area of Monterey County has been surveyed for archaeological importance. However, nearly 1,100 sites have recently been identified. Based on this research, the County has established criteria and guidelines for reviewing proposed development during the initial environmental review. Additional professional studies may be required for any project on a site where there is a high possibility of an archaeological site.

Using available information and applying the various topographic characteristics most often associated with such sites, the County has delineated archaeological sensitivity zones. Three zones, low, moderate, and high, have been established to indicate the probability of the presence of an archaeological site. Regions of high archaeological sensitivity in South County are located

throughout Hunter Liggett, Lockwood, Jolon, the Salinas Valley floor, Parkfield, Peachtree Valley, Cholame Valley, and the side canyons extending northeastward from Highway 101. The foothills east and west of the Salinas Valley have a moderate degree of archaeological sensitivity. A low degree of sensitivity is shown in only two areas along Highway 101. The majority of known archaeological sites are near the San Antonio and Nacimiento Rivers. Also, there are at least 135 known sites on Hunter Liggett.

Within the bounds of South County, there are six historic sites listed on the National Register of Historic Places. All located in the Jolon-Hunter Liggett area. The San Antonio de Padua Mission is also listed on the California Historic Landmark Register.

Potential Impacts:

Since a majority of development in South County will occur on sites which are not likely to contain significant cultural resources, no significant impacts are anticipated.

Mitigation Measures:

30. In order to determine the existence of and provide protection for significant cultural resources, General Plan policies in sections 12 and 52 (Archaeological and Historical Resources) should be implemented.

3.0 ENVIRONMENTAL EVALUATION

3.1 CUMULATIVE IMPACTS

Land use changes resulting from the South County Area Plan amendment of the Monterey County General Plan are not expected to result in significant (substantial) cumulative adverse environmental impacts beyond those addressed by the certified General Plan EIR (EIR 82-004). Surrounding planning areas and counties are not expected to experience any significant impacts.

The vast majority of land within the South County Planning Area will remain in agricultural designation and use. The cumulative impact on important agricultural land resulting from adoption of the Area Plan should be insignificant. Section 3.2 of this EIR lists and addresses the policy and map changes.

Other cumulative environmental impacts anticipated to result from adoption of the Area Plan relate to geology, soils, wildlife, energy conservation, esthetics, water quality/sewage, transportation, public services, cultural resources and housing.

All potential impacts are felt to be subject to mitigation as indicated in the analysis section.

3.2 UNAVOIDABLE ADVERSE IMPACTS

Implementation of the South County Area Plan will result in numerous adverse impacts, all of which can be mitigated to acceptable levels through implementation of the proposed mitigation measures. A comprehensive list of impacts and proposed mitigation measures, as identified throughout this EIR, is found in the summary section.

3.3 SHORT-TERM USES VERSUS LONG-TERM PRODUCTIVITY

Short-term adverse impacts of implementing the South County Area Plan would be related to the construction of new dwellings, businesses and industrial development. Construction impacts can include the following: disruption of soils and potential soil erosion; disruption of stormwater drainage; displacement of vegetation and disruption of wildlife; potential discovery of archaeological resources; adverse esthetic effects from ground excavation and construction; and the use of energy for construction purposes. Short-term benefits may be experienced by local commercial establishments due to the consumer demands of construction personnel.

Potential long-term adverse impacts include: subjecting new development to earthquake damage; an increase in sewage effluent with possible effects on groundwater, additional traffic, and increased energy consumption.

Long-term benefits in implementing the Area Plan include economic development and diversification, and new employment and housing opportunities.

The changes resulting from implementation of the Area Plan may be viewed as positive in terms of development and economic diversification, or as adverse impacts on a rural environment. With implementation of the mitigation measures, the long-range benefits of the Area Plan should outweigh the short-term impacts as well as reduce to an acceptable level any long-term adverse impacts.

3.4 PROJECT ALTERNATIVES

3.4.1 No Project

The no project alternative implies that the South County Area Plan would not be adopted and, therefore, the existing policies and land use designations of the Monterey County General Plan would continue to apply. Any significant impacts resulting from this alternative have been addressed by the certified General Plan EIR (EIR 82-004).

3.4.2 Alternative Plans

An infinite range of less to more intensive land use plans are possible for the South County Planning Area. In general, any less intensive plan could reduce many potential adverse impacts (i.e. traffic, visual, water supply) but could also reduce the availability of lower cost housing and economic growth. Similarly, a more intensive plan could have the opposite effects. Due to the indefinite nature of what alternative plan might be considered, the possible impacts are too speculative to quantify and, therefore, need not be pursued.

3.5 GROWTH-INDUCING IMPACTS

It is expected that normal development and redevelopment of land will occur consistent with the Area Plan, and that there is adequate land allocated within the currently proposed Plan to meet development needs. No significant negative growth-inducing impacts are anticipated.

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APPENDICES

APPENDIX A

GLOSSARY

ACTIVE FAULT: A fault along which there has been displacement during the last 11,000 years.

AGRICULTURAL LAND USES: Those uses of an agricultural nature which occur on farmlands designated as prime, of statewide importance, unique, or of local importance. Agricultural land uses also include grazing and any other uses which occur on properties designated as "agricultural" on the General Plan and/or area plan land use map(s).

AMBAG: Association of Monterey Bay Area Governments--a voluntary association of local governments organized under the California Joint Powers Authority for the purpose of providing regional planning services in the areas of the economy, transportation, land use, housing, air quality, and water quality.

AMBIENT AIR QUALITY: Existing air quality for an air basin or sub-basin.

AVERAGE DAILY TRAFFIC (ADT): The average number of vehicles traveling (in both directions) on a particular section of road during a 24-hour period.

BROADLEAF EVERGREEN: A plant community encompassing the evergreen oak woodlands and forests whose representative species include madrone, tan oak, live oak, blue oak, and valley oak.

CEQA: California Environmental Quality Act of 1970--a public law requiring all public agencies (state and local) to prepare and certify an environmental impact report on any project they propose to carry out which may have a significant effect on the environment.

CHAPARRAL: An evergreen plant community of drought-adapted shrubs usually found on dry slopes and ridges.

COLLECTOR ROAD: A road for traffic moving between arterial and local roads, generally providing access to adjoining land.

COUNTY SCENIC ROUTE: A segment of roadway that has been officially designated by the Director of California Department of Transportation.

DAILY VEHICLE MILES OF TRAVEL (VMT): The average number of miles traveled daily

APPENDIX B
MONTEREY COUNTY
GENERAL PLAN BACKGROUND REPORTS

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