

Attachment B

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ATTACHMENT B – DISCUSSION

Overview

In 2019, the County retained Citygate Associates, LLC (Citygate) to conduct a review of the Resource Management Agency (RMA) with the objective to review current conditions, evaluate existing and future service demands, and analyze opportunities for organizational changes and process improvements to enhance customer service and stakeholder satisfaction. On July 28, 2020, the Board of Supervisors accepted the July 22, 2020 Citygate report including seventy-six (76) proposed recommendations; and authorized the County Administrative Officer (CAO) to reorganize the RMA by creating two (2) separate departments: Housing and Community Development Department (HCD) and Community Services Department (CS). The new Department of Housing and Community Development was created on November, 30, 2020. Key among the recommendations of the Citygate Report is direction to implement the remaining tasks and policies of the 2010 General Plan. To implement this task, a five-year **General Plan Implementation Program** is proposed. The Program is modeled on the Five-Year Capital Improvement Plan, which allocates projects over a five-year timeframe, and allocates priority projects and funding to the first year. Approximately \$1,000,000 in state grant funds will be allocated to the 2021 implementation program. Next year's annual report will detail what has been accomplished.

In addition, new land use fees increased the General Plan Implementation Fee (GPUI) for all land use entitlements. Previously, this fee was a 3% charge of the permit costs. However, after adoption of the new land use fee schedule in 2019, the GPUI was increased to 10%. Funds collected from this fee are intended to be used for Long Range Planning resources, such as staff to work wholly on implementation of the General Plan.

For at least five years, RMA (now HCD) has been challenged with vacancies in the Planning Unit, including key positions such as the Chief of Planning, Planning Services Manager, and Supervising Planner. Positions are being filled as quickly as, possible. The Citygate Report prioritized the filling of all vacant HCD planning positions. In the Fall of 2020 eight (8) new planners were hired to fill existing vacancies, and the Chief of Planning position was filled.

2020 Accomplishments

The following is a more detailed update on what has been completed in 2020 from the list of priority projects that was presented to the Board of Supervisors last year:

- Mixed Use Ordinance. Staff completed work on the draft ordinance, and the Planning Commission recommended the ordinance to the Board of Supervisors, who adopted Ordinance No. 5334 on July 7, 2020. The Mixed Use Ordinance implements General Plan Policies LU 2.23 and PS 8.7 of the 2010 General Plan. The ordinance amends title 21 (Inland Zoning Ordinance) of the Monterey County Code. It provides for definitions and development standards for the new Mixed Use Zoning District. Where designated, the district will accommodate a mix of residential and commercial uses, with higher

residential density (30 units/acre) and allowance of housing options, such as homeless shelters, transitional housing, supportive housing, and affordable housing.

- Moss Landing Community Plan Update. Progress was made on the comprehensive update and preparation of the EIR to address long-range plans in the Moss Landing area, and update policies to address current issues such as sea level rise. Community meetings and Planning Commission workshops on the specific policies were fully completed. The Planning Commission gave direction to staff to complete a final draft of the Community Plan for review, which would then be the basis for environmental review. This work was brought to the Planning Commission in late 2020. It is anticipated that the draft plan will be presented to the Board of Supervisors in late 2021.or 2022.
- Salinas Valley Groundwater Basin Investigation. Amendment to GP Policy PS-3.1 in 2013, resulting from a settlement agreement, included language requiring a 5-year study of the basin relative to the projected buildout. The County contracted with the Monterey County Water Resources Agency (MCWRA) to provide staffing resources to manage outside consultants (such as US Geologic Service or USGS) for this work. Year 4 (of the 5-year study) work program was provided in 2018. The Salinas Valley Integrated Groundwater and Surface Water Hydrologic Model (SVIHM) being developed by USGS has been delayed and is anticipated to be complete in 2021. This model will enable the County's recently contracted consultant to complete the Salinas Valley Groundwater Basin Investigation, which is anticipated to be completed in 2021.
- Ag Land Mitigation Program. Working with Ag Land Trust, as part of a grant received through the Sustainable Agricultural Lands Conservation Program (SALC), was identified as a top priority due to grant fund timing. On June 27, 2017, the Board of Supervisors accepted the grant award and issued resolutions of support to the Ag Land Trust for five easement proposals to the California Department of Conservation SALC program. In 2018, a draft workplan was submitted to the state, and the grant was extended to June 2019. The grant was subsequently extended to June 2020 due to lack of County Staff resources to implement the work plan. HCD staff and the Department of Conservation have agreed on a further contract extension to implement the related work plan by 2022.
- Development Evaluation System (DES). Staff held a final Planning Commission workshop on the DES in 2019 and a workshop at the Board of Supervisors in Spring 2020. Staff then completed environmental review and brought the DES procedures to hearing at the Planning Commission and Board of Supervisors in the summer of 2020. The draft DES, as recommended by the Planning Commission, was presented to the Board of Supervisors at a public hearing on August 25, 2020. The Board provided direction to staff for revisions. Staff anticipates presenting the DES procedures with revisions to the Board in 2022.

- Water and Energy Efficient Landscape Ordinance/Water Conservation Ordinance/ Fire Resistance Plant List /Invasive Plant Policy and Procedures. Implementation of General Plan Policies OS-5.14 and S-2.4 require the exclusion and eradication of invasive plants and incorporating the use of fire-resistant plants. In addition to the General Plan policies, the “State Water Conservation in Landscaping Act” requires local jurisdictions to either adopt the State Model Water Efficient Landscape ordinance (MWELo) or a local ordinance that is at least as effective in water conservation. Staff has drafted Coastal and Inland Water and Energy Efficient Landscape ordinances and an accompanying design manual that incorporates the requirements of the General Plan and state law. Staff presented the revised ordinance to the Board of Supervisors on October 23, 2018. Staff has held two stakeholder working group meetings as directed by the Board in 2019. These meetings have helped to refine the technical components of the ordinance. Staff anticipates bringing the final draft of the ordinances and implementation manual to the BOS for adoption in 2021.
- Community Climate Action Plan. The Board of Supervisors also adopted an amendment to the General Plan policy OS-10.11 to update the policy language concerning the Greenhouse Gas Reduction Plan in line with state targets. In late 2020 the County was notified that it was awarded a \$175,000 grant from the State to provide funding for a two year planning program. Work should commence in 2021.
- Zoning Map Updates (Ordinance). Due to staff constraints, updates to the zoning maps have been placed on hold. Staff will need to assess priorities for completing this task.
- Carmel River Floodplain Restoration & Environmental Enhancement (CRFREE) Projects. In January 2020, the Board of Supervisors unanimously certified the EIR/EA. County received two grant awards in April/May 2020 in the amount of \$2.8 million to fund final pre-construction activities (approximately \$657,000) and project implementation (approximately \$1,843,000). In addition, an approximately \$23 million implementation grant is pending National Environmental Protection Act (NEPA) analysis by FEMA. Prior to returning to the Board of Supervisors for project approval, staff continues to work to negotiate the following agreements: 1) All party Memorandum of Understanding (MOU) for project implementation; 2) MOU with Carmel Area Wastewater District (CAWD) for cooperation and funding; and 3) coordination with Monterey Peninsula Regional Parks District (MPRPD) and Ms. Fish regarding Riverfield Well protection and access.
- Vacation (aka Short-Term) Rentals. In the summer of 2020 the Planning Commission held several public hearings on the draft vacation ordinances. Subsequently, the Commission sent several policy questions to the Board of Supervisors which they felt needed to be answered before final ordinance language and CEQA analysis could be completed. In November, 2020 the Board reviewed the Commission’s questions and gave

direction to staff on the content of the final draft ordinances. Based on direction, staff will determine the appropriate level of environmental review under CEQA. Once CEQA is complete, the ordinances will return to the Planning Commission for a recommendation to the Board and to the Board to consider adoption.

Other 2020 Accomplishments:

Staffing challenges, coupled with evolving priorities, the Covid shelter in place mandates, and county wildfires and flooding, significantly impacted performance on the planned Long-Range Planning tasks, whereby a number of tasks did not meet certain milestones as planned. Despite these unforeseen tasks/events, staff was able to accomplish a number of other additional other priority tasks that were assigned and completed in 2020 which were not presented to the Board of Supervisors during the previous reporting period.

- Cannabis Regulations. Commercial cannabis remains a top priority as evolving State regulations required more revisions to the adopted set of regulations. RMA retained the lead role in working with all County land use agencies and County Counsel, for ordinance amendments. The following amendments to ordinances relating to commercial cannabis uses were completed within this reporting period:
 1. BOS amended regulations for an outdoor pilot program to permit small existing grows in the Big Sur, Carmel, and Cachagua Areas.
 2. Staff and consultants worked on a Programmatic Initial Study to analyze environmental impacts associated with the proposed cannabis cultivation applications in Monterey County, and the Board adopted the Mitigated Negative Declaration.

- Hemp Regulations. On June 25, 2019, the Board of Supervisors provided direction to Resource Management Agency (RMA) and the Agricultural Commissioner to begin work on a pilot program for the cultivation and processing of industrial hemp in certain unincorporated areas of Monterey County. With input from the Board and feedback from town hall meetings, staff drafted an ordinance that was adopted on July 10, 2019 creating a one-year pilot program that permitting cultivation and processing of industrial hemp on a limited basis. The draft ordinance established a new combining zoning district in Chapter 21.49, “HMP” District, of the inland zoning area. Amendments to the first draft of the Hemp Ordinance were requested by the Standing Cannabis Committee, were heard by the Planning Commission on April 8, 2020, and brought to the Board on April 28, 2020.

- Fort Ord. The Fort Ord Reuse Authority (FORA) was dissolved by operation of law on June 30, 2020. The County assumed several FORA responsibilities including management of habitat restricted land and Oak Woodland conservation planning. Other significant issues addressed as part of FORA dissolution included building removal/FORA bond issuance, and assignment of various FORA duties to County and

other entities. With the dissolution of FORA, staff will evaluate the Fort Ord Master Plan as part of the General Plan. In addition, HCD continues to process matters relative to the East Garrison project.

- Native American and Archaeological Resource Technical Advisory Panel (NAARTAP). General Plan Policy OS-8.5 requires the establishment of an advisory panel to provide technical input on how the County can best address monitoring and site treatment in a manner that is consistent with the General Plan. The Board previously adopted an ordinance enacting Chapter 2.95 of Monterey County Code to implement this policy, which includes the composition and appointment of the panel and its duties. Over the course of 2019, a sub-committee of the Planning Commission was created with a goal of getting the NAARTAP created. Solicitations were made to tribal representatives and qualified archaeologists to join the panel. Ultimately, eight qualified participants came forward consisting of four (4) tribal representatives and (4) qualified archaeologists. In February 2020, these participants were officially appointed by the Planning Commission.

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