

# Exhibit B

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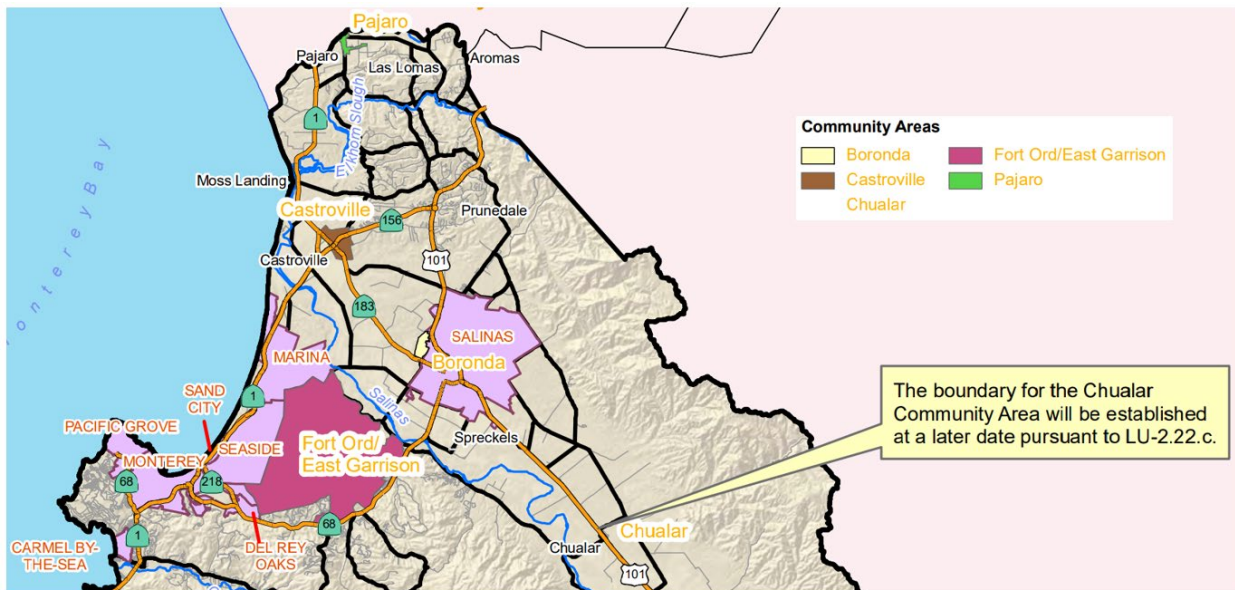
# DISCUSSION

## BACKGROUND – DEVELOPMENT OF THE GENERAL PLAN

On July 17, 2007, during development of the General Plan, the Board of Supervisors directed the Planning Commission to appoint an ad hoc committee to propose possible amendments to the General Plan Update that was underway at the time (GPU5) and to use the draft 2006 General Plan Update as a starting point. Direction was given to account for diverse community interests throughout the County. Specific recommendations relative to development outside “Community Areas” (CA) and “Rural Centers” (RC) and modifications to the previous General Plan Update draft (“GPU4”) policies addressing these developments were provided.

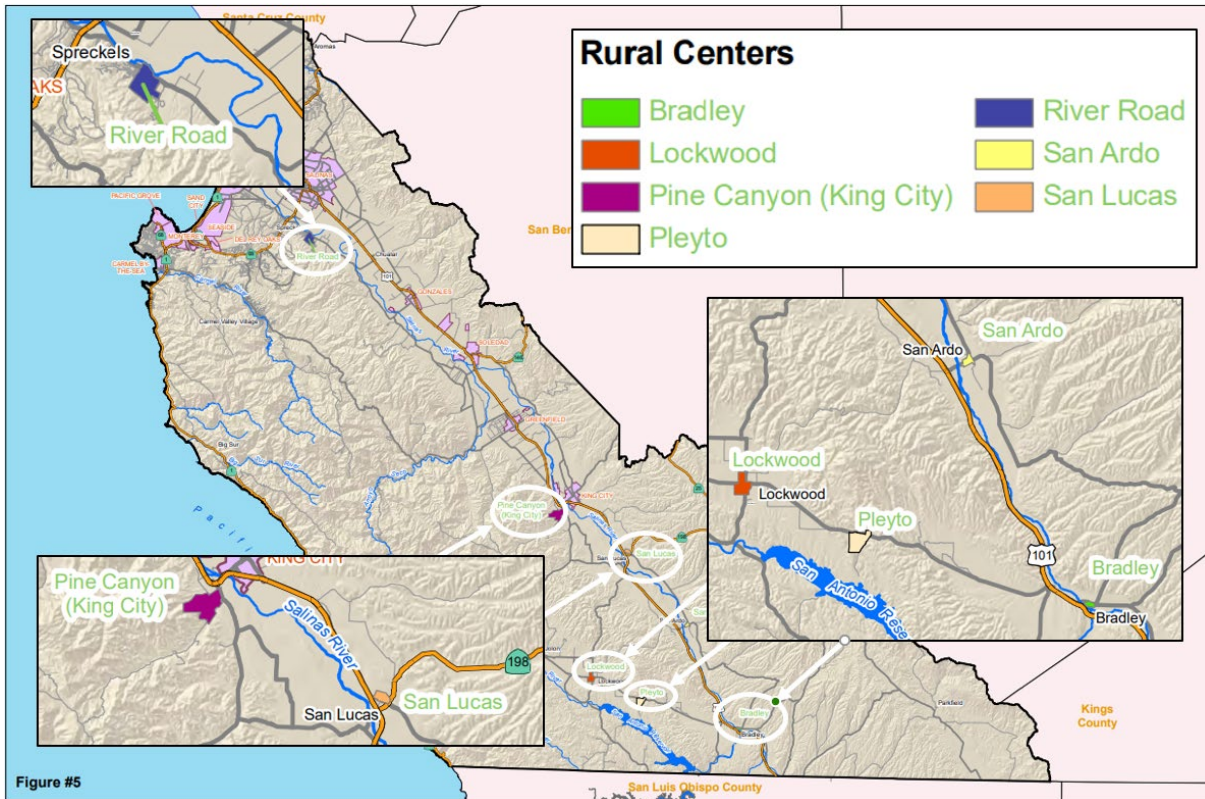
The GPU5 Planning Commission subcommittee identified that development outside CAs and RCs should be limited, and that focused development is essential to planning infrastructure and public services as well as providing affordable housing. Thus, proposed development outside of these areas was recommended to be considered according to a mandatory pass-fail evaluation system. In response to needed affordable housing in the County, Affordable Housing Overlay (AHO) districts were also added as priority areas for development. Modifications to GPU4 draft policy LU-2.12 were made, ultimately resulting in the 2010 General Plan Policy LU-1.19 (see **Exhibit A**).

“Community Areas” (**Figure 1**) are to be planned for higher density concentration within the unincorporated inland area of the County. Community Areas, or “CAs”, include Boronda, Castroville, Chualar, Fort Ord/East Garrison and Pajaro. Under the 2010 General Plan, CAs are the first priority areas for development within the County, as they contain existing infrastructure to support such development and/or provision of such infrastructure is a priority.



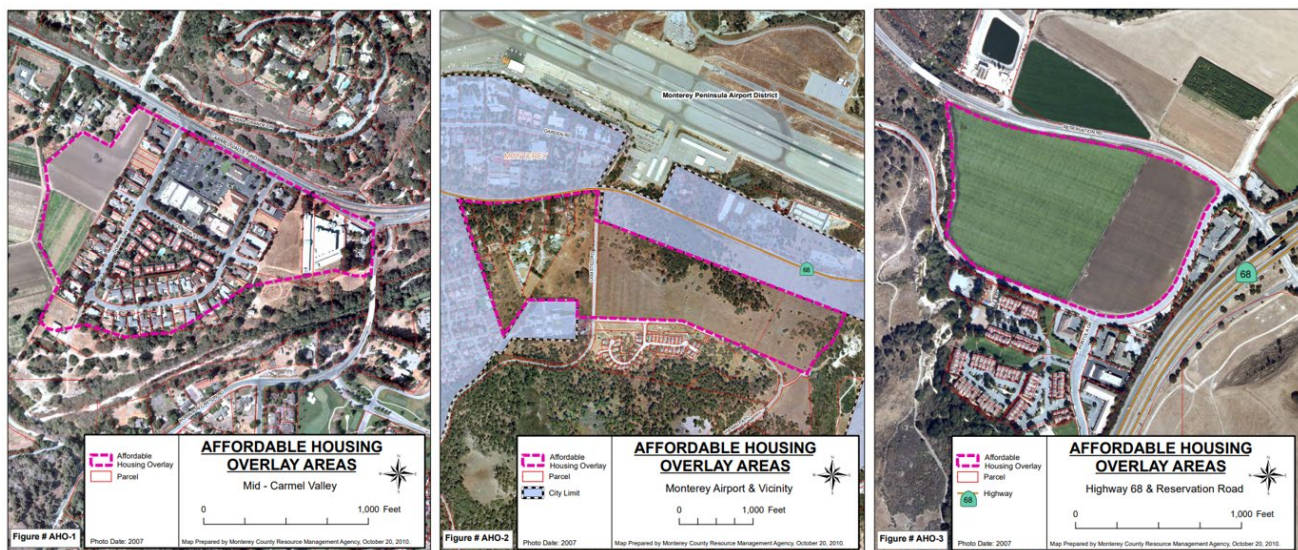
**Figure 1. Community Areas**

Under the 2010 General Plan, “Rural Centers” (**Figure 2**) are second priority for development within the unincorporated inland area of the County. Rural Centers, or “RCs”, include Bradley, Lockwood, Pine Canyon (King City), Pleyto, River Road, San Ardo and San Lucas. RCs are less densely populated as CAs but either contain improved infrastructure, especially when compared to areas of the County outside of CAs and RCs, or has County commitment to improve/provide infrastructure.



**Figure 2. Rural Centers**

“Affordable Housing Overlay districts” or AHOs” are a priority areas for development to ensure the County provides and maintains affordable housing. The 2010 General Plan identified three AHOs: Mid-Carmel Valley, Monterey Airport and Vicinity, and Highway 68 and Reservation Road (**Figure 3**).



**Figure 3. Affordable Housing Overlay Districts**

In addition, General Plan Policy LU-2.11 allows property owners to voluntarily re-designate their property with an AHO, provided development on the property meets the suitability criteria outlined in LU-2.11(b)(2).



The Board direction and the GPU5 subcommittee's recommendations were an integral part of shaping the draft Development Evaluation System (DES) presented today. For instance, they programs addresses concerns with providing affordable housing, addressing housing needs identified in the Housing Element, improving failing existing infrastructure prior to expansion of infrastructure, and supporting agricultural economic viability through the protection of routine and ongoing agricultural activities and streamlining agriculturally related developments within the County.

#### PREVIOUS DES PLANNING COMMISSION WORKSHOPS

After adoption of the 2010 General Plan in October 2010, RMA Planning began work on General Plan implementation. Each workshop held on the DES is summarized below.

July 31, 2013 – 1<sup>st</sup> Planning Commission Workshop. Staff presented the Commission with a draft DES which included evaluation questions and weighted scores utilizing a “weight multiplier”. The Commission directed staff to work with other agencies and stakeholders and return with a simplified DES where the exceptional attributes of a project are the criteria upon which the score is based.

February 11, 2015 – 2<sup>nd</sup> Planning Commission Workshop. Staff presented a 3-part DES and options for exempting certain projects. Based on direction provided on the 2013 DES draft, staff presented a simplified evaluation. The Commission directed staff to conduct a more thorough public outreach to ensure the DES meets the expectations of both the County and its residents.

December 2015 to January 2016 –As directed by the Commission, staff convened a series of public workgroup (aka Focus Group) meetings to work through specific questions surrounding the DES and gain public input and direction to guide the refinement of specific areas of the DES. Selection of the Focus Group members was based on their previous involvement with the DES and/or their area(s) of expertise; with the goal of having a group comprised of even representation from different interests of the County. The Focus Group provided input on the purpose of the DES, appropriate priority weights, thresholds of DES applicability, the DES process, and subdivisions and developments for exclusive agricultural purposes.

November 29, 2017 – 3<sup>rd</sup> Planning Commission Workshop. Staff presented the outcomes and recommendations from the Focus Group meetings. The Commission provided staff with direction for elements of a draft DES and implementing ordinance. In addition, the Commission received a draft DES prepared by LandWatch. In response, the Commission directed staff to return with a comparison of the County's draft DES and Landwatch's draft DES for their consideration prior to drafting a revised DES.

May 30, 2018 – 4<sup>th</sup> Planning Commission Workshop. Staff presented the Commission with side by side comparison of the draft DES programs prepared by Landwatch and County staff, along with staff's recommendations. During this workshop, the Commission provided staff with thorough and detailed direction to finalize the draft DES.

The Commission also suggested that staff create an informational brochure that would contain a purpose statement and identify the applicability thresholds, evaluation method, and the minimum amount of points to either pass or fail. In terms of measurement criteria for “Proximity to City, Community Area, or Rural Center” and “infill development”, the Commission recommended points should not be awarded based on quantity. Instead, the evaluation should focus on the intent (infrastructure, services, etc.) of locating developments within these areas.

December 4, 2019 – 5<sup>th</sup> Planning Commission Workshop. Staff introduced proposed modifications to the previous draft DES. These modifications encapsulated all previous Planning Commission workshop discussions and presented them in a more streamlined version of the DES. The Planning Commission was supportive of the revised draft, with minor modifications. Since Policy LU-1.19 clearly states that the DES shall be a pass/fail system, the Commission recommended that the DES codify that, for projects resulting in a failing score post-CEQA environmental review, staff shall recommend denial to the appropriate decision-making authority. The Commission also made technical recommendations for evaluating projects, including providing consideration for no-impact projects and clarifying that evaluation criteria require an action that goes above and beyond what is already required for project implementation. The Commission supported staff recommendation to bring the draft DES to the Board of Supervisors at a public workshop for Board direction prior to staff preparing appropriate environmental review and bringing the DES forward for final public hearings at the Planning Commission and Board of Supervisors.

### MOVING FORWARD – PRESENTATION OF DES

The current draft of the DES program is based on all the recommendations provided by the Planning Commission during the DES workshops, the Focus Group, members of the public, and discussions and comments made by the Planning Commission during drafting of the General Plan. Recurring concerns were raised specific to meeting the intent of Policy LU-1.19, the complexity of the DES, and providing a transparent method for how a project's score was achieved. The current draft DES has a maximum of 100 points possible and establishes a passing score of 70.

The following sections explain how the proposed DES Program works, and covers areas including:

- A. Applicability thresholds,
- B. Exempt Developments
- C. How Projects are Evaluated
- D. Draft Ordinance
- E. Draft DES Procedure Manual

#### **A. Applicability Thresholds**

Projects that create or propose five or more lots or units and are located outside of Community Areas, Rural Centers, and Affordable Housing Overlay districts would be subject to the DES. Projects that are located outside of those areas that would have an equal or greater intensity of traffic, water, or wastewater than the establishment of five or more lots/units would also be subject to the DES. In cases requiring an equivalency determination, the Environmental Health Bureau would make the determination if a project meets the applicability thresholds for water and/or wastewater and the Resource Management Agency - Public Works would determine if a project meets the applicability thresholds for traffic. If the project applicant disagrees with the equivalency determination, they will be able to submit report(s) prepared by a qualified professional that compares project related impacts with threshold(s) determined by the respective agency. This allows flexibility for the program to maintain consistency with any future changes/updates of professional standards. It also allows for a more site-specific analysis instead of a general one-size-fits-all rule.

#### **B. Exempt Developments**

Based on the policies contained in the 2010 General Plan Agriculture Element, it may be appropriate to exempt certain development from DES review, such as: subdivisions for exclusive agricultural purposes and developments within the Agricultural and Winery Corridor Plan (AWCP) area.

2010 General Plan Agriculture Element policies that could support and exemption include:

- Policy AG-1.3 – The subdivision of Important Farmland and lands designated as "Farmland" shall be allowed only for exclusive agricultural purposes.
- Policy AG-1.4 – Viable agricultural land uses on Important Farmland shall be conserved, enhanced and expanded through agricultural land use designations and encouragement of large lot agricultural and agriculture shall be established as the top land use priority for guiding further economic development on agricultural lands.
- Policy AG-1.11 – Permits for agriculture activities shall be integrated with applicable permit coordination (streamlining) programs.
- Policy AG-3.3 – To encourage the continuation and economic viability of the agricultural industry, the County shall work with the agricultural industry and state and federal agencies to streamline permit procedures for "Routine and Ongoing Agricultural Activities".

Consistent with General Plan Policy AG-4.3, the County developed an Agricultural and Winery Corridor Plan (AWCP) that establishes guidelines and standards encouraging development of the wine industry within the designated corridor area. Specific development of agricultural and winery related uses and their impacts were analyzed, planned and anticipated as part of the AWCP to ensure development remains consistent and compatible with surrounding land uses in agricultural production.

As recommended by the Planning Commission, projects qualifying for an exemption shall meet a 3-part test (see **Table 1** below). Exempt projects must:

1. Contain 1 or more of the exempt development types;
2. Meet all the Measurement Criteria listed; and
3. Incorporate an approved Assurance Mechanism.

<b>DEVELOPMENT TYPE</b>	<b>MEASUREMENT CRITERIA</b>	<b>ASSURANCE MECHANISM</b>
Subdivisions exclusively for agricultural purposes: <ul style="list-style-type: none"> <li>• Separation of existing vineyard/crop land(s) from an existing winery/processing facility;</li> <li>• Separation of different varietals, crops, or orchards exclusively for finance and/or lending purposes; or</li> <li>• Separation of existing lands farmed by owners from lands farmed by lessees.</li> </ul>	<ul style="list-style-type: none"> <li>• The acreage of affected lots resulting from a subdivision will be equal to, or greater than, the minimum lot size to support the viable agricultural use of the land and as prescribed by zoning.</li> <li>• The proposed uses incorporated in the project are restricted to only those that support, maintain and/or enhance the existing viable agricultural use of the property.</li> <li>• The proposed improvements on the subject property are located in areas that will have minimal impact on productive land.</li> </ul>	Agree to a condition of approval requiring recordation of a Deed Restriction or an Agricultural Conservation Easement conveyed over the subject property. The document ensures future development does not affect the viable agricultural use removal of any or all restrictions prior to the sunset date shall require an amendment to the discretionary permit.
<b>DEVELOPMENT TYPE</b>	<b>MEASUREMENT CRITERIA</b>	<b>ASSURANCE MECHANISM</b>
Long-term affordable housing exclusively for agricultural employee	<ul style="list-style-type: none"> <li>• Housing must meet the affordability qualifications set forth in section 21.06.005 of the Monterey County Code;</li> <li>• Housing must meet the</li> </ul>	Agree to a condition of approval requiring recordation of a Deed Restriction conveyed over the subject property and/or enter into an affordable housing agreement.

	definition of agricultural employee housing as defined in section 21.06.014 of the Monterey County Code; and <ul style="list-style-type: none"> <li>• Provide housing for agricultural employees as defined in section 21.06.012 of the Monterey County Code.</li> </ul>	The document ensures maintenance of the long-term affordable housing exclusively for agricultural employees and removal of any or all restrictions prior to the sunset date shall require an amendment to the discretionary permit.
<b>DEVELOPMENT TYPE</b>	<b>MEASUREMENT CRITERIA</b>	<b>ASSURANCE MECHANISM</b>
The following development types within the AWCP area: <ul style="list-style-type: none"> <li>• Artisan wineries;</li> <li>• Full scale wineries;</li> <li>• Winery tasting rooms;</li> <li>• Food service facilities such as restaurants and delicatessens; and</li> <li>• Inns.</li> </ul>	<ul style="list-style-type: none"> <li>• The development type does not exceed the facility limitations prescribed by the AWCP; and</li> <li>• The development proposed meets the general regulations, development standards, and design guidelines established in the AWCP.</li> </ul>	The applicant shall agree to a condition of approval requiring recordation of a Deed Restriction conveyed over the subject property. The document ensures maintenance of the approved development and removal of any or all restrictions prior to the sunset date shall require an amendment to the discretionary permit.

**Table 1. Exemption 3-Part Test**

The Planning Commission’s discussion during drafting of General Plan clearly pointed out the importance of supporting and promoting the County agricultural industry. Exempting the development types listed above is consistent with supporting agriculture. Meeting all the measurement criteria for exemption listed provides evidence that the development would be supportive of agricultural uses and incorporating an assurance mechanism as a project condition of approval would ensure the development remains consistent with the purpose and intent for establishing the DES exemption process into the future.

**C. How Projects are Evaluated**

Projects subject to the DES will be evaluated at 3 different milestones in the permit process. This process provides applicants with the opportunity to explore potential modifications to their projects that would increase their overall scores. It also allows re-evaluation of projects based on milestones that typically provide more information through analysis. Theoretically, project scores could fluctuate between passing and failing scores throughout the entire evaluation process.

Evaluation Milestones

Projects subject to the DES Ordinance will be evaluated at 3 different milestones in the permit process:

1. Preliminary Evaluation;
2. Formal Application Evaluation; and
3. Post CEQA Evaluation.

*Preliminary Evaluation*

The preliminary evaluation will take place during the Development Review Committee Meeting (DRC). This provides the project proponent with an opportunity to identify successful project components and explore areas of improvement allowing modifications before they are 100% committed to their design.

*Formal Application Evaluation*



After the DRC meeting, the applicant is provided with the application materials and has been informed with their preliminary DES score. Once they are prepared to submit their formal application, the project planner will evaluate their application once more. The formal application DES score will be provided to the applicant along with the project complete letter.

#### *Post CEQA Evaluation*

Often times, additional information is revealed during a project's environmental review. Project components that would require mitigation or would have a significant unavoidable impact to the environment are identified at this time and are included as required measurement criteria listed in Policy LU-1.19. The "post-CEQA" evaluation will be the final project score.

#### Evaluation Criteria, Supporting Documentation and Assurances

As required by Policy LU-1.19 and the DES Ordinance, projects subject to the DES shall be measured by their impacts (positive or negative) on certain criteria. The Planning Commission also directed staff to incorporate a method that clearly shows how a particular score was received. This was addressed by adding a requirement for project applicants to submit supporting evidence and/or documentation specific to the area for which a score would be received. Where appropriate, required condition(s) of approval have been specified as an assurance.

#### Evaluation Criteria

The criteria below are listed in priority order established through the combination of public outreach meetings and as directed by the Monterey County Planning Commission. Maximum allowable points for each respective criterion have been applied based on their priority weights. This evaluation does not provide a sliding scale for receiving points, meaning points are either awarded in full or not at all. The evaluation criteria are listed by order of priority weight:

1. Affordable Housing
2. Infrastructure
3. Resource Management
4. Site Suitability
5. Balance of uses
6. Traffic and Proximity to Transportation
7. Environmental Impacts

Significant unavoidable environmental impacts are the only criteria where points would be subtracted, rather than added.

#### Supporting Documentation and Assurances

Following the same methodology for exempting projects (see discussion above), staff added and identified what kind of supporting documentation the applicant would need to submit in order to validate their scores. Examples of this documentation include analysis reports, delineating information on project plans, and submitting draft agreements. In situations where it has been found appropriate, required conditions of approval have also been identified. This would ensure that a particular project component is provided and maintained through the life of the development.

#### Project Evaluation Examples

The discussion below walks through how a project would be evaluated by the DES. Each section is explained according to the evaluation criteria listed above.

#### Overall Example:

A hypothetical project that provides 45% of affordable housing would receive 2 points (see 1a on **Table 2** below) and in addition to that housing, if the project includes transitional housing for the homeless (see 1d on **Table 2**) it would receive an additional 5 points. Under the infrastructure category, the same project would receive 5 points if it included onsite public amenities (see 2c on **Table 3**) and 5 points if it provides onsite critical emergency infrastructure within a deficient area (see 2f on **Table 3**). Under the proximity to transportation category, the same project would receive 4 points if it provides or improves transit service in an area where bus routes do not exist or access is limited (see 6a on **Table 7**). The total points received for just these categories would provide over 30% of a passing score. Considering the mean score for the measurement questions would be 2 points, the example project above would potentially fair better than one that does not.

*1. Affordable Housing*

This criterion focuses on projects that provide affordable housing beyond the minimum amount required. As demonstrated in **Table 2** below, there are 7 different affordable housing questions and a total of 30 points is the maximum a project can receive in this category. As shown below, points could be awarded for projects providing both onsite and offsite affordable units, rehabilitation of dilapidated affordable units, and providing transitional affordable housing to the homeless or veterans.

Staff discussed this criterion with Monterey County Intergovernmental and Legislative Affairs – Housing and Economic Development Division. Their staff had concerns with locating transitional housing for the homeless or veteran housing in areas outside of cities, Community Areas, and Rural Centers. This type of housing is largely dependent on access to services that typically do not exist in areas where the DES would apply. Since developments that provide affordable housing could potentially score higher than those that do not and in order to balance the Commission’s direction to give affordable housing greater weight and address the concerns of Housing staff, staff intentionally assigned higher scores within the infrastructure and proximity to transportation categories.

1	AFFORDABLE HOUSING	EVIDENCE/DOCUMENTATION	POINTS POSSIBLE
a	45% or more of residential units provided are affordable and will remain as affordable in perpetuity. (30 % Inclusionary & 15% Workforce)	Provide a lotting exhibit identifying affordable residential units, a draft inclusionary housing agreement, and a draft deed restriction. Projects receiving a score for this criteria shall be conditioned requiring recordation of the final inclusionary housing agreement and deed restriction prior to recordation of a final map or commencement of development, whichever occurs first.	2
b	More than 10% of residential units are sited and designed to meet ADA Accessibility requirements.	Provide a lotting exhibit identifying ADA accessible units.	4
c	The project provides transitional affordable housing for the homeless.	Provide a lotting exhibit identifying transitional housing units and draft housing agreement. Projects receiving a score for this criteria shall be conditioned requiring recordation of the final housing agreement prior to recordation of a final map or commencement of development, whichever occurs first.	5

1	AFFORDABLE HOUSING	EVIDENCE/DOCUMENTATION	POINTS POSSIBLE
d	The project provides transitional affordable housing for veterans.	Provide a lotting exhibit identifying transitional housing units and a draft housing agreement. Projects receiving a score for this criteria shall be conditioned requiring recordation of the final housing agreement prior to recordation of a final map or commencement of development, whichever occurs first.	5
e	The project provides a mix of housing types (detached single family dwellings, multi-family units, accessory dwelling units, owner-occupied units, and renter-occupied units).	Provide a lotting exhibit identifying all housing types provided, including square footages of unit types and a draft housing agreement. Projects receiving a score for this criteria shall be conditioned requiring recordation of the final housing agreement prior to recordation of a final map or commencement of development, whichever occurs first.	5
f	The project includes rehabilitation of existing affordable housing units.	Provide evidence documenting the location and amount of existing affordable housing units and demonstrating the need for their rehabilitation. Preliminary construction plans illustrating how rehabilitation shall occur shall also be submitted. Projects receiving a score for this criteria shall be conditioned requiring recordation of the final inclusionary housing agreement (if a previous agreement is no longer valid) prior to recordation of a final map or commencement of development, whichever occurs first. The agreement shall stipulate that the units shall remain affordable in perpetuity.	5
g	In addition to providing the required on-site affordable housing units, the project includes payment of inclusionary housing fees or provides off-site affordable units within a city, Community Area, or Rural Center.	Provide a draft inclusionary housing agreement identifying the amount of onsite affordable housing units that will be provided and the payment of inclusionary housing fees or off-site affordable units. Projects receiving a score for this criteria shall be conditioned requiring recordation of the final inclusionary housing agreement prior to recordation of a final map or commencement of development, whichever occurs first.	4
<b>TOTAL POINTS POSSIBLE FOR THIS CATEGORY:</b>			<b>30</b>

**Table 2. Affordable Housing Evaluation Questions**

Example provided for Table 2:

Question 1a found on Table 2 above states that a project would receive 2 points if 45% or more of residential units are provided and would remain affordable in perpetuity AND the application materials include a lotting exhibit identifying the affordable residential units, a draft inclusionary housing agreement, and a draft deed restriction. In addition, the applicant would be required to agree to a

condition of approval requiring recordation of the final inclusionary housing agreement and recordation of a deed restriction.

*2. Infrastructure*

This section focuses on projects that improve existing deficient infrastructure, include components that would reduce traffic, provide onsite recreational opportunities beyond the minimum requirement, and/or provides onsite public amenities. As illustrated in **Table 3** below, there are 6 different infrastructure questions and a total of 25 points is the maximum a project can receive in this category.

During previous Planning Commission DES workshops, staff was directed to make infrastructure second priority and analyze how infrastructure points should be awarded. Providing new infrastructure may not always be bad in a particular situation and could be supported for the right reasons. In addition, discussions relative to improving existing infrastructure where current residents are experiencing problems occurred during Commission General Plan workshops.

2	INFRASTRUCTURE	EVIDENCE/DOCUMENTATION	POINTS POSSIBLE
a	The project includes improvement of existing infrastructure, beyond the minimum required, in an area where current residents are experiencing significant infrastructure deficiencies and/or problems.	Provide report prepared by the appropriate qualified professional, based on the type of infrastructure, identifying existing infrastructure and demonstrating how said infrastructure is deficient. The report shall describe how infrastructure improvements resolve the deficiencies. Projects receiving a score for this criteria shall be conditioned requiring submittal of final infrastructure improvement plans and an accompanying operations and maintenance plan (OMP) prior to recordation of a final map or commencement of development, whichever occurs first. The OMP shall provide define responsibilities, priorities and activities for maintenance of project infrastructure facilities. Additionally, the OMP shall identify mechanisms available to fund operations and maintenance of these facilities.	5
b	The project includes onsite recreational opportunities beyond 10% of the minimum requirements set forth in the 1975 Quimby Act (Government Code Section 66477).	Project plans shall delineate where onsite recreational opportunities will be located. Evidence comparing the project’s Quimby Act recreation requirements with the recreation opportunities provided shall be submitted. Projects receiving a score for this criteria shall be conditioned requiring submittal of a final parks and recreation plan and an accompanying operations and maintenance plan (OMP) prior to recordation of a final map or commencement of development, whichever occurs first. The OMP shall provide define responsibilities, priorities and activities for maintenance of project recreation facilities. Additionally, the OMP shall identify mechanisms available to fund operations and maintenance of these facilities.	4

2	INFRASTRUCTURE	EVIDENCE/DOCUMENTATION	POINTS POSSIBLE
c	The project includes providing onsite public amenities, including but not limited to: libraries, community-use buildings, community gardens, hiking trails, and open space in an area where such amenities are not easily accessible to the community.	Project plans shall delineate where onsite public facilities will be located. Evidence shall document where the nearest existing amenities are located and demonstrate how they are not easily accessible. Projects receiving a score for this criteria shall be conditioned requiring submittal of final construction plans for the onsite public amenities and an accompanying operations and maintenance plan (OMP) prior to recordation of a final map or commencement of development, whichever occurs first. The OMP shall provide define responsibilities, priorities and activities for maintenance of the onsite public amenities. Additionally, the OMP shall identify mechanisms available to fund operations and maintenance of these facilities.	5
d	The project includes waste diversion program that includes recycling and composting and the reduction of waste hauler trips.	Provide a waste diversion program demonstrating how the program will reduce waste and as well as reduce the amount of waste hauler trips that would occur within the program. Projects receiving a score for this criteria shall be conditioned requiring submittal of a final waste diversion program prior to recordation of a final map or commencement of development, whichever occurs first. The final plan shall include an implementation component and contingency plan(s) if the program is not successful.	3
e	The project will not result in decreasing the existing level of service/service standards identified in Table PS-1 of the 2010 General Plan for road intersection level of service, water, sanitation, solid waste, and schools serving the project area.	Project plans shall delineate all existing infrastructure. Report(s) prepared by an appropriate qualified professional, based on the type of infrastructure, identifying existing infrastructure and its current level or serve/service standards shall be submitted with the application. The report shall describe how project implementation would not decrease the existing level of service/service standards of the existing infrastructure. Conclusions contained in the report shall be supported by empirical evidence.	3
f	The project provides critical emergency infrastructure and services such as fire stations, sheriff substations, emergency service stations, clinics, or hospitals within a deficient area.	Project plans shall delineate where onsite critical infrastructure and services will be located. Evidence shall document where the nearest existing critical infrastructure and services are located and demonstrate how they are not easily accessible and/or the established response times.	5
<b>TOTAL POINTS POSSIBLE FOR THIS CATEGORY:</b>			<b>25</b>

**Table 3. Infrastructure Evaluation Questions**

Example provided for Table 3:

Question 2a found on **Table 3** above states that a project would receive 4 points if the project includes improvement of existing infrastructure, beyond the minimum requirement, in an area with deficient infrastructure AND the application materials include a report demonstrating infrastructure deficiencies and how they would be approved. In addition, the applicant would be required to agree to a condition of approval requiring a final infrastructure improvement plan and an accompanying operations and maintenance plan.

### *3. Resource Management*

This section focuses on projects that voluntarily restore/rehabilitate and/or conserve/preserve resources such as water, environmentally sensitive habitat areas, scenic resources, and/or agricultural soils. Points can also be received for those project that include a renewable energy component. As illustrated in **Table 4** below, there are 5 different resource management questions and a total of 15 points is the maximum a project can receive in this category. Requirements for submitting specific supporting documentation and agreement to incorporate conditions of approval have also been added.



3	RESOURCE MANAGEMENT	EVIDENCE/DOCUMENTATION	POINTS POSSIBLE
a	The project includes groundwater recharge facilities.	Provide a geotechnical report and preliminary plans for stormwater retention/detention facilities prepared by a licensed civil engineer. These documents shall demonstrate how the facility will recharge the groundwater. Projects receiving a score for this criteria shall be conditioned requiring submittal of final construction plans and an accompanying operations and maintenance plan (OMP) prior to recordation of a final map or commencement of development, whichever occurs first. The OMP shall define responsibilities, priorities and activities for maintenance of project groundwater recharge facilities. Additionally, the OMP shall identify mechanisms available to fund operations and maintenance of these facilities.	3
b	The project includes restoration/rehabilitation of environmentally sensitive habitat areas (ESHA) and provides for the long-term maintenance of these areas.	Provide a restoration plan and biological report, prepared by a qualified biologist. The plan and report shall clearly delineate areas of degraded ESHA, restoration activities required, and address the long-term maintenance of the ESHA. Projects receiving a score for this criteria shall be conditioned requiring submittal of final restoration plans reviewed and approved by a qualified biologist prior to recordation of a final map or commencement of development, whichever occurs first. Prior to final of construction permits, the applicant shall demonstrate successful restoration of the degraded ESHA through a report prepared by the project biologist.	3
c	The project includes the voluntary conservation/preservation of unique visual or natural features, critical habitat, or prime agricultural soils through conveyance of a conservation easement from the property owner to either the County of Monterey, an appropriate public entity, or a non-profit public benefit corporation.	Provide a draft easement with the application. Projects receiving a score for this criteria shall be conditioned requiring acceptance and recordation of the easement prior to recordation of a final map or commencement of development, whichever occurs first.	3

3	RESOURCE MANAGEMENT	EVIDENCE/DOCUMENTATION	POINTS POSSIBLE
d	The project includes an onsite renewable energy component that will supply energy to the proposed development.	Provide plans identifying where proposed onsite renewable energy facilities will be located. Projects receiving a score for this criteria shall be conditioned requiring submittal of either subdivision improvement plans or final construction plans delineating onsite renewable energy facilities as well as proof of purchase or a rental agreement for the onsite renewable energy facilities prior to recordation of a final map or issuance of construction permits for the proposed development, whichever occurs first. Prior to final of construction permits for the development, the applicant shall submit either an Inter-connection Agreement with PG&E or proof of installation of the onsite renewable energy facilities.	3
e	The project has no impact to nearby resources.	Provide a report, prepared by a qualified professional, demonstrating implementation of the project would have no impact to nearby resources (e.g. water, biology, air quality) or as demonstrated in the CEQA document prepared for the project.	3
<b>TOTAL POINTS POSSIBLE FOR THIS CATEGORY:</b>			<b>15</b>

**Table 4. Resource Management Evaluation Questions**

Example provided for Table 4:

Question 3b found on **Table 4** above states that a project would receive 3 points if it includes restoration of environmentally sensitive habitat areas for the long term AND the application materials include a restoration plan and accompanying biological report. In addition, the applicant would be required to agree to a condition of approval requiring submittal of a final restoration plan and its successful implementation.

*4. Site Suitability*

This section focuses on projects that site and design developments so that they are subordinate to the natural setting of the surrounding area and avoid development on slopes in excess of 25%, tree removal, major vegetation removal, development in the floodplain, and ridgeline development. Half of the total points in this category would be awarded for projects that are sited and designed to meet this criteria (see 3a of **Table 5** below). This allocation was based on existing County policies and. Points can also be received for infill development and in areas that do not have known geological hazards. There are 3 different site suitability questions and a total of 10 points is the maximum a project can receive in this category. Requirements for submitting specific supporting documentation has also been added.

4	SITE SUITABILITY	EVIDENCE/DOCUMENTATION	POINTS POSSIBLE
a	The development is sited and designed to be subordinate to the natural setting of the subject property and surrounding area. The project avoids development on slopes in excess of 25%, tree removal, major vegetation removal, development in the floodplain, and ridgeline development.	Project plans submitted with the application shall show constraint areas (i.e. slopes, ESHA, scenic areas, etc.) of the property and demonstrate how development avoids disturbance these areas.	5
b	The development includes infill of vacant non-agricultural lands within existing developed areas and is compatible with surrounding land use and development.	Project plans submitted with the application shall show the developed areas surrounding the project site illustrating how the project is infill development. The application shall include a compatibility analysis comparing the existing surrounding development with the proposed project.	3
c	The subject property is not located within a landslide area or areas showing evidence of ground movement within historic times, within 50 feet of the face of a cliff or bluff, within 1/8 <sup>th</sup> mile of an active or potentially active fault, or in any area of known geologic hazards.	A geotechnical report, prepared by a qualified professional, shall be submitted with the project application demonstrating the project area does not show evidence of the geological hazards listed.	2
<b>TOTAL POINTS POSSIBLE FOR THIS CATEGORY:</b>			<b>10</b>

**Table 5. Site Suitability Evaluation Questions**

Example provided for Table 5:

Question 4a found on **Table 5** above states that a project would receive 5 points if it avoids development on slopes in excess of 25%, tree removal, major vegetation removal, development in the floodplain, and ridgeline development AND the application materials include a site plan delineating the constraint areas listed above and how project components avoid those areas.

*5. Balance of Uses*

This section focuses on projects that balance proposed uses within a development. This section addresses the need to provide employment opportunities in areas with an existing residential population and vice versa. Points could also be obtained for projects that include new jobs and employee housing. There are 3 different mix/balance of use questions and a total of 10 points is the maximum a project can receive in this category. Requirements for submitting specific supporting documentation has also been added. See **Table 6** below.

5	BALANCE OF USES	EVIDENCE/DOCUMENTATION	POINTS POSSIBLE
a	The project includes industrial, commercial, and/or agriculturally industrial development, consistent with the underlying zoning of the property, and provides employee housing rental units for employees employed onsite.	Provide preliminary project plans that identify locations of the industrial, commercial, and/or agriculturally industrial development as well as the employee housing units. Provide a draft General Development Plan (GDP) identifying and describing the industrial, commercial, and/or agriculturally industrial operations proposed. The GDP shall include an employee housing plan containing a list of full-time employees and the employee housing units provided. Projects receiving a score for this criteria shall be conditioned requiring recordation of an employee housing agreement consistent with the employee housing plan prior to recordation of a final map or commencement of development, whichever occurs first.	4
b	The project includes mixed-use development that provides commercial uses that serves the needs of the community.	Provide preliminary project plans delineating the proposed mixed-use development (such as residential, commercial, and industrial uses). In addition, the application shall include a General Development Plan (GDP) identifying and describing different uses on the site.	3
c	The project provides housing in an area with an established employment concentration but lacks available housing OR the project includes industrial, commercial, and/or agriculturally industrial development, consistent with the underlying zoning of the property, within an area where there is an established workforce to support the proposed use.	Provide evidence documenting the location(s) of employment centers, the proximity of the project area to these centers, and the lack of available housing. Or, provide evidence documenting the location(s) of existing workforce in proximity of the project area.	3
<b>TOTAL POINTS POSSIBLE FOR THIS CATEGORY:</b>			<b>10</b>

**Table 6. Balance of Uses Evaluation Questions**

Example provided for Table 6:

Question 5a found on **Table 6** above states that a project would receive 4 points if it includes industrial, commercial or agriculturally industrial development with associated employee housing AND the application materials include a draft General Development Plan and employee housing plan. In addition, the applicant would be required to agree to a condition of approval requiring recordation of an employee housing agreement.

6. *Traffic and Proximity to Transportation*

This section focuses on projects that are located near alternative transportation opportunities such as transit service (bus) and/or bicycle and/or pedestrian facilities as well as the reduction of traffic. As illustrated in **Table 7** below, there are 4 different transportation questions and a total of 10 points is the maximum a project can receive in this category.

6	TRAFFIC AND PROXIMITY TO TRANSPORTATION	EVIDENCE/DOCUMENTATION	POINTS POSSIBLE
a	The project provides or improves transit service in an area where bus routes do not exist or access is limited. This includes, but is not limited to: construction of bus stops, re-routing of buses, or the increase of bus service and stops.	Application plans shall include documentation identifying locations of existing transit routes, stops, and service schedule within the project area. If new service/stops are proposed, a letter (can and will serve) from MST indicating that their additional service is feasible shall be provided. Project plans shall identify where any new bus stops will be located.	4
b	The project is located within ½ mile of an existing bus stop with sufficient amount of service and stops to serve the development.	Application plans shall include documentation identifying locations of existing transit routes, stops, and service schedule within the project area.	2
c	The project includes construction of bicycle and pedestrian facilities that connect to existing facilities.	Application plans shall include documentation identifying locations of existing bicycle and pedestrian facilities closest to the project area. Project plans shall include on-site and off-site improvements plans showing the location and design details of the proposed facility. For off-site improvements, additional information such as easements or agreements from property owners documenting that they will allow facility improvements on their respective properties shall be provided.	2

d	The project includes a traffic reduction plan for project related traffic.	Provide a traffic analysis and traffic reduction strategy prepared by a qualified professional. The report shall compare baseline traffic with project traffic conditions, provide evidence and methodology supporting the conclusions in the traffic reduction plan, and identify feasibility of plan implementation. Projects receiving a score for this criteria shall be conditioned requiring submittal of final construction plans of any new traffic facilities incorporated within the traffic reduction plan and an accompanying operations and maintenance plan (OMP) prior to recordation of a final map or commencement of development, whichever occurs first. The OMP shall provide define responsibilities, priorities and activities for maintenance of project traffic facilities. Additionally, the OMP shall identify mechanisms available to fund operations and maintenance of these facilities.	2
<b>TOTAL POINTS POSSIBLE FOR THIS CATEGORY:</b>			<b>10</b>

**Table 7. Traffic and Proximity to Transportation Evaluation Questions**

Example provided for Table 7:

Question 6c found on **Table 7** above states that a project would receive 2 points if it includes new bicycle and pedestrian facilities connecting to existing facilities AND the application materials include a site plan delineating the new and existing facilities. No specific condition of approval is included. However, necessary documentation relative to on-site and off-site improvements are specified.

*7. Environmental Impacts*

Many of the criteria listed above could be considered mitigation of impacts by design of the project. Therefore, this section only focuses on projects that would have a significant unavoidable impact to the environment. Environmental Impact is the only category where projects cannot receive positive scores but would be subject to subtraction of points. As illustrated in **Table 8** below, projects with a significant unavoidable impact to agriculture and forest resources, air quality, greenhouse gas emissions, biological resources, hydrology and water quality, growth inducement, land use planning, traffic, and/or wildfires would be penalized by subtraction of 10 points for each respective section; with a maximum of 90 points subtracted. However, please note that it would be exceptionally rare that a project would have significant unavoidable impacts to all of these resource areas.

7	ENVIRONMENTAL IMPACTS	EVIDENCE/DOCUMENTATION	POINTS DEDUCTED
a	Agriculture and Forest Resources	Prepared Environmental Document (e.g.: EIR)	Minus 10 points if impacts(s) are significant unavoidable



b	Air Quality	Prepared Environmental Document (e.g.: EIR)	Minus 10 points if impacts(s) are significant unavoidable
c	GHG Emissions	Prepared Environmental Document (e.g.: EIR)	Minus 10 points if impacts(s) are significant unavoidable
d	Biological Resources	Prepared Environmental Document (e.g.: EIR)	Minus 10 points if impacts(s) are significant unavoidable
e	Hydrology & Water Quality	Prepared Environmental Document (e.g.: EIR)	Minus 10 points if impacts(s) are significant unavoidable
f	Growth Inducement	Prepared Environmental Document (e.g.: EIR)	Minus 10 points if impacts(s) are significant unavoidable
g	Land Use Planning	Prepared Environmental Document (e.g.: EIR)	Minus 10 points if impacts(s) are significant unavoidable
h	Traffic	Prepared Environmental Document (e.g.: EIR)	Minus 10 points if impacts(s) are significant unavoidable
i	Wildfires	Prepared Environmental Document (e.g.: EIR)	Minus 10 points if impacts(s) are significant unavoidable
<b>TOTAL DEDUCTION OF POINTS POSSIBLE FOR THIS CATEGORY:</b>			<b>-90</b>

**Table 8. Environmental Impacts Evaluation Questions**

Example provided for Table 8:

Questions 7a found on **Table 8** above states that a projects with significant unavoidable impacts to agriculture and forest resources would be penalized by the subtraction of 10 points. The required documentation would be the project’s environmental document. No assurance measure is required.

**D. Draft Ordinance**

In order to codify the DES regulations in County zoning, staff is proposing an ordinance that establishes the basic framework of the DES, sets forth the regulations and exemptions, and amends zoning districts to include reference to the DES regulations. A preliminary draft of the DES ordinance is provided in **Exhibit C** of this staff report. Staff is seeking input from the Board and public on the ordinance, and it will be subject to environmental review, all of which may result in modification of the draft ordinance. The final ordinance will be presented to the Board at a public hearing after environmental review is completed.

**E. Draft DES Procedure Manual**

Adoption of a DES Procedure Manual is also proposed and is provided in **Exhibit D** of this staff report. This manual is in draft form and is intended to work in conjunction with the DES ordinance. The manual

explains the DES applicability, regulations, procedures, and requirement. The manual also contains the necessary forms for submittal and documentation such as the DES Package Submittal Form, the DES Scoresheet Guide, and the DES Scoresheet. Similar to the draft ordinance, staff seeks comments and recommendations on the manual.

**F. Next Steps**

Following the Board's public workshop, staff will make modifications per Board direction and proceed to determine the appropriate level of environmental review under CEQA. At future public hearings following appropriate environmental review, staff will present a final draft ordinance and manual to the Planning Commission for recommendation and Board of Supervisors for consideration of adoption.