

# Exhibit B

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# Monterey County

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## Board Report

Legistar File Number: 17-0748

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### **REF170007/2016 Annual Report for the General Plan and Housing Element**

- a. Accept the 2016 Annual Progress Report for the Monterey County General Plan(s);
- b. Accept the 2016 Annual Progress Report for the 2015-2023 Housing Element;
- c. Authorize the Resource Management Agency Director or Chief of Planning to submit the final progress reports to the State Office of Planning and Research and State Department of Housing and Community Development, as required.
- d. Consider a report on the Long Range Planning Work Program priority list.
- e. Provide direction on the Long Range Planning Work Program.

**Proposed CEQA Action:** This action is not a project subject to CEQA per Section 15060(c)(1) and 15378(b)(4) of the CEQA Guidelines

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Accept the 2016 Annual Progress Report for the Monterey County General Plan(s) pursuant to Government Code Section 65400 (**Attachment A, Exhibits 1 & 2**);
- b. Accept the 2016 Annual Progress Report for the 2015-2023 Housing Element to comply with State Department of Housing and Community Development requirements (**Exhibit 3 of Attachment A**);
- c. Authorize the Resource Management Agency Director or the Chief of Planning to submit the final progress reports to the State Office of Planning and Research and State Department of Housing and Community Development.
- d. Receive a report on the Long Range Planning Work Program priority list.
- e. Provide direction to staff for any changes to the Annual Reports or Work Program.

### SUMMARY:

Local agencies are required to submit an annual report to the legislative body (Board of Supervisors), State Office of Planning and Research and State Department of Housing and Community Development that includes the status of the General Plan and progress in its implementation, progress in meeting its share of regional housing needs (RHNA), and degree to which the approved General Plan complies with State guidelines. For the County of Monterey, this includes:

- 2010 General Plan, as amended, for inland areas
- 1982 General Plan, as amended, for coastal areas
- 2015-2023 Housing Element, countywide

Staff has prepared the required annual reports for Board consideration.

This report discusses the status of Monterey County General Plan(s), including progress on implementing Housing Element objectives, General Plan Amendments/Updates, and/or

implementing ordinances completed. The Resource Management Agency (RMA) has a Long Range Work Program that includes tasks associated with new state laws, board referrals and other policy issues that arise.

There were no amendments to either General Plan in 2016. Major tasks completed during calendar year 2016 include:

- 2015-2023 Housing Element Update. The Board adopted a Housing Element Update for the 2015-2023 cycle on January 26, 2016. The State Department of Housing and Community Development certified the Housing Element on May 10, 2016. A summary of the housing units completed in 2016 is included in Attachment A, Exhibit 2.
- Hazard Mitigation Plan (HMP). The Board approved Emergency Plan/Procedures on February 23, 2016.
- Salinas Valley Zone 2C - Salinas River Ground Water Basin. On March 22, 2016, staff provided a report on the state of the Salinas River Groundwater Basin.
- Tracking System/Reporting. Staff provided an annual report on November 16, 2016.
- Agricultural Wine Corridor Plan/Reporting. Staff provided an annual report on November 16, 2016.
- Carmel Valley Traffic/Unit Count. Staff provided an annual report that included a 5-year assessment on November 16, 2016.
- County Traffic Impact Fee. Projected to be considered by the Board December 2017.
- Airport Land Use Compatibility Plan Updates. Scheduled to be considered by the Airport Land Use Commission Fall 2017.
- Agricultural Land Mitigation Program and Ag Conservation Easement Project Grant. The Board ratified the submittal of a grant application to the State of California Department of Conservation (DoC) on June 28, 2016, and on August 23, 2016 the DoC notified the RMA Planning department that it had received the Strategy and Outcome grant award through the Sustainable Agricultural Lands Conservation Program (SALC).

In addition, RMA assumed a lead role in working with all County land use agencies, as well as the Monterey County Water Resources Agency and County Counsel, for several ordinances. Medical cannabis was made a top priority due to a pending State deadline (later removed), which led to an interim urgency ordinance on certain related activities that has since expired. The following ordinances relating to medical cannabis uses were completed within this reporting period:

- Amendment of Title 20 (Zoning Ordinance, Coastal), submitted to Coastal Commission
- Amendment of Title 21 (Zoning Ordinance, Non-coastal)
- Chapter 7.90 - Commercial Cannabis Permits
- Chapter 7.95 - Personal Medical Cannabis Permits
- Chapter 7.100 - Tax on Commercial Medical Cannabis Business

Other priority tasks within this reporting period included:

- Short Term Rentals (STR)
- Del Monte Forest Land Use Plan, Policy 20
- Big Sur Coast Land Use Plan
- Traffic Impact Fee Program

- Capital Improvement Program
- Development Evaluation System (DES)

Work on some of these tasks got deferred when Medical Cannabis and STR were made priorities by the Board.

**Attachment A** includes the annual reports for 1) General Plan Implementation and 2) Housing Element/RHNA. **Attachments B & C** expands Exhibits 1 and 2 to include the whole work program, including Board referrals. This is an opportunity for the Board of Supervisors to review staff's progress and provide direction on setting priorities.

DISCUSSION:

Government Code Section 65400 (a)(2) requires cities and counties to provide an annual report to the legislative body regarding the status of the General Plan and progress in its implementation and the degree to which the General Plan is consistent with the General Plan Guidelines adopted by the Governor's Office of Planning and Research (OPR). Resource Management Agency is lead for preparing the Annual Progress Report for the County's General Plan Implementation (GPI). Economic Development Department assists RMA with preparing the Annual Progress Report for the 2015-2023 Housing Element Implementation (HEI).

The housing element portion of the report must conform to specific content requirements, and the reports must be submitted to OPR and HCD in April of each year. RMA contacted OPR and HCD who agreed with June submittals.

When the 2010 General Plan was adopted, staff identified about 100 tasks to implement that Plan. A comprehensive Long Range Work Program (LRWP) was developed to track progress of these tasks. LRWP includes tasks related to General Plan Implementation, Referrals (Board of Supervisors' and Planning Commission), changes in state or federal law, and Local Coastal Program Updates.

This report presents a status of the implementation of the General Plan tasks and implementing housing programs. Since adoption, 52 General Plan tasks have been completed. An updated LRWP is included as **Attachment B**. Pursuant to Government Section 65400, Attachment A, Exhibit 2 provides a detailed account of the County's progress on meeting its share of the regional housing needs.

Through 2016, RMA-Planning staff was reduced. There has been turnover of six current planning staff (about 60%) and two long range planning staff (about 40%). In addition, the Planning Director retired, two Managers left and a Supervising Planner recruitment was not successful and remains unfilled. These staffing changes necessitated an immediate urgency for the Resource Management Agency to reallocate staff resources to process current planning entitlements, in accordance with the Permit Streamlining Act. Many vacant planner positions have been filled and training is on-going. However, key positions remain vacant (Planning Manager, Supervising Planner). As of writing this report, two planner positions have been vacated. Because of this turn-over and changing priorities (cannabis, STR), many tasks that were scheduled for completion have are still pending. Despite these unforeseen events, RMA is developing a plan to continue to proceed to process Long Range Planning projects.

The following is a list of the 2017 priority projects, in order of priority:

- Salinas Valley Ground Water Basin Study. GP Policy PS-3.1 include language, resulting from a settlement agreement, requiring a 5-year study to be completed by 2018. County contracted with MCWRA to provide staffing resources to manage outside consultants (such as USGS) for this work.
- Ag Land Mitigation Program. Work with Ag Land Trust as part of a grant received through the Sustainable Agricultural Lands Conservation Program (SALC). This is 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. Over the FY2017-2018 Fiscal Year staff will work with the Ag Commissioners office to prepare the Ag Land Mitigation Program.
- Carmel River/Lagoon. RMA continues efforts toward long-term solutions at the mouth of Carmel Valley to address flooding issues. In a MOU with US Army Corp of Engineers and National Marine Fisheries Service the County agreed to continue effort toward a long-term solution.
- Short Term Rentals (STR). In 2016, staff met with a group of stakeholders to address major issues and presented this to the Planning Commission (PC). In 2017, staff disseminated preliminary draft regulations to the public, and the Planning Commission has held several hearings on the preliminary draft regulations, except for the Big Sur Land Use Planning area which the Commission directed be postponed until there is reasonable access. This remains a Board referral making this a top priority.
- Development Evaluation System (DES). In 2016, staff met with a group of stakeholders to address major issues and presented this to the Planning Commission (PC). In 2017, staff will return to the PC for direction and develop/process a program/ordinance based on that direction. Until a program is adopted, staff will continue to provide evidence in project resolutions, where applicable.
- Water and Energy Efficient Landscape Ordinance/Water Conservation Ordinance/ Fire Resistance Plant List /Invasive Plant Policy and Procedures. Implementation of Policies OS-5.14 and S-2.4 require the encouraging the exclusion and eradication of invasive plants and incorporating the use of fire-resistant plants. In addition to the General Plan policies, state law, 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. A draft ordinance was presented to stakeholders and the Planning Commission. Based on that direction, staff intends to present the final Coastal and Inland Water and Energy Efficient Landscape ordinances and accompanying Landscape Manual for consideration and approval in FY-2017/18.

- Community Climate Action Plan. Staff has forecasted 2020 emission levels and lead stakeholder outreach efforts. Public meetings and an online poll were posted on the County web-site to obtain feedback from the public on the importance of climate change and receive ideas on how to address climate change at a community level. A focus group was formed to develop a list of reduction measures for inclusion in the plan. In 2016 a contract proposal from ICF International was received to prepare a model and detailed analysis of reduction measure costs and benefits to complete the Community Climate Action Plan. In 2017/18 staff will manage the preparation of the CEQA document in preparation of public hearings.
- Zoning Maps Update. Staff has developed draft maps reflecting the land use established by the General Plan. Implementation requires updates to a many section of the Zoning Code to reflect new designations. In FY2017/18 staff will present updates to the Planning Commission for consideration.

Staff finds that progress reports are not projects as defined by the California Environmental Quality Act (CEQA), Guidelines Sections 15060(c) (3) and 15378. These reports are an administrative activity that will not result in direct or indirect physical changes to the environment. They are for information purposes only. Activities identified in these reports implement policies of the 2010 General Plan and the 2015 Housing Element, which were subject to CEQA review. In addition, CEQA will be addressed, as appropriate, with each task as it is completed.

OTHER AGENCY INVOLVEMENT:

Implementation of the 2010 General Plan involves close coordination between all the land use departments/agencies (Planning, Public Works, Environmental Services, Environmental Health, and Water Resources Agency). Implementation of the Housing Element relates to activities being undertaken by both the Economic Development Department (Housing Office) and RMA-Planning. In addition, the County Counsel's office is actively participating in the legal review of ordinances and plans being prepared as part of General Plan implementation (GPI) and other needed updates.

FINANCING:

Most of the implementation work is performed by staff, with no additional cost to the General Fund. However, there are aspects of the work that require technical expertise that is only available through outside consultants. To date, approximately \$659,854 (excludes anticipated estimated) has been expended for outside consultant assistance:

-	FY 2011-12	\$144,692
-	FY 2012-13	\$158,440
-	FY 2013-14	\$253,920
-	FY 2014-15	\$45,680
-	FY 2015-16	\$50,542
-	FY 2016-17	\$194,165

\* Carmel Lagoon tasks were funded out of the GPI FY 13/14. FY 16/17 is estimated.

On March 8, 2016, the RMA submitted an augmentation request to its FY 2017/18 Baseline Budget for the continuation of one-time funding in the amount of \$1.7M to fund outside

consultant's expertise required for the on-going work related to the implementation of the General Plan, Carmel River Lagoon, Local Coastal Plan update and the Salinas Valley Ground Water Basin Study. The Adopted Budget allocates funding for long range planning tasks as follows:

- Salinas Valley Ground Water Basin Study - \$428,000 (received full augmentation request)
- General Plan - \$100,000 out of \$475,000 to begin, which staff anticipates using for Salinas Valley Ground Water Basin Study; Carmel River/Lagoon, Water and Energy Efficient Landscape Ordinance/Water Conservation Ordinance and Community Climate Action Plan. When additional funds are needed, RMA will need to return for allocation.
- Local Coastal Plan - \$100,000 out of \$390,000 to complete the Moss Landing Community Plan. If/When additional funds are needed for other work, RMA will need to return for allocation.
- Carmel River Lagoon - \$100,000 out of \$630,000 to complete the environmental review. If/When additional funds are needed for permitting or design, RMA will need to return for allocation.

Staff continues to seek grant funding, where available, to help with implementation and LCP update efforts.

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Approved by: Carl P. Holm, AICP, Resource Management Agency Director

This report was prepared with the assistance of County Counsel.

The following Attachments are on file with the Clerk of the Board:

Attachment A - Annual Progress Report for the Monterey County 2010 General Plan Implementation

- Exhibit 1 - 2010 General Plan Implementation Long Range Work Program
- Exhibit 2 - Completed Task Summary Matrix - June 2017
- Exhibit 3 - 2016 Annual Housing Element Progress Report

Attachment B - Long Range Work Program Completed Task Summary Matrix - June 2017

Attachment C - Long Range Work Program Overall Summary Matrix

CC: Front Counter Copy; Fenton & Keller (David C. Sweigert); Brian Finegan Law Office (Michael Harrington); Grower-Shipper Association (Jim Bogart); Law Offices of Michael D. Cling (Michael Cling); Monterey County Farm Bureau (Norm Groot); Salinas Valley Water Coalition (Nancy Isakson); Prunedale Neighbors Group (Ed Mitchell); Anthony Lombardo and Associates (Dale Ellis); Horan Lloyd Law Firm (Pamela Silkwood); Big Sur Multi-Agency Advisory Council c/o Kathleen Lee; Highway 68 Coalition (Mike Weaver); Carmel Residents Association; Carmel Valley Association; Marjorie Kay; The Open Monterey Project (Molly Erickson); LandWatch (Michael DeLapa); Janet Brennan; John H. Farrow; Carl Holm; John Guertin; Wendy Strimling; Jacqueline R. Onciano; Planning File No. REF170007.