

# Exhibit F

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## MONTEREY COUNTY BOARD OF SUPERVISORS

<b>MEETING:</b> January 27, 2009		<b>AGENDA NO:</b>
<b>SUBJECT:</b>		
a. Consider the Recommendations of the Moss Landing Community Plan Update Committee; and		
b. Provide direction to staff regarding preparation of a scope of work and budget for drafting the Moss Landing Community Plan Update and conducting environmental review.		
<b>Project Location:</b>	Moss Landing	<b>APN:</b> Multiple
<b>Planning Number:</b>	PD080541	<b>Name:</b> Multiple
<b>Plan Area:</b>	North County Coastal	<b>Flagged</b>
<b>Zoning Designation:</b>	Multiple	<b>and</b> No
<b>CEQA Action:</b>	Exempt – 15262 – Planning Study.	<b>Staked:</b>
<b>DEPARTMENT:</b> RMA – Planning Department		

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Consider the Recommendations of the Moss Landing Community Plan Update Committee; and
- b. Provide direction to staff regarding preparation of a scope of work and budget for drafting the Moss Landing Community Plan Update and conducting environmental review.

### SUMMARY:

In July 2008, the Moss Landing Community Plan Update Committee was formed with the directive to complete a draft concept plan for the Moss Landing community by mid-January 2009. Members of the Committee include representatives of key groups in the community. Planning Commissioner Cosme Padilla has served as the chairperson (Exhibit A). The Update Committee reviewed the existing plan, conducted public meetings to obtain input on future development trends and the needs of the community and prepared recommendations regarding proposed changes to the existing Community Plan (Exhibit B). These recommendations are written as large policy level direction intended to guide the subsequent drafting of the Moss Landing Community Plan Update. Based upon Board direction, staff would then prepare a detailed a scope of work and a budget for the project. The draft update would be subject to environmental review prior to Plan adoption and Coastal Commission certification. This effort would constitute the first phase of work on updating the coastal plans in Monterey County.

### DISCUSSION:

The Moss Landing Community Plan is a part of the North County Coastal Land Use Plan which was adopted in by the County and certified by the Coastal Commission in 1982. The Board of Supervisors upon Supervisor Calcagno's initiative made a referral to the Resource Management Agency to form the Community Plan Update Committee. The impetus was related to the County's impending consideration of several new development proposals in Moss Landing. Rather than consider each of these individually and utilize applicant and staff resources on a piecemeal review, staff, in consultation with Supervisor Calcagno, proposed that a planning group be formed to look holistically at future directions for the community.

The Committee examined opportunities for building upon the unique qualities of Moss Landing. As part of the process, the group also considered some of the infrastructure constraints that would need to be addressed as future plans progressed. The Committee considered several growth scenarios and invited public comment. These included a no change option, a moderate growth alternative and an expanded growth alternative. The general community consensus is that

moderate growth would be consistent with the overall community vision and resource constraints. This would accommodate some expansion of existing facilities in phases and expansion of the urban service line to include the Moss Landing Business Park and Moss Landing Power Plant. There would be no change to the Community Plan boundaries. This would also accommodate modest development on existing undeveloped parcels. Thematically, the Committee is recommending that the new development have a nexus to the unique marine resources in the community, including marine research, marine industrial/commercial businesses and tourism.

The proposed growth concept is generally consistent with the existing Plan and would require some modest amendments to the text of the Community Plan. Infrastructure constraints with respect to water, sewer and traffic would also have to be addressed and are outlined in the recommendations.

Preparing an EIR for the Moss Landing Community Plan Update that also addresses each contemplated project would be beneficial. Since the Moss Landing Community Plan is part of the North County Land Use Plan, policies within the North County Plan affecting Moss Landing may also need to be addressed. As an option, the North County Land Use Plan could be updated concurrently in order to reduce duplication of effort. However, updating the North County Land Use Plan is a much larger undertaking that would significantly slow the processing of the Moss Landing Update and the projects within Moss Landing. Based upon timing and cost, staff would not recommend this concurrent approach.

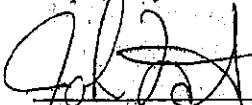
#### **OTHER AGENCY INVOLVEMENT:**

Staff from RMA-Public Works served as technical advisors to the Committee. In addition, TAMC, Cal Trans, the North County Fire Department and the Pajaro Sunny Mesa Community Services District participated on technical committees.

#### **FINANCING:**

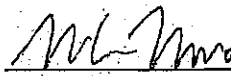
If the proposed action is approved, the cost of staff time associating with developing the scope of work and cost estimate for this update would be approximately \$3,000 and would be financed from the Planning (BU 293) FY 2008-09 budget. There are sufficient appropriations available to finance this part of the work. Staff will return to the Board with the project cost and funding sources. Funding for the cost of the actual Community Plan Update and the related EIR are to be funded by grants and applicants. However, in the event these sources alone may not be sufficient to fund the project, upon Board approval, a funding source will be determined for any deficit.

Prepared by:



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Approved by:



Mike Novo, Planning Director

This report was reviewed by Carl Holm and Alana Knaster

cc: Front Counter Copy; Board of Supervisor's (30); County Counsel; Environmental Health Division; Public Works; Monterey County Water Resources Agency; North County Fire Protection District; California Coastal Commission; Alana Knaster; Mike Novo; Carl Holm; Laura Lawrence Planning Services Manager; Project File

Attachments: Exhibit A: Membership List for Moss Landing Community Plan Update Committee  
Exhibit B: Recommendations of Moss Landing Community Plan Update Committee  
Exhibit C: Resolution

# Exhibit A

## Moss Landing Community Plan Update Committee

Primary Member	Alternate Member	Affiliation
Lou Calcagno	Henry Gowin	Supervisor
Cosme Padilla	Don Rochester	Chair
Robert Rodoni	Steve Rodoni	Agriculture
Mark Silberstein		Elkhorn Slough Foundation
Marl Kloeppel	Carolyn Anderson	F.A.N.S.
Tom McCray	Vicki Crow	Fisherman
Keith Raybould	Marcia McNutt	M.B.A.R.I.
Meianle Mayer-Gideon	Jean Kester	Moss Landing Chamber
Marilyn Lynds	Andrew Devogelaere	Moss Landing Community
Linda McIntyre	Russ Jeffries	Moss Landing Harbor District
Nader Agha	Sam Bose	Moss Landing Industrial Park
Kenneth Coale	Karen Carlson	Moss Landing Marine Labs
Gene McCrillis	Steve Abbott	Moss Landing Power Plant
David Murray	John Olejnik	CalTrans
Katie Morange	Dan Carl	Coastal Commission
Martí Noel	Jim Cook	Monterey County Housing & Redevelopment
Joe Rosa	Donald Rosa	Pajaro-Sunny Mesa
Mike Novo	Carl Holm	Monterey County - Planning
Paul Greenway	Chad Alinio/Steve Leiker/Ed Muniz	Monterey County - Public Works
Alana Knaster		Monterey County - RMA
Debbie Hale	Don Bachman	TAMC
Curtis Weeks		Monterey County Water Resources
Carl Blanke		General Public
Kristin Carter		General Public
John Gregg		General Public
Ray Retez		General Public
Nathan Sawyer		General Public
Kim Solano		General Public
Chuck Drake		General Public
Eric Tynan		Castroville CSD
Hank Meyers		TAMC
Gary Adams	Ashley Vizurraga	Moss Landing Marine Labs

# **EXHIBIT B**

## **Moss Landing Community Plan**

### **Update Committee**

### **Recommendations**

**January 15 2009**

## Background

A Community Plan Update Committee ("Committee") has been created to develop a vision for future development in Moss Landing. This report presents issues and recommended direction for Moss Landing that can be integrated with a subsequent update of the North County Local Coastal Plan.

The Moss Landing Community Plan Update Committee considered several prospective projects in Moss Landing that include both short- and long-term plans. During the course of the process the committee received presentations from:

- Kim Solano – Commercial Development in Downtown
- Gregg Drilling – New Marine Engineering facility on the Island
- Jim Gilbertson – Expansion of retail facility on Struve Road
- Monterey Bay Aquarium Research Institute – Expansion of facilities on the Island
- Moss Landing Harbor District – Use of District owned parcels and harbor improvements
- Moss Landing Marine Labs – Campus expansion downtown and new facilities on the Island.
- Nadar Agha – Converting former Refractory site into a Business Park

In addition, the Committee heard reports from CalTrans, Public Works, Pajaro Sunny Mesa and others with expertise in infrastructure, utilities, traffic and developing projects such as the Coastal Trail.

The Committee considered how these proposals fit into the context of the existing Moss Landing Community Plan and the infrastructure that supports the community.

In order to facilitate the committee's assignment, the committee formed two subcommittees, each with a different focus:

Land Use Subcommittee - This subcommittee focused upon existing and proposed land use. The committee used the existing text of the plan as a starting point to address the needs of existing and future development.

Infrastructure Subcommittee - This subcommittee focused upon the existing and future infrastructure needs of the community. A significant amount of the subcommittee's time was spent attempting to address sewer, water and traffic related issues.

A public meeting was held on December 2, 2008 to allow members of the community who had not been a part of the process to come and provide input on what was being considered. Three development alternatives were presented to the public as follows:

1. No change--limited further development. In this alternative no changes would be made to the plan and little additional development could be accommodated in Moss Landing.

2. Moderate Growth Alternative. This involves updating the plan to allow the growth proposed and to allow the vacant property to develop consistent with the land use and zoning. This would also involve expanding the Urban Service Line to connect the old Kaiser Site to the sewer system.
3. Expanded Growth Alternative. This involved changing existing land use and zoning to allow commercial and other uses along the Highway 1 Corridor. The current Heavy Industrial Land Use and Zoning do not currently contemplate such uses.

The public response was favorable to the moderate growth alternative. This public meeting generated the following comments:

- a. Traffic Safety is a major concern when entering Highway 1 from Moss Landing. A traffic light at Pieri Court and Portero Road and at Highway 1 and Moss Landing Road should be considered for safety.
- b. Concern for protection of wildlife on Harbor District parcel on Potrero Road.
- c. Safety of Industrial site development
- d. Install curb, gutter, sidewalks, and street lights
- e. The speed limit on Moss Landing Road must be reduced.
- f. The area between Sandholdt and the Bed and Breakfast must retain its charm. Design elements could include early California, and other historical themes to allow diversity but also maintain charm of the place.
- g. Something must be done about shore line erosion within the harbor.
- h. Open space and recreation must be added into the community.
- i. The flyover across Highway 1 must consider the impacts to Moss Landing Road.
- j. Efforts should be made to enhance pedestrian and Bike Connections
- k. Some provisions need to be made for beach access for people with pets.
- l. Concern for the use of pesticides on agricultural land adjacent to "The Heights".

While some work on actual text has been completed, no text is being presented because at this time we do not have a complete Plan. The purpose of this report is to address issues which require attention of the Board and receive direction to develop a complete Plan to process. It is anticipated that the language developed by the Subcommittee would be the starting point for developing the updated plan. The recommendations presented below are large policy level concerns.

## Approach of Committee

The Committee early in the process came to the consensus that the overall direction of development within Moss Landing was consistent with the existing Land Use Plan and that this direction is viewed favorably, but it is also recognized that there are some areas of the plan that are out of date, and other components of the plan that need additional work. Therefore, the approach has been to retain the current goals and address areas where policies, ideas and references are out of date, or where new ideas, development proposals or schemes need additional clarification for continued development.



The recommendation of the Committee is to suggest changes to responsibly address foreseeable development. This recommendation is not intended to be a complete plan, but is to allow the Board of Supervisors to provide staff direction regarding updating the plan, and also to the associated environmental review which will need to be accomplished as part of any plan update.

## Recommendations

The following discussion identifies issues raised during the Committee's consideration and provides a recommendation to the Board of Supervisors as to what the Committee believes needs to be done to address these issues. The discussion is broken down into two groups, first, land use and then, infrastructure.

### Land Use

#### 1. Changes to Land Use Map

The following changes are needed to the Land Use Map because the circumstances associated with the properties have changed.

##### A. Moss Landing Marine Labs – Moss Landing Road

###### a. Issue

Property owned by the school (APN: 133-201-003,004,005,16,21) has three different land use designations: Low Density Residential, Medium Density Residential, and Moss Landing Commercial. The intended use of the facility is for Education - Scientific, which is an existing land use in the Moss Landing Community Plan.

###### b. Recommendation - Direct staff to:

1. Change the Land Use and Zoning Designation on the Moss Landing Marine Labs property (APN: 133-201-003,004,005,16,21) from a mix of land use designations to Education – Scientific.

##### B. State of California – Sandholdt Road

###### a. Issue

A two acre property located west of Sandholdt Road south of Sandholdt Bridge was previously owned by the Moss Landing Marine Labs, and was therefore assigned the Education – Scientific Land Use designation (APN: 133-232-007, 008). The property has since received dune habitat restoration and has been dedicated to the State of California (State Parks). The property will only be used as part of the greater adjacent dune and beach habitat and thus will not receive any sort of development.

**b. Recommendation - Direct staff to:**

2. Modify the land use designation on State owned property (APN: 133-232-007, 008) from Education - Scientific to Scenic and Natural Resource Recreation to match the adjacent land use.

**C. Light Industrial south of Sandholdt Road**

**a. Issue**

This small sliver of property was designated for Light Industrial in the event that the harbor extended south of the Sandholdt Bridge (APN: 133-162-002). The current Community Plan gives significant consideration to replacing the old Sandholdt Bridge further to the south and dredging the Salinas River channel to expand the harbor. Since then, the Sandholdt Bridge has been reconstructed in its original location, making it very unlikely that the harbor would be expanded south of the current bridge location. The plan is very clear in limiting the use of the property to light industrial uses only in the event that the harbor is expanded. Since the harbor is not going to be expanded in this manner, the Light Industrial land use and zoning designation is no longer appropriate.

The appropriate land use designation would be something consistent with what is around it. This light industrial land use designation is mostly within tidal wetlands. There is very little land outside of the coastal wetlands and this is primarily dune habitat. This Light Industrial designation only encompasses a portion of a larger parcel that is also designated for Scenic and Natural Resource Conservation and zoned open space. It seems appropriate to apply this Resource Conservation land use designation to the land outside the tidal wetland. For the land within the tidal influence, the land use should match the adjoining land use and zoning which is Wetland and Coastal Strand. The Committee felt it was important to inform the property owner that this change is being considered. Staff will be sending a copy of this staff report to the property owner.

**b. Recommendation - Direct staff to:**

3. Change Light Industrial land use designation for two parcels as follows:  
Land Outside wetland (APN: 133-162-002) - Scenic and Natural Resource Recreation and change Land within wetland (APN: 133-162-002) - Wetland and Coastal Strand

**D. Elkhorn Slough Property on Moss Landing Road**

**a. Issue**

The Elkhorn Slough Foundation owns 15.61 acres of land in the downtown area between Moss Landing Road and Highway 1 south of Moro Cojo Slough (APN: 133-221-007). The land use designation on this property is currently designated as "Moss Landing Commercial" and "Recreation and Visitor Serving". The Elkhorn Slough

Foundation does not have any definite plans for the property but some type of open space including either a park or unimproved open space is being considered.

**b. Recommendation - Direct staff to:**

4. Designate the entire Elkhorn Slough Foundation property (APN: 133-221-007) as "Recreation and Visitor Serving".

## **2. Textual Changes**

During the analysis of the plan, it was clear that many circumstances had changed and that many of the references are now out of date. In developing the following recommendations the Land Use Subcommittee spent a great amount of time rewriting text. This allowed the Committee to develop a detailed understanding of the issues at hand, and it is from that understanding that the following information is presented.

### **A. Harbor District**

**a. Issues**

The Harbor is a significant component of the plan, and is divided harbor into two components:

- North Harbor: A General Development Plan was approved for two restaurants, a new boat launch facility, plus two new docks for small and large vessels. There is also a commercial business and the Moss Landing Yacht Club.
- South Harbor: The Harbor District has their offices in the south harbor and also hold lands with an RV park and dry storage. This area includes many boat slips where the commercial boats are docked and a number of owners live on their boats.

Approximately half of the Harbor District properties have a "Harbor Facilities" land use designation and the other half is designated Recreation and Visitor Serving. The Harbor Facilities designation needs to be updated to address the improvements which have been made by the Harbor District on those holdings. In addition, there is a section of the current Plan devoted to describing the Commercial Fishing and Recreational Boating component of Moss Landing. The Plan strives to protect commercial fishermen from having recreational boating interfere with their activities and also envisions expanding the harbor to better facilitate the Commercial Fishing Industry.

Today, the Harbor serves more than just commercial fishermen and recreational boating needs. The commercial fishing industry is facing regulatory and resource challenges and finds no need to plan for expansion. A great deal of the language in the plan is devoted to future harbor expansion which is unlikely to occur. All this language should be removed.

The Harbor now serves a broader range of uses that also need to be considered in the Plan. The Committee proposes changing the title of this section from Commercial Fishing and Recreational Boating to Harbor Facilities so that it is consistent with the land use designation. This section should be modified to address the expanded usage of the harbor including residential use of the boats research and commercial maritime activity. Priority should continue to be given to the Commercial Fishing industry within the harbor.

**b. Recommendations - Direct staff to:**

5. Revise the "Harbor Facilities" land use designation to recognize current use of harbor properties and to accommodate future harbor users. This would include but is not limited to existing references to Commercial Fishing and Recreational Boating, and would also include such additional uses as: Residential use of Boats, marine research, and education, and other "maritime activities".
6. Remove references to the harbor expansion. Removal of this text does not preclude the harbor from pursuing further development on district property; it reflects that Sandholdt Bridge will not be moved.
7. Rename Section 5.3 of the plan and broaden its scope to address the users who rely on the Harbor Facilities. Add provisions to this section to include uses such as Maritime Activities, food service, charter services and other visitor serving, or commercial activities normally found in a harbor.

**B. Light Industrial**

**a. Issues**

The Light Industrial Land Use Designation applies to the entire "Island". Initially the island was contemplated in the Plan to serve the commercial fishing industry (e.g. fish processing). However, the commercial fishing industry is no longer expanding and as a result there is no longer the same need for expanded fish packaging and processing. Uses such as marine research, education and engineering are gravitating to this location, and there is no longer consideration to expand the harbor. The Committee feels that the Island should have a designation that covers a multitude of commercial, educational, and recreational coastal related uses. The Committee was also sensitive to maintaining the opportunity for a restaurant to operate on the island.

**b. Recommendations - Direct staff to:**

8. Modify the Island land use designation from Light Industrial and create a new Special Treatment Area - Moss Landing Island designation with a description to address the important uses of the Island as it relates to Moss Landing. Include provision to allow one restaurant on the Island.
9. Remove references to harbor expansion.
10. The existing plan references addressing the shoreline erosion on the Island. It is important that this language be strengthened to specifically address shore erosion on the east side of the Island including such measures as "bulkheading" or other measures to stabilize the shoreline.

## **C. Heavy Industrial**

### **a. Issues**

When the Heavy Industrial Section was written, PG&E owned the power plant and Distribution facility and Kaiser Refractory was in full operation. Since that time the Moss Landing Power Plant has been sold, and the Refractory Site has changed hands several times with current plans for a "Green" Business Park retaining much of the historical development of the site. As a result many of the references are simply out of date. For clarity, the Power Plant, Switch Yard and Business Park all need to be referenced individually. The use of the switch yard and power plant property will not likely change, but the nature of the refractory site property will change from one large industrial user with many different operations, to many different users conducting different, but possibly related, operations.

A challenge of the Committee is identifying the uses allowed on the Business Park property. Currently the Plan limits new uses to those that are Coastal Dependent, which constrains the dynamics of a business park. The committee finds that the business park should allow Coastal Dependent and Coastal Related Industrial Uses to be in keeping with the Coastal Act. However, the site needs a designation that provides for the range of uses normally found in a business park. In addition, the Committee and owner want to encourage green types of business which reuse the waste stream or materials from other uses. In addition, the Plan needs to recognize and protect the wetlands on the east end of the site as well as the Moro Cojo Slough that traverses the southern property line.

At the time of adoption of the Plan, there was concern that a nuclear power plant or a coal operated power plant could be operated in Moss Landing. There is no longer any plan for such use so these references should be removed. However, both the power plant and refractory site have expressed interest to utilize existing infrastructure for desalinization plants that would provide water to other areas of Monterey County.

### **b. Recommendations - Direct staff to:**

11. Update the language of the Plan to clarify current uses of the Heavy Industrial lands. Develop language that recognizes ownership and user changes over time so as to not render the plan out of date. Update the language related to the power plant to reflect the improvements made to the site.
12. Add to the land use designation on the old Refractories site a "Special Treatment Area" overlay on the Heavy Industrial zoning designation. The title of the Special Treatment Area would be a hybrid designation titled Moss Landing Business Park. The Special Treatment area would allow coastal dependent and coastal related industrial uses and would develop policies that take into account the unique setting and protect the natural resources on and around the site. The Special Treatment area would encourage co-development of operations which can reuse waste heat or other effluent streams as part of their processes. Development

within the special treatment area would include limitation on the ultimate development in relationship to an estimated sewer allocation of 25,000 gallons per day (see chart on page 12)

## **Other Land Use Subcommittee Concerns**

### **A. Design Guidelines**

#### **a. Issue**

Currently, the design guidelines for Moss Landing contained in the Community Plan call for an "old town" wood sided type of theme. These materials do not hold up well to the nearshore coastal weathering processes. In the downtown there is interest to broaden the mix of designs, while maintaining the character of the community. Design Guidelines can be used to identify different neighborhoods/areas. For example, the Island is more research and development where the architecture could be more modern yet coastal. The Downtown area could be expanded to reflect early California with a coastal town character that would allow a multitude of design opportunities. The business park site should remain in keeping with the historical refractory site.

The committee also received a presentation from an architect about developing a pedestrian oriented downtown. There is significant interest to continue with this idea as the Plan moves along.

#### **b. Recommendation - Direct staff to:**

13. Create design guidelines that are sensitive to the existing character of the community, but allow for expanded styles of historic architecture and allow for material alternatives that replicate historic materials, but are more durable.

### **B. Agriculture and Residential Buffer**

#### **a. Issue**

Active farming operations are located south of Potrero Road with residential units (The Heights) north of Potrero Road. A conflict has developed related to the use of pesticides in close proximity to these homes. The Committee understands that the County's "Right to Farm" ordinance is intended to protect the right of farmers to conduct their business without hindrance, and that the County's General Plan protects the right of farmers to conduct their farming operations without interference from surrounding land uses. In addition, the farm to the south is outside the Moss Landing Community Plan boundary. While a boundary line does not diminish concern about the use of pesticides in close proximity to residences, the Committee recognizes the need to address interface between agriculture and development as part of the Moss Landing Community Plan. The residents request that the Plan prohibit use of pesticides within their proximity, which

would switch the burden from development onto agriculture (contrary to current County policy).

**b. Recommendation - Direct staff to:**

14. Evaluate alternatives to using harmful pesticides in close proximity to residential areas. Develop ways to encourage new and safe agricultural applications.

## Infrastructure

### 1. Sewer

**a. Issues.**

The issues associated with the sewer can be broken down into four components, as follows:

Current Allocation. The Moss Landing Community Plan currently includes a Coastal Commission certified Sewer Allocation Plan that serves as a growth limiting factor. Moss Landing Community Services District (MLCSD) consists of 5 service areas. Each area was allocated a certain volume of sewer flow based upon existing (at the time) land use, expected future growth, and allocations for future priority uses. This allocation system has been implemented as part of the billing process for the MLCSD, and the unit of measurement in this allocation system is Gallons Per Day (GPD). However, these units are not metered measurements of actual flows, but rather are assumed flows that are assigned to various uses under the Allocation Plan. For example a single family residence is assumed to use 250 GPD and a restaurant would be assumed to use 33 GPD per seat.

The following table shows the original allocation by district, and the current usage in each district:

District	1982 Allocation	Current Usage
1 -- Struve Road	34,250	20,000
2 -- North Harbor	10,100	11,076
3 -- The Island	14,000	22,765
4 -- The Heights	13,000	11,814
5 -- Downtown	33,650	43,420
<b>Total Allocation</b>	<b>105,000</b>	<b>109,075</b>

This table shows that more sewer allocation is being utilized than was originally granted in 1982. The column titled current usage reflects taht the sewer allocation as determined by existing users plus the amount of sewer allocation reserved for future growth on

property which is not currently developed (assumed at 250 GPD per vacant parcel). The reason that the current usage exceeds the allocation is due to the fact that some uses have expanded without notifying the MLCSD.

The purpose of collecting the information for this analysis was to accurately determine current use of properties for land use planning purposes. As such, the Committee recommends avoiding any code enforcement action but rather proposes to update the allocation system to accommodate the users that are already in operation.

The primary issue associated with the sewer infrastructure is limited allocation even though there is adequate sewer capacity (discussed below). The Allocation Plan needs to be amended in order to allow new development, address new technologies, account for existing usage, and retain space for vacant lots.

The Committee wants to appropriately address the sewer needs of projects that have been presented as part of this process. In addition, there are undeveloped and underdeveloped lots in Moss Landing which are designated for the Coastal Act priority of visitor serving uses so some provision must be made for those properties.

As part of the new Allocation Plan, the Urban Service Line should be expanded to include the Moss Landing Business Park so that they may connect to the sewer and remove septic systems in order to help improve the Slough. County Codes require all properties within two hundred feet of an existing sewer to connect to the sewer wherever possible. There is an existing sewer line along the Highway 1 corridor and turning down Moss Landing Road, which is within two hundred feet of the Business Park property.

System Capacity. During the review of the sewer system, staff discovered that the capacity of the local system exceeds what was assumed in the allocation assumptions made in 1982. There is a critical point in the system along Moss Landing Road in which most of the system flow must go through. This point will accommodate approximately 280,000 gallons per day, and the proposed allocation including the Business Park is about 180,000 GPD. Therefore, local system "capacity" is not an issue.

Capacity of Regional Facilities. The capacity of the regional facilities involves the regional treatment plant, and the Moss Landing lift station including the force main that extends to Castroville. The Monterey Regional Water Pollution Control Agency (MRWCA) has expressed that they have plenty of treatment capacity for current and proposed future uses.

The Moss Landing Lift station seems to have the capacity to handle all the development west of Highway 1. There may be some improvements necessary as time goes by, but nothing which would require a significant change to the system.

One of the constraints to the Moss Landing Business Park property being connected to the sewer is that it is not clear at this time whether the existing regional lift station in Moss Landing can accommodate the additional flows from the Moss Landing Business



Park. The property owner has estimated 25,000 GPD for the Business Park, but a more detailed study is necessary to determine what improvements may be needed to the lift station to accommodate the added flows from the Moss Landing Business Park.

Future Allocation.

The following table shows what a full build out analysis of the sewer system would look like when all property is developed:

District	1982 Allocation	Current Usage	Proposed Allocation
1 -- Struve Road	34,250	20,000	34,250
2 -- North Harbor	10,100	11,076	21,876
3 -- The Island	14,000	22,765	25,169
4 -- The Heights	13,000	11,814	13,000
5 -- Downtown	33,650	43,420	62,748
Moss Landing IP			25,000
<b>Total Allocation</b>	<b>105,000</b>	<b>109,075</b>	<b>182,043</b>

Build out would represents a 73% expansion in the sewer allocation, but includes existing uses that need additional allocation as well as replacing septic with sewer at the Business Park. The biggest sewer users are the restaurants which are also a key component of the visitor serving component of the plan. County staff met with the Coastal Commission staff and determined that the planned approach is the best to consider all of the components at once. Recommendations for the Community Plan remain true to the priorities of the Coastal Act to ensure that visitor serving uses remain available.

**b. Recommendations - Direct staff to:**

15. Place a priority on fixing the existing breaks and failures within the system and then maintain the system in a condition which minimizes infiltration from storm water and especially water infiltration from high tides.
16. Expand the sewer allocation system by approximately 75% to allow:
  - i. Existing uses to continue in their current mode
  - ii. Prospective developments that have been presented to the Committee
  - iii. Additional uses to develop on undeveloped and under developed properties
  - iv. It is encouraged that the Moss Landing Business Park connect to Sewer as soon as possible, but the site should be required to connect to the sewer as a condition of project or plan approval associated with the development of any new buildings.
17. Moss Landing Business Park would be responsible for providing any necessary improvements to the sewer system (local and regional) to accommodate the added flow resulting from this development connecting to the sewer system. The Moss

Landing Business Park shall complete a study to identify what improvements are necessary to the local system and to the regional lift station to accommodate the additional sewer flows.

18. Move away from a land use regulatory system that uses a sewer allocation as the primary means of limiting land use and allow land use regulations to control the type and intensity of development. Some provision must be made in the plan to ensure that during the review and development of new development that sufficient sewer capacity is available to accommodate development on other undeveloped and underdeveloped property. The methodology for determining the sewer allocation should be updated to be consistent with County Ordinance, and/or the regional plant's methodology for calculating usage. This could include future metering.

## 2. Water

### a. **Issues**

The committee expressed several concerns related to water. First is whether there is sufficient capacity to meet growth, second is whether the source of water is of a permanent nature, and third is whether there are facilities necessary to provide water needs. The Infrastructure subcommittee received testimony from Pajaro Sunny Mesa Community Services District (PSMCSD) about these issues.

PSMCSD indicates that they do not have sufficient water to accommodate intensification of growth. PSMCSD identified that they could accommodate existing water users, development that has already been approved, lots of record and most development that is occurring on property that already has a water connection. PSMCSD states that unless there is a water savings element in proposed new development that would result in a net equivalent to the current usage, new expansion can not be accommodated. PSMCSD can not commit to providing water beyond the current level of development unless additional sources of water are developed.

PSMCSD has also asked for various improvements including:

- New water pipe in the Heights subdivision
- 500,000 water tank constructed on the Avila Road well site.
- Upgrades to existing pressure system to curb electrical costs.

There were many questions remaining regarding the future status of water supply in the area and how phasing of new development could be accommodated. There were also differences of opinion regarding water availability in this area.

### b. **Recommendations**

19. The update of the Moss Landing Community Plan needs to develop an approach to address the demand for water to support short and long term growth in relation to the concern about ground water overdraft. It may be necessary to develop a staged development plan until alternative sources of water are established.

20. Because current groundwater is not sustainable, new and innovative methods of water conservation and recovery need to be developed and implemented in order to address reduced freshwater sources throughout the County. Encourage incentive programs to bring existing structures into current code compliance: low flow toilets and showerheads, xeriscape installations, etc. Encourage the use of rainwater capture and enhanced freshwater wetlands that are integrated with the County's storm water runoff plan. Efficient strategies for desalinization should be pursued. Saltwater intrusion should be minimized. Alternative method of meeting the water needs of ML need to be explored. These methods could include wave powered desalinization, solar distillations etc...

### 3. Circulation

#### a. **Issues**

The circulation component of Moss Landing includes Pedestrian, Bicycle and automotive elements. Connectivity of the different areas of Moss Landing are fragmented due to natural and human made barriers. The North Harbor area is detached from the rest of Moss Landing by the Elkhorn Slough and connected solely by Highway 1. Pedestrian and Bicycle access will be greatly improved when the Monterey Bay Scenic Bicycle trail is constructed from the North Harbor area south across the Elkhorn Slough to Moss Landing Road, and then along Moss Landing Road.

The Moss Landing Business Park and Power Plant facility are separated from the remainder of Moss Landing by Highway 1. There is no aligned intersection, and crossing Highway 1 has become challenging due to traffic volumes and geometrics (elevation and alignment) of the roadway. Plans for the Business Park include uses that extend from operations within the Moss Landing area but that require larger space (tanks, storage, etc). Therefore, the Plan needs to address how businesses along Moss Landing Road and employees of the facilities east of the freeway can safely connect across Highway 1.

Pedestrian circulation within Moss Landing is limited by the lack of sidewalks and lack of street lighting. Pedestrian circulation within the community would be significantly improved by alternative pedestrian paths along and across the Moro Cojo Slough and perhaps even along the Old Salinas River channel. A desirable improvement would be to create access for the disabled to the beach. There are private beach areas that currently provide access and State Beach areas that have access, but none of these provide disability access.

#### b. **Recommendations - Direct staff to:**

21. Provide for pedestrian circulation including sidewalks along Moss Landing Road and Sandholdt Road
22. Create bicycle/pedestrian paths along waterways that avoid impacts upon environmentally sensitive habitat.

23. Create a pedestrian connection between the downtown area on Moss Landing Road and the commercial area along Highway 1 across the Moro Cojo Slough.
24. Develop at least one access point onto the beach that is accessible to persons with disabilities.
25. Incorporate pedestrian connections into the design, and to provide other improvements such as picnic tables or benches to connect developments in a pedestrian friendly manner.

#### 4. Traffic

##### a. **Issues**

The issues associated with traffic center around Highway 1. Due to current levels of traffic, turning movements onto and off of Highway 1 from both ends of Moss Landing Road and Dolan Road are difficult during peak times. Most of the existing traffic on Highway 1 is not the result of development in Moss Landing, but rather regional traffic between Santa Cruz and the Monterey Peninsula. Additional development in Moss Landing would complicate an already difficult situation.

The Infrastructure Subcommittee spent a great deal of time discussing how to address traffic issues. Many people in the community would like to see traffic signals installed at Dolan Road and Highway 1 and/or at Moss Landing Road and Highway 1. The preferred approach by Caltrans is to develop circulation patterns that do not rely on Highway 1, and Caltrans is currently opposed to installing any traffic signal on Highway 1 without considering other alternatives first and determining what is the most effective and efficient solution. Rather than focusing upon identifying a project right now, the preferred approach is to develop criteria identifying what the best solution would be to address the congestion issues on Highway 1 in general as well as it relates to the Moss Landing Community Plan.

Although the North County Land Use Plan currently calls for Highway 1 to be expanded to 4 lanes, a Periodic Review drafted by the Coastal Commission would require maintaining Highway 1 as a rural scenic two lane highway. Safety and traffic flow on Highway 1 can be improved by limiting driveways and consolidating intersections. The Moss Landing Road/Potrero Road/Highway 1 intersection is confusing, and traffic flow and safety could be enhanced by consolidating this intersection.

##### b. **Recommendations**

26. All transportation planning along Highway 1 needs to be done in the context of a Corridor System Management Plan (CSMP). All improvements shall be made consistent with this plan.
27. The traffic study prepared for the update of the Moss Landing Community Plan needs to be consistent with the Caltrans CSMP and include success criteria by which future projects are evaluated. The criteria could be, but are not limited to such factors as: resource impacts (wetlands, farmlands, etc.), safety needs, congestion reduction,

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

**Resolution No.**

- a. Consider the Recommendations of the Moss Landing Community Plan Update Committee; and )
  - b. Provide direction to staff regarding preparation of a scope of work and budget for drafting the Moss Landing Community Plan Update and conducting environmental review. )
- (PD080541/Moss Landing Community Plan) )

This resolution is made with reference to the following facts

1. The Moss Landing Community Plan was certified by the Coastal Commission in 1982 as part of the North County Land Use Plan, and has not been significantly updated in the intervening time. The circumstances under which the Plan was adopted have changed and it is important that the Plan reflect the current needs of the community and the environmental factors of the area.
2. Moss Landing is a desirable location for new development as evidenced by proposals for new marine research, education and engineering facilities, new coastal recreation and visitor serving commercial buildings and an emerging coastal related and resource conserving Business Park. There is the need to address this proposed development in a comprehensive manner.
3. A Community Plan Update Committee was formed to review the Moss Landing Community Plan and examine the needs of the community. This committee has made a series of recommendations to the Board of Supervisors that involves updating the Moss Landing Community Plan. Implementation of these recommendations is subject to environmental review, and a public review and hearing process prior to further consideration by the Board.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby direct staff to prepare a detailed scope of work and budget for drafting the update of the Moss Landing Community Plan and conducting environmental review of the draft update.

PASSED AND ADOPTED this \_\_\_\_\_ day \_\_\_\_\_, by the following vote, to wit:

AYES:

NOES:

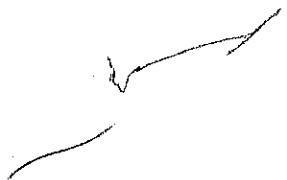
ABSENT:

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 at page \_\_\_\_\_ of Minute Book \_\_\_\_\_, on \_\_\_\_\_, 2009.

Dated: \_\_\_\_\_, 2009

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

By \_\_\_\_\_, Deputy



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