



Monterey County Planning Commission

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Agenda Item No. 4

Legistar File Number: PC 18-109

September 26, 2018

Introduced: 9/17/2018

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

REF180035 - LAND USE ADVISORY COMMITTEE PROCEDURE

Public hearing to:

- a. Review the Monterey County Land Use Advisory Committee Procedures (Board of Supervisors Resolution No. 15-103), and
- b. Provide direction to staff.

Proposed Location: County-wide

Proposed CEQA Action: Statutorily Exempt pursuant to Section 15262 of the CEQA Guidelines

PROJECT INFORMATION:

Planning File Number: REF180035 (Land Use Advisory Committee Procedures)

Plan Area: County-wide

RECOMMENDATION:

Review the Monterey County Land Use Advisory Committee Procedures and direct staff to make amendments, and

- a. Find that the review of the LUAC guidelines is a precursor for possible future amendments to LUAC Procedures, which qualifies as a Statutory Exemption per Section 15262 of the CEQA Guidelines;
- b. Review the Monterey County Land Use Advisory Committee Procedures (Board of Supervisors Resolution No. 15-103), and
- c. Provide direction to staff regarding recommended amendments

SUMMARY:

In January 2018, the Monterey Architectural Review Board submitted a letter to the Planning Commission (PC) suggesting that the Board of Supervisors consider term limits for Land Use Advisory Committee (LUAC) members. In addition, it was recommended that the membership of the LUACs have a broader representation of the development community, such as engineers, architects or other professionals from the construction industry. In April 2018, Commissioner Getzelman made a referral (Planning Commission Referral No. 18-03) to review the LUAC Procedures. In May and June 2018 at subsequent Planning Commission meetings, discussions ensued around the need to review and clarify responsibilities and roles of Planning Commissioners, county staff and LUACs in general. In June 2018, with the addition of new commissioners, Commissioner Diehl made a request that when the LUAC procedures are reviewed, the PC should also review the assignment of PC liaisons. In August 2018, the Resource Management Agency (RMA) Chief of Planning presented a verbal update on the status of LUAC membership and vacancies. At that meeting, Commissioner Getzelman requested that the Procedures be agendaized, so that the PC can review them in their entirety and make recommended amendments for Board consideration, as needed. Therefore, the

LUAC Procedures are presented for review.

DISCUSSION:

History

LUAC and Neighborhood Design Review Committees (NDRCs) in Monterey County, were created to give local residents a venue to participate in the design development of their communities and give voice to the neighborhood character of an area. Currently, there are eleven LUACs and 2 NDRCs operating in Monterey County. Their mission is to provide information, input, and recommendations to the appropriate authority on referred matters, regarding design, unique site conditions and local issues that might not be identified through the usual planning process.

In 1994, the Monterey County Board of Supervisors adopted LUAC Procedures. The adopted Procedures outlined the need for the LUAC's defined roles, responsibilities, and outlined how LUAC proceedings would be conducted. In 2004, Interim LUAC procedures were adopted that decreased the roles and responsibilities of planning staff due to a reduction in staff resources. In 2008, the PC recommended amendments that outlined and clarified the roles and duties of the LUACs and planning staff (Board Resolution No. 08-338). This amendment also outlined the types of projects that would be referred to LUACs for recommendation. In 2014, due to the adoption of the Castroville Community Plan (CCP), the PC recommended that a LUAC for the Castroville Community Plan area be created to consider projects in the CCP area. This recommendation came due to the urban rather than rural nature of the Plan and gave voice to the residents of Castroville. In 2014, the PC considered consolidating the two North County LUACs (Inland and Coastal) due to a lack of project referrals in the larger North County area. An amendment was approved in April 2015 (Resolution No. 15-103), which created one LUAC for North County.

Summary of Procedures

Currently, Monterey County LUACs and Neighborhood Design Review Committees (NDRC) consist of a combination of thirteen LUACs and two NDRCs. Each committee can have five to nine members; each member is appointed for a two-year term that can be renewed with no term limitation. Members are appointed by the Planning Commission. The only requirement to serve on an LUAC is that a member must reside within the LUAC boundary. Licensed or certified professionals from the building industry, architects, engineers or construction professionals are not required, but are encouraged to serve. Prospective members are acquired from personal interest, recommendations or solicitations. Appointments are made by the Planning Commission at a regularly scheduled meeting. The duties of the LUAC and NDRC members are to attend an annual joint meeting of the LUACs, NDRC, PC and RMA Planning staff, be familiar with the regulatory documents that govern the area of appointment, elect officers (i.e. Chair & Secretary), understand the Brown Act and Robert's Rules of Order; make recommendations on matters referred for consideration, and respectfully represent the voice of their community.

Each LUAC has both an RMA Planning staff and PC liaison. RMA staff liaisons prepare annual calendars, prepare meeting agendas, attend meetings, transmit plans and applicable documents, ensure projects are staged prior to LUAC meetings, review and forward recommendations and minutes to

the appropriate hearing authority. The roles and responsibilities of the PC liaisons are outlined as follows: appoint one Commission as Primary Liaison and one alternate Liaison to each LUAC and NDRC; actively fill LUAC and NDRC vacancies; attend at least one meeting per year of the assigned LUAC or NDRC; consider recommendations of the LUACs and NDRC, and periodically review the LUAC Procedures and "Guidelines."

Since the 2015 amendment to the LUAC Procedures, several issues have surfaced: vacancies, diversity of membership, solicitation of members, review and clarification of duties roles and responsibilities, and the need for the general periodic review of the LUAC Procedures. The review of the attached LUAC Procedures constitutes the periodic review.

CEQA:

Review and modifications of the LUAC Procedures will not cause an impact on the environment and is an organizational and administrative activity that will not result in a direct or indirect physical change to the environment, pursuant to Section 15060(b)(3) and 15378(b)(4) of the California Environmental Quality Act Guidelines.

Prepared by: Jacqueline R. Onciano, RMA Chief of Planning

Reviewed by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and Community
Development

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

The following attachments are on file with the RMA

Exhibit A - Monterey County Board Resolution No. 15-103

Exhibit B - LUAC & Neighborhood Design Review Committee Membership

CC: Planning Commission (10), Front Counter Copy; Big Sur LUAC; Cachagua LUAC; Carmel Unincorporated/Highlands LUAC; Carmel Valley LUAC, Chualar Neighborhood Design Review Committee; Del Monte Forest LUAC; Greater Monterey Peninsula LUAC; Sprecklels Neighborhood Design Review Committee; North County LUAC; Castroville LUAC, Bradley-Parkfield LUAC; Toro LUAC; The Open Monterey Project (Molly Erickson); LandWatch (Michael DeLapa); Janet Brennan; John H. Farrow; Carl Holm; John Dugan; Wendy Strimling; Jacqueline R. Onciano; Planning File No. REF1800.