

# Exhibit A

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# **EXHIBIT A**

## **DISCUSSION**

### **BACKGROUND**

The North County Land Use Plan (NCLUP) was adopted by the Board of Supervisors on April 28, 1982 and certified by the California Coastal Commission on June 4, 1982 (**Exhibit I**). The Monterey County Coastal Implementation Plan, Part 2, Regulations for Development in the North County Land Use Plan Area (CIP) was adopted by the Board of Supervisors on January 5, 1988 and certified by the California Coastal Commission on December 10, 1987. The Moss Landing Community Plan (MLCP) is a component of the NCLUP, contained in Chapter 5, and its implementing regulations are found in CIP Section 20.144.160.

In 2008, the County was notified of several new development proposals in Moss Landing. This presented an opportunity to look at the 1982 MLCP and develop an update to its policies in areas where the goal/direction may be out of date, to reflect the current land uses, and provide direction for future development in the community. Formation of the Moss Landing Community Plan Update Committee (Committee) by the Board of Supervisors was the first step of this work. In 2009, the Committee provided recommendations, with input from the public, for the MLCP Update (**Exhibit J**) through the consideration of development opportunities, infrastructure constraints, and several prospective projects with the overall goal of preserving Moss Landing's unique community character. The Committee's recommendation and public response was to pursue a moderate growth scenario.

Staff commenced work on drafting an update to the plan with the 2009 Committee's recommendations incorporated and a public draft was circulated for review in October 2012 and work on the environmental document began. Refinement of the plan continued, and revised plans were drafted and circulated in 2014, 2015, and 2017.

### **CURRENT WORK**

Numerous comments on the circulated 2015 draft were received identifying that most of the 2009 Committee's recommendations were no longer in the plan update. Planning staff was tasked to go through the policies and make necessary modifications to incorporate those recommendations. In addition, staff brought the community in on policy discussions to ensure their concerns are addressed and the community's needs are met. On March 7, 2019, the last of the 12 community meetings was held. During these meeting, policies on the following topics were discussed:

- Sea level rise and climate change,
- Visual resources and community character,
- Historical resources,
- Tribal cultural and archaeological resources,
- Biological resources,
- Noise,
- Transportation,
- Pedestrian and bicycle facilities,
- Public transit/rail services,

- Public access and Recreation,
- Land use,
- Water resources (wastewater), and
- Public services.

Members of the public that reside, manage businesses, work, and recreate in the community; organizations and associations interested in the community; and local and state agencies have been participating in these meetings. Attendance suggests that participation is based on interest of the agenda topic of discussion. This may be attributed to the time commitment necessary to meet twice a month.

Land use policies were discussed over the course of 4 community meetings. There was an average of 10 attendees at these meetings which included community residents, Moss Landing Harbor District (staff, board members, and representative), research facilities and their representatives (Moss Landing Marine Laboratory and Monterey Bay Aquarium Research Institute), representatives of the Moss Landing Business Park, Friends, Artists and Neighbors of Elkhorn Slough (FANS) and their representative, and the Castroville Community Services District and their representative.

#### **PLANNING COMMISSION WORKSHOP DISCUSSION**

Because changes relative to land use were driven by different factors, the discussion below is not outlined similar to previous workshops. Discussions on land use are also intended to occur over two separate workshops in order to present the Commission with background information before diving into applicable policy language. Although this portion of the land use discussion will not focus on specific policy language, all land use policies from the 1982 NCLUP and the 1982 MLCP have been attached for reference (**Exhibits E and F**). The matrices containing 2017 MCLP draft policy language are attached as **Exhibit D**, which were finalized after the community meetings, but prior to this workshop.

#### **1982 NCLUP and MLCP Broad Policy Discussion**

Chapter 4 of the NCLUP contains discussion on land use, describes the different land use designations (referred to as “categories”) found in North County and where they’re located, identifies land use planning issues in North County, and provides land use plan and development policies. Although this workshop is primarily focused on background information, staff would like to point out that there are numerous instances where text from Chapter 4 is repeated in Chapter 5 (MLCP); this is especially the case within the narratives describing the different land use designations (referred to as “Land Use Proposals” in the MLCP). Since the NCLUP is the over-arching policy document for Moss Landing, staff suggests language from the NCLUP that is repeated in the MLCP be omitted unless the narrative identifies and describes matters unique to only Moss Landing.

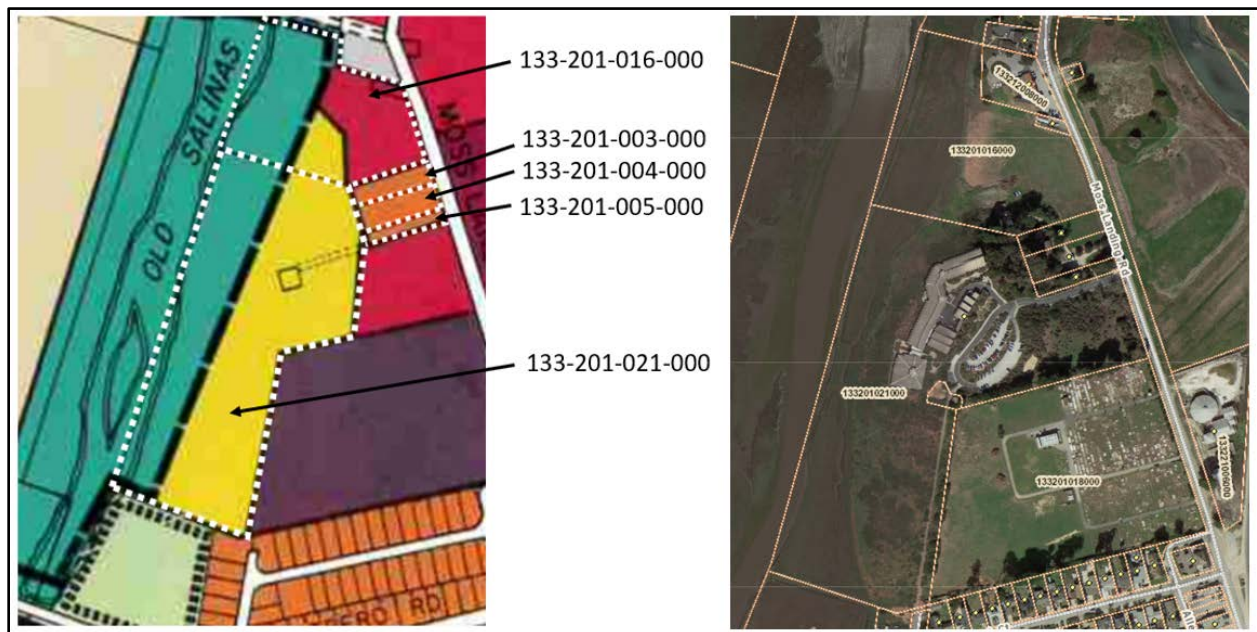
## **2009 Board Committee Related Recommendations**

In July 2008, the Moss Landing Community Plan Update Committee (2009 Board Committee) was formed with the directive to complete a draft concept plan for Moss Landing. This update was driven by new development proposals and because portions of the 1982 MLCP were out of date and/or needed additional work. The committee identified several growth scenarios and found that the general community consensus was for moderate growth as it would be consistent with the community character and resource constraints. Overall, the committee recommended that the new development have a nexus to the unique marine resources in the community, including marine research, marine industrial/commercial businesses and tourism. Based on this, the committee recognized that there should be focus on land use as it is a major component of the update; thus, a Land Use Subcommittee was formed. This allowed focus on addressing the needs of existing and proposed land use and future development. Together, issues relative to site specific land use designations and text within the 1982 MLCP narrative and policies were identified. Based on these issues, the following guidance were recommended:

### *Site Specific Land Use Designation Changes*

#### **Moss Landing Marine Laboratories – Moss Landing Road**

Moss Landing Marine Laboratories owns 5 parcels along Moss Landing Road (APNs 133-201-003; 004; 005; 016; and 021). The 1982 MLCP Land Use Map shows that the developable portions of the parcels are designated as Low Density Residential, Medium Density Residential, and General Commercial (**Figure 1**). Because the intended use of these parcels is for Educational – Scientific, the Committee recommended the land use designations be modified accordingly.



**Figure 1. Portion of 1982 MLCP Land Use Plan Map – MLML Properties**

### State of California – Sandholdt Road

A two acre property (APNs 133-232-007 and 008), west of Sandholdt Road and south of Sandholdt Bridge, was previously owned by Moss Landing Marine Labs and designated as Educational – Scientific (**Figure 2**). The property has since received dune habitat restoration and is dedicated to the State of California for the purpose of being part of the adjacent dune and beach habitat. Since no development is anticipated in this area, the committee recommended the land use designation of the property be changed to Natural Resource Recreation.



**Figure 2. Current Land Use Designation of State of California Properties**

### Taggart Property (APN 133-162-002-000)

The Taggart property is an “L” shaped 7 acre lot located south of the Sandholdt Bridge. The Salinas River Beach occupies the southwest portion of the property while the eastern portion, from north to south, contains a public access walkway and coastal wetlands. The 1982 MLCP identifies a portion of this property for Phase 2 Harbor Development. Therefore, the area where harbor expansion would take place was designated Industrial – Coastal Dependent – Light. See **Figure 3** below.

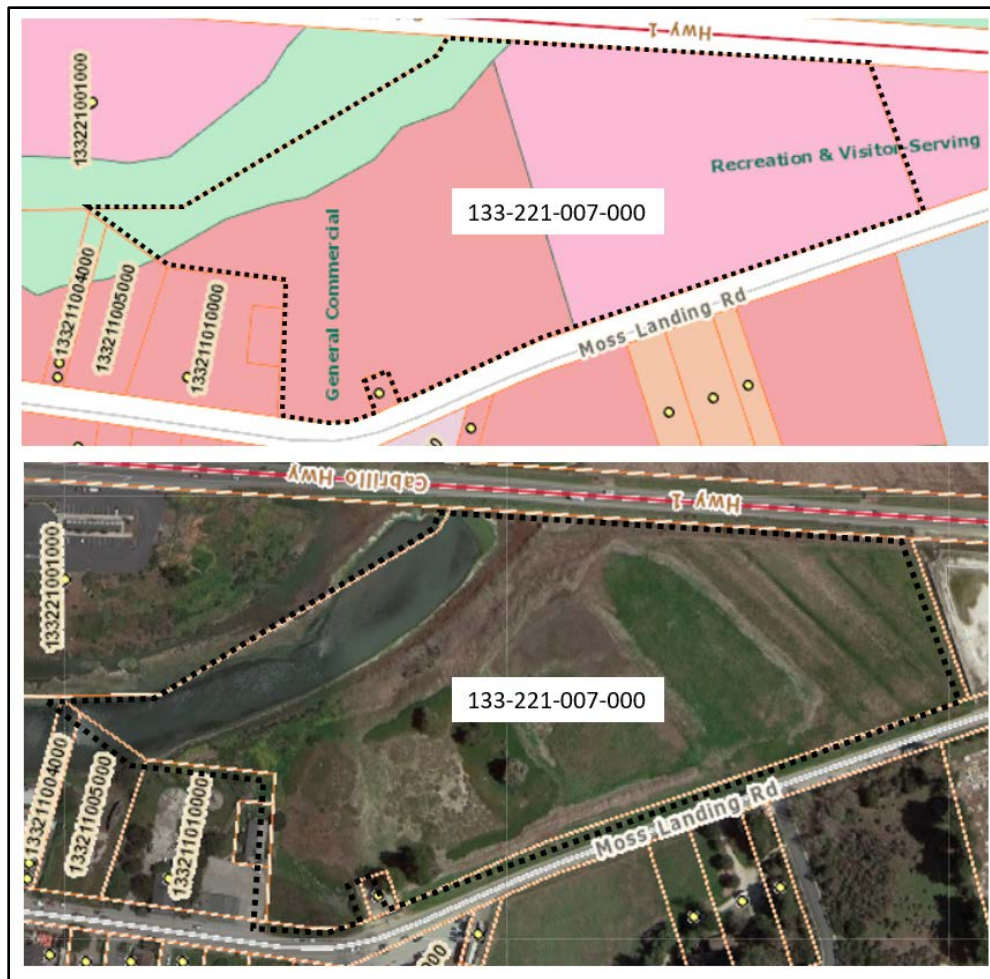
The 2009 Committee recognized that with the reconstruction of the Sandholdt Bridge, it would be unlikely for harbor expansion to occur in this area, making the light industrial designation no longer appropriate. Therefore, it was recommended that this portion of the property be designated according to the land within and around it; such as Scenic and Natural Resource Recreation outside the tidal wetland area and Wetland and Coastal Strand within the tidal wetland areas.



**Figure 3. Current Land Use Designation of APN 133-162-002-000**

#### Elkhorn Slough Property on Moss Landing Road

The 15 acre property shown in **Figure 4** below, is owned by the Elkhorn Slough Foundation and is located along the southern most portion of Moss Landing Road, situated between Moss Landing Road and Highway 1. There are 2 current land use designations on this site, General Commercial on the northern half and Recreation & Visitor Serving on the southern half. The 2009 Committee cites that although there are no definite plans created, the Elkhorn Slough Foundation is considering providing improved open space with a park or unimproved open space on the parcel. In order to accommodate this development potential, the committee recommended that the entire property be designated as Recreation & Visitor Serving.



**Figure 4. Current Land Use Designation of Elkhorn Slough Property**

#### *Textual Changes Related to Land Use*

During their review, the Land Use Subcommittee found that development potential and types anticipated in the 1982 MLCP plan have changed, and references made to specific developments and properties are out of date. Therefore, the subcommittee made recommended changes relative to the Harbor District and the Light Industrial and Heavy Industrial designations.

#### Harbor District

The Harbor District has 2 major components, the North Harbor (**Figure 5**) and South Harbor (**Figure 6**). Prior to 2009, a General Development Plan was approved in the North Harbor area that allowed 2 restaurants, a new boat launch facility, and 2 new docks. Existing development consisted of commercial uses such as the Moss Landing Yacht Club, retail sales, and recreational equipment rental facilities, and a paved parking area covers a large portion of the North Harbor area. The Harbor District office and the majority of the harbor's boat slips are located in the South Harbor area. An RV park, dry storage, and a parking lot is also in this area.



### Figure 5. North Harbor Area



### Figure 6. South Harbor Area

In the 1982 plan, potential development within the harbor area was centered around commercial fishing and recreational boating; thus, policies protecting commercial fishermen from recreational boating uses, and their interference, and supporting the southern expansion of the harbor to better support the commercial fishing industry were provided.

The committee recognized that in 2009, the harbor served a broader range of uses that were not anticipated in 1982, and that due to the replacement of Sandholdt bridge in its original location, harbor expansion to the south was unlikely. Therefore, it was recommended that the Harbor Facility land use designation, as described in the 1982 MLCP, should be revised to recognize the current use of harbor properties and accommodate future harbors users such as residential use of boats, marine research and education, and “other ‘marine activities’”, all while giving commercial fishing industry priority within the harbor. Consistent with this change, the committee recommended that Section 5.3 Commercial Fishing & Recreational Boating Facilities of the 1982 MLCP be renamed to “Harbor Facilities”. It was also recommended that any references to the harbor expansion be omitted.

#### Light Industrial Land Use Designation

The entire Island is designated as Industrial – Coastal Dependent – Light as it was contemplated that this area would serve to support an expanding commercial fishing industry (**Figure 7**). In 2009, the committee noted that this industry faced regulatory and resource challenges. Thus, devotion of the entire island to commercial fishing supportive facilities was not needed. Instead, uses such as research and education, engineering, and visitor serving were established on the Island.



**Figure 7. Moss Landing Island**

Therefore, the committee recommended the Island be designated as a Special Treatment Area in order to allow commercial, educational, and recreational coastal related uses as well as maintain the opportunity for a restaurant. The committee also pointed out that existing 1982 MLCP policies addressing shoreline erosion should be strengthened to include measures to prevent shore erosion on the east side of the Island.

### Heavy Industrial Land Use Designation

The 1982 MLCP includes a specific section for its industrial lands, Section 5.5 Energy Facilities and Industrial Development. At the time it was written, the 2 main property owners of these lands were PG&E (Moss Landing Power Plant north of Dolan Road) and Kaiser (Kaiser Refractories south of Dolan Road) and their respective facilities were in full operation. See **Figure 8**.



**Figure 8. Moss Landing Heavy Industrial Properties**

In 2009, PG&E retained ownership of the substation/switchyard (APN 133-181-010-000), while the power plant (APN 133-181-011-000) was owned by Duke Energy. Although there were no anticipated changes to the generation and distribution of electricity on these sites, the committee noted that conversion to a nuclear or coal operation was no longer part of the plan. Therefore, it was recommended that text and policies should recognize ownership and user changes to prevent the plan from becoming out of date. In addition, description of these sites should be updated to reflect current improvements/operations.

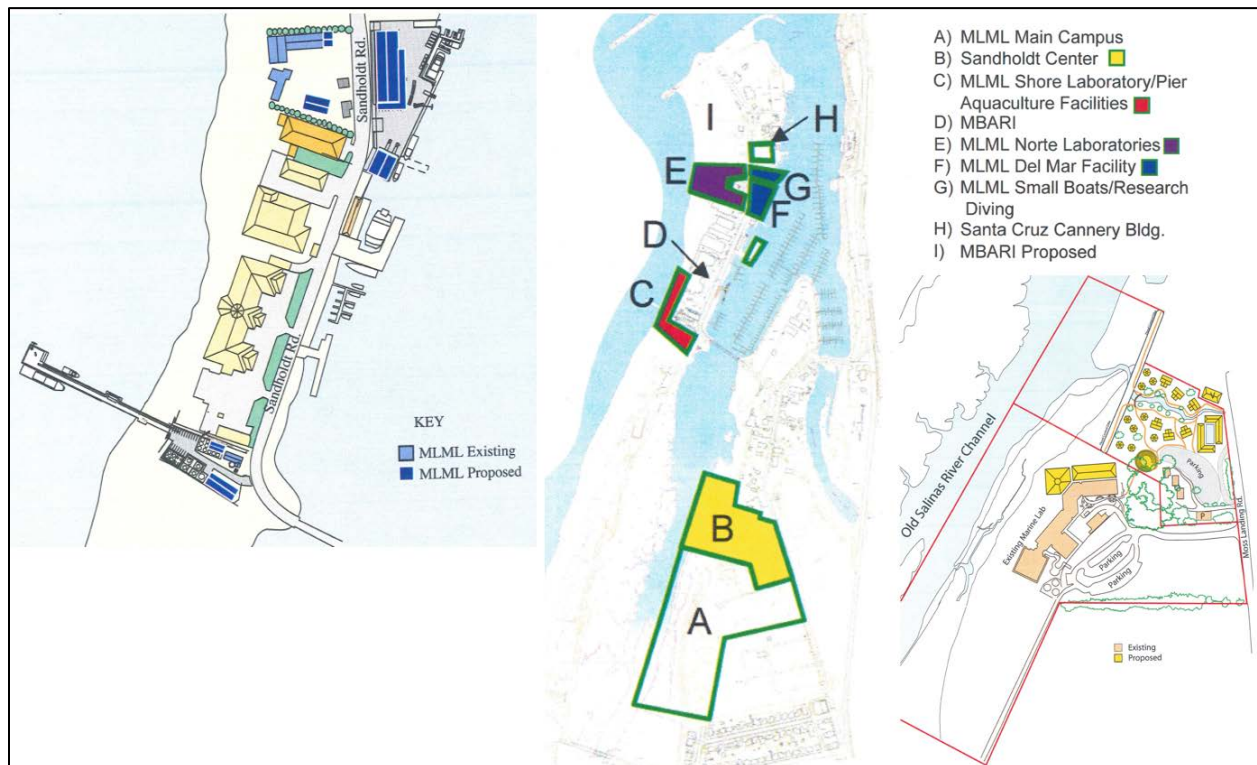
After adoption of the 1982 MLCP, Kaiser sold the refractory site to Moss Landing Commercial Park LLC and in 2009, there were plans to convert it into a “Green” Business Park. The committee recognized that the site’s land use designation limited new uses to those that were coastal dependent. Therefore, it was recommended that the site be designated as a Special Treatment Area to allow coastal dependent and coastal related industrial uses, but also take into account the unique setting and allow a range of uses typically found in a business park, including the reuse of waste or materials from other uses.

## Related Development Applications

Four applications have been folded into the MLCP update process due to their short and long-term plans for development and/or their approval requires an LCP amendment. These projects are summarized for the Commission as they are additional factors driving changes to land use designations and policy language.

## Moss Landing Marine Laboratories

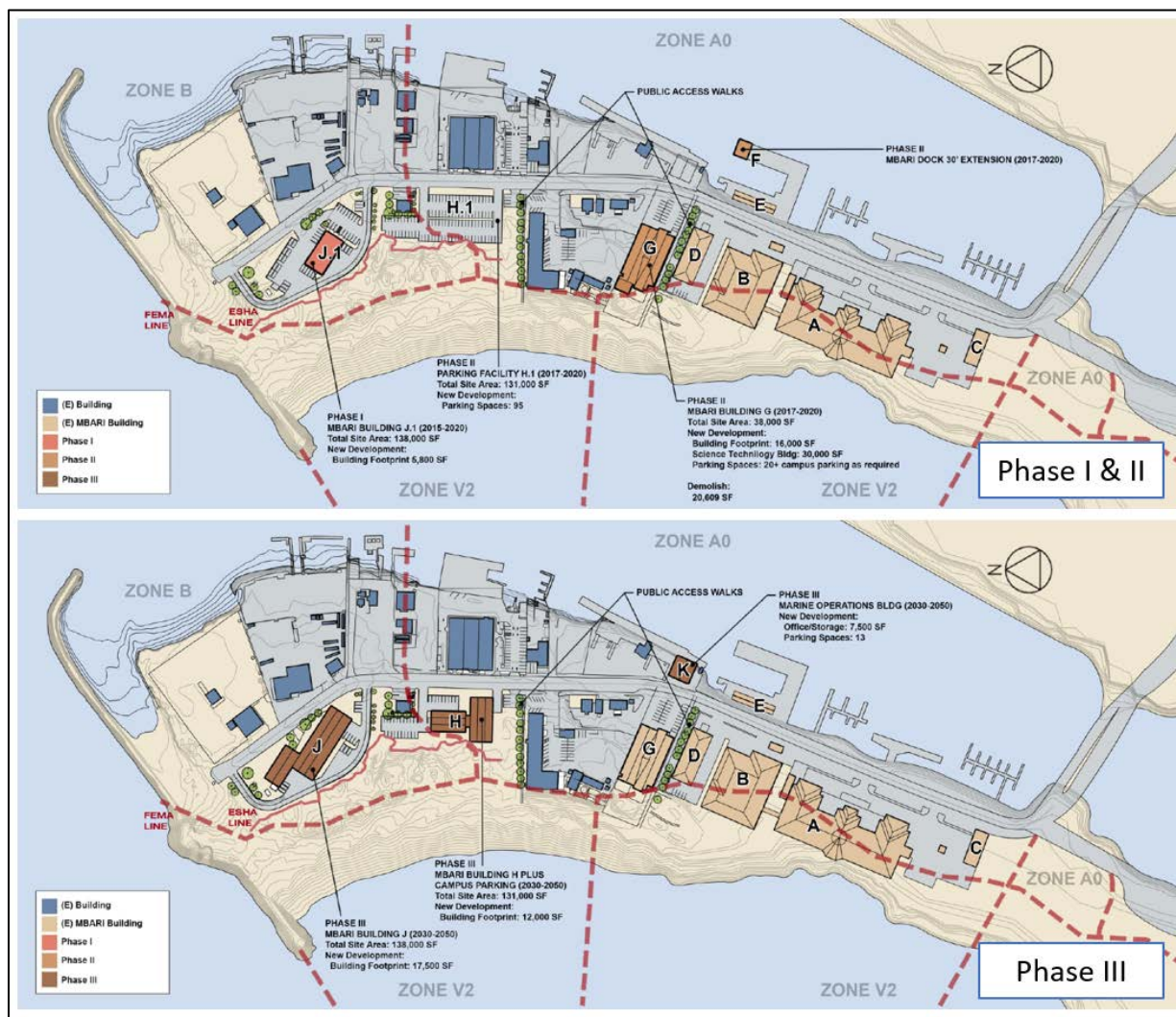
Graduate programs in marine science and related research facilities for California State University campuses in Fresno, Stanislaus, Sacramento, San Francisco, East Bay (formerly Hayward), San Jose, and Monterey Bay operate out of the Moss Landing Marine Laboratories (MLML). Since MLML's inception in 1966, their facilities have expanded to support the program. Their main facility is located off Moss Landing Road, adjacent to the cemetery towards the north, while their remaining properties are located on the Island. Recognizing the need for planned growth that meets the needs of MLML's short term and long term campus development, a Master Plan was submitted (PLN080071) which includes construction of facilities (**Figure 9**) consisting of a 36,000 square foot multi-use facility with a new 15,000 square foot dock/wharf for the Marine Operations/Scientific Diving/Sustainable Fisheries Facility (area "G") in the near-term and long-term development plans for a 2,600 square foot building for the Shore Lab – North Complex (area "E"), a 7,400 square foot building, a 8,520 square foot slab for aquaculture, and a 500 foot pier for Sandholdt Pier/Shore Lab – South Complex (area "C"), and a 30,000 square foot mixed use building containing residential units, office space, and a conference facility for the Sandholdt Center/Academic Village (area "B").



**Figure 9. MLML Campus Plan – Dated July 2014**

## Monterey Bay Aquarium Research Institute

The Monterey Bay Aquarium Research Institute (MBARI) has been operating out of Moss Landing since 1993 and is located primarily on the Island. Its principal objective is to address global and societal ocean issues through research and technology development using Monterey Bay as a test bed. This is achieved through science research, engineering development, marine operations, and education and outreach. To facilitate near-term and future plans for expansion of its facilities, MBARI developed a 3-phase master plan for development over a 35-year timeframe. To implement this plan, MBARI submitted an application (PLN080006) for a General Development Plan (GDP) which includes 76,791 square feet of new structures, demolition of an existing 20,609 foot structure, and a 900 square foot dock extension. See **Figure 10** below.



**Figure 10. MBARI Facilities Plan – Dated March 2015**

Phase I will occur during the first 5 years of plan implementation and includes construction of the field stage building, “Building J.1”. Phase II will occur over the following 3 years and includes demolition of an existing structure (current location of Phil’s Fish Market) and replacing it with “Building G” for research lab and offices, construction of a parking facility

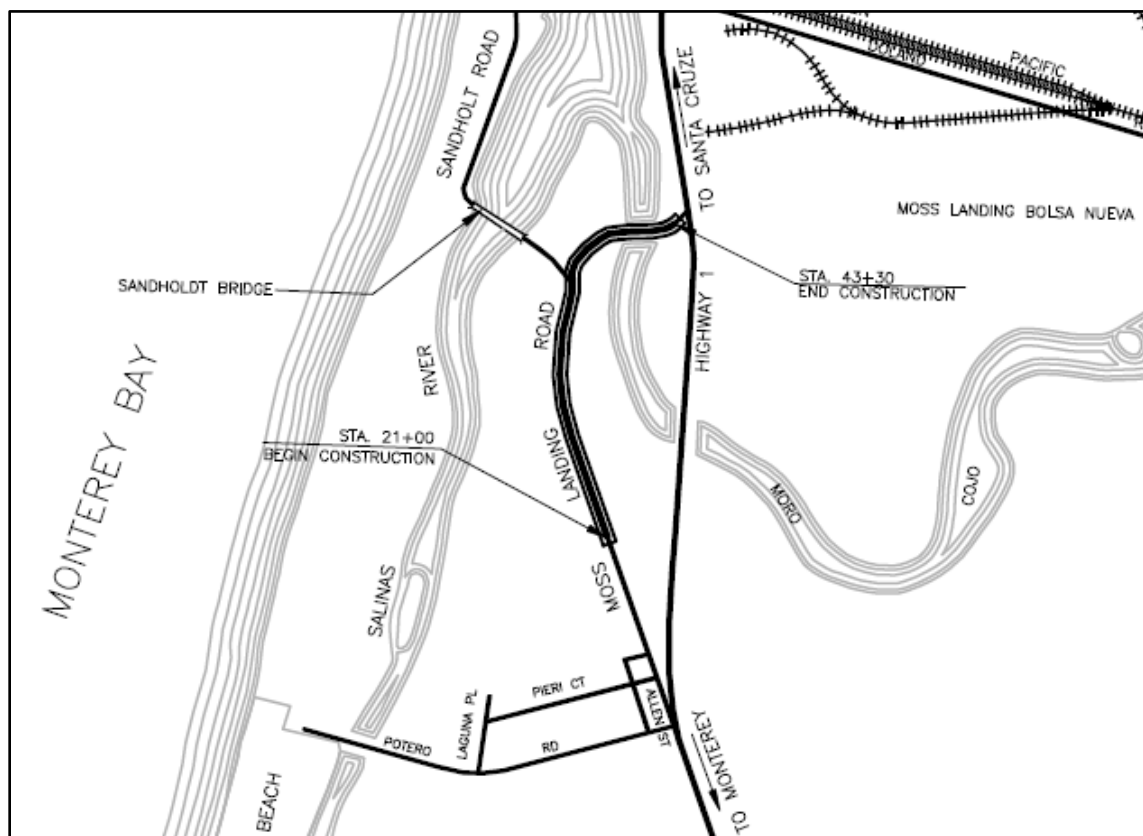
Gregg Drilling[illegible]

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Phil's Fish Market is currently located on the western side of Sandholdt Road and based on MBARI's GDP, the restaurant/market will need to vacate the property within 5 to 3 years after implementation of the plan. Gregg's GDP provides an opportunity for Phil's to relocate onto a property east of Sandholdt Road, at the northernmost end of the Island. Proposed site improvements in the GDP include parking lots to accommodate proposed uses, site lighting, street frontage improvements, upgrading utilities, and restoration of portions of the Kett Property. See **Figure 11** above.

#### Monterey County

The County proposes to address the much needed infrastructure improvements in Moss Landing through implementation of the Moss Landing Road Storm Drain and Street Improvement Project. This plan (see **Figure 12** below), includes design and reconstruction of the northern portion of Moss Landing Road, from it's intersection of Highway 1 through Downtown Moss Landing, for installation of storm drains and curb, gutters, and sidewalks on both sides of the street. Improvements would allow parallel parking and bicycle lanes along Moss Landing Road.

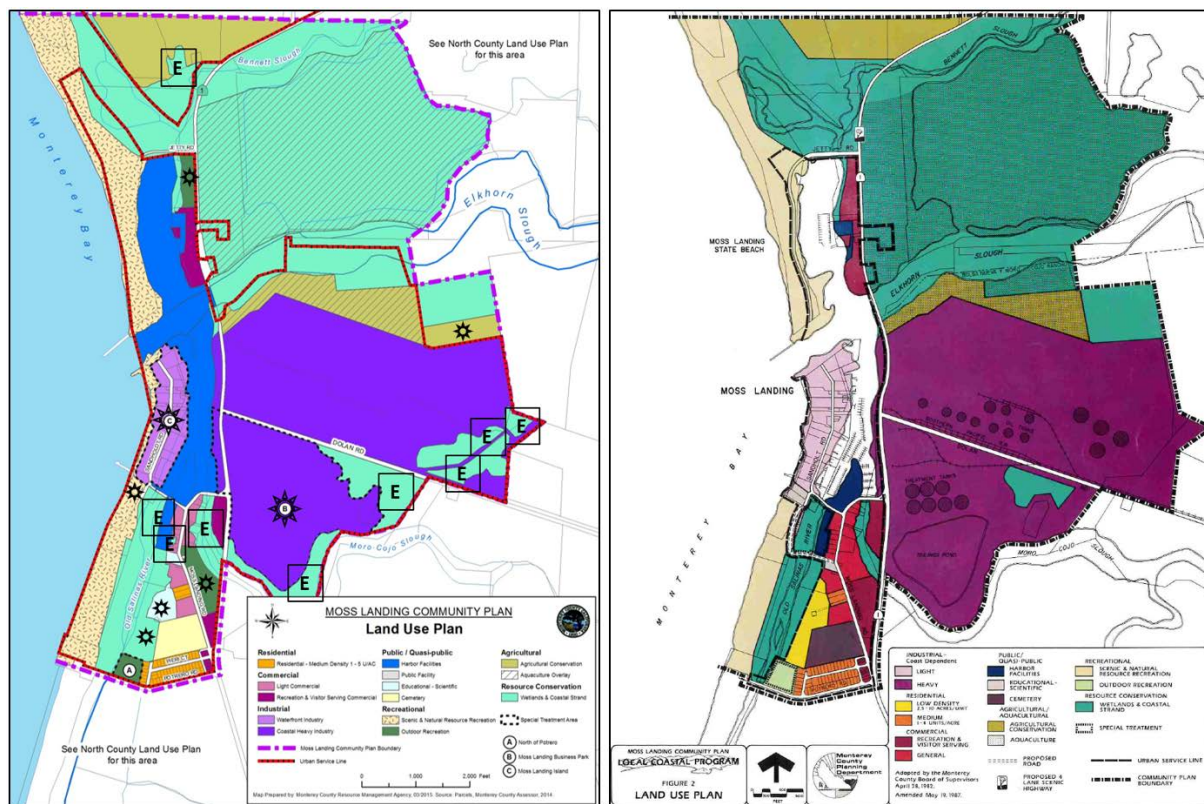


**Figure 12. Moss Landing Road Improvement Area – Dated July 2014**

## Changes to 1982 Land Use Designations

There were two main factors that contributed to changes in land use designations are: environmentally sensitive habitat areas and development need/potential as discussed above. **Figure 13** below compares the MLCP update and 1982 MLCP land use maps.

As illustrated below, areas identified with an “E” are locations where the Wetland & Coastal Strand land use designation have expanded into. These areas include: a portion at the northern section of the community boundary, within the southeastern portions of the PG&E and Dynegy parcels, the northeast portion along Dolan Road and southeast portion along the Moro Cojo Slough of the Moss Landing Business Park parcel, on the eastern side of Moss Landing Road along the Moro Cojo Slough, and on the western side of Moss Landing Road along the Old Salinas River Channel.



**Figure 13. Comparison of MLCP Update and 1982 MLCP Land Use Plan Maps**

As recommended by the 2009 Committee, the designation of the State of California property south of Sandholdt Road has been changed from Educational – Scientific to Scenic & Natural Resource Recreation; the portion of the Taggart Property designated Industrial – Coastal Dependent – Light has been changed to Wetlands & Coastal Strand; and the portion of the Elkhorn Slough Foundation property designated General Commercial has been changed to Outdoor Recreation. Consistent with the recommendations of the 2009 Committee and the development applications for MLML, MBARI, and Gregg Drilling, the Island and Moss Landing Business Park have been designated as Special Treatment Areas, allowing greater flexibility for continued development of existing uses. The portion of MLML’s property where their main

campus is located has be designated as Educational – Scientific.

There are 2 other areas where land use designations have changed. These were not in response to the 2009 Committee recommendations or related to a development project, but were identified through consultation with their respective property owners.

The Moss Landing Harbor District owns a 9 acre property (APN 413-022-009-000) in the North Harbor area just south of Jetty Road (**Figure 14**) that is currently designated as Recreation & Visitor-Serving. The Moss Landing Harbor Master Plan Concept Sketch – North Shore Facilities shows no planned visitor serving type uses and during recent discussions with the District, it has been noted that this property would remain as is. Therefore, the property has been designated as Outdoor Recreation.



**Figure 14. Moss Landing Harbor District Parcel**

There is a 13 acre parcel (APN 133-181-012-000), north of PG&E's property and south of State of California property and the Elkhorn Slough (**Figure 15**) that is owned by the Louis R. & Carol S. Calcagno Trust. The current designation is Wetlands & Coastal Strand; however, the property has been (and is presently) used for livestock farming. Consistent with this established use, the land use designation has been changed to Agricultural Conservation.



Figure 15. Calcagno Property

### **Change in Land Use Designation Nomenclature**

The 2017 MLCP update maintains the 7 land use designation categories established in the 1982 plan; Residential, Commercial, Industrial, Public/Quasi-Public, Recreational, Agricultural, and Resource Conservation. However, there are some changes within those categories (see **Table 1** below).

The 1982 plan included a Low Density residential land use designation, that has a density of 2.5-10 acres per unit. However, based on the established residential properties, uses, and lot sizes of parcels within the planning area, this density is not necessary to support existing or future development. Therefore, it has been omitted.

The General Commercial designation in the 1982 plan has been replaced with Light Commercial. However, the allowed uses within the designations are consistent with each other. The designations within Industrial category have been modified to allow more flexibility to accommodate coastal dependent and coastal related uses. Therefore, the 1982 Industrial – Coastal Dependent category has been renamed to Industrial and the designations within this category are now Waterfront Industry and Coastal Heavy Industry.

The entire Island has been designated Waterfront Industry, which allows commercial fishing industries (i.e. canneries, processing, fuel stations), marine research and education, and commercial support facilities. As discussed earlier, this designation remains supportive of the commercial fishing industry, but allows greater flexibility for the MLML, MBARI, and Gregg Drilling’s general and master plans. In addition, this designation is consistent with established uses on the Island.

The Moss Landing Business Park, Duke Energy property, and PG&E’s property has been designated Coastal Heavy Industry, which allows coastal dependent and coastal related uses consistent with established uses on the properties (i.e. power generation and heavy industrial uses). Any new non-coastal dependent or non-coastal related may be allowed in the Business Park as part of the Special Treatment Area designation.

The Public Facility designation has been added to the Public/Quasi-Public category with the intent to accommodate public uses such as sewer and water pump stations and administrative and maintenance facilities. A parcel (approximately 3,800 square feet in size) located along Moss Landing Road (APN 133-221-005-000) owned by the Monterey Regional Water Pollution Control Agency has been re-designated from General Commercial to Public Facility.

	Residential	Commercial	Industrial	PQP
1982	<ul style="list-style-type: none"><li>• Low</li><li>• Medium</li></ul>	<ul style="list-style-type: none"><li>• Recreation &amp; Visitor Serving</li><li>• General</li></ul>	<ul style="list-style-type: none"><li>• Light</li><li>• Heavy</li></ul>	<ul style="list-style-type: none"><li>• Harbor Facilities</li><li>• Educational – Scientific</li><li>• Cemetery</li></ul>
2018	<ul style="list-style-type: none"><li>• Medium</li></ul>	<ul style="list-style-type: none"><li>• Recreation &amp; Visitor Serving</li><li>• Light</li></ul>	<ul style="list-style-type: none"><li>• Waterfront Industry</li><li>• Coastal Heavy Industry</li></ul>	<ul style="list-style-type: none"><li>• Harbor Facilities</li><li>• Educational – Scientific</li><li>• Cemetery</li><li>• Public Facility</li></ul>

**Table 1. Land Use Designation Changes**

## **2019 Land Use Policy Recommendations**

### **Policy No. NCLUP-ML-2.2**

The intent of this policy is to include policy language specific to Moss Landing within the MLCP. As demonstrated below, language addressing recreation and commercial uses in Moss Landing are provided for in NCLUP policy but are not included as policy in the 1982 MLCP.

<b>1982 NCLUP Policy 4.3.6.E.4</b>	<p>Recreation and Visitor-Serving Commercial and General Commercial uses shall be developed in the Moss Landing Community Plan area in accordance with the following policies and guidelines and with Section 5.2.1.B.</p> <ul style="list-style-type: none"> <li>- Permit a total of up to 150 hotel/motel units based on available land and wastewater collection system capacity. These shall generally be provided by several smaller establishments not exceeding 30 units each.</li> <li>- Encourage the expansion and improvement of existing recreation and visitor-serving facilities.</li> <li>- Design and locate new commercial visitor-serving facilities to minimize traffic and natural resource impacts.</li> <li>- Encourage the development of low and moderate-cost commercial recreation and visitor-serving facilities in preference to high cost facilities.</li> <li>- Encourage mixed use commercial development that includes housing units.</li> <li>- Encourage development of commercial uses providing necessary service to coastal dependent industries such as commercial fishing, aquaculture, and energy production, and commercial facilities providing goods and services related to the use of local recreational opportunities.</li> </ul>
<b>1982 MLCP</b>	No policy but Section 5.2.1.B describes Commercial land use designations and allowed uses, such as a cap on hotel/motels, restaurants, retail, etc.
<b>2009 Recommendation</b>	N/A
<b>2017 Version</b>	<p>Light Commercial and Recreation and Visitor-Serving Commercial uses shall be developed in the Moss Landing Community Plan area in accordance with the following provisions.</p> <ol style="list-style-type: none"> <li>a. Permit a total of up to 150 hotel/motel units counting from the date of certification of the original 1982 Land Use Plan based on available land and wastewater collection system capacity. These shall generally be provided by several smaller establishments not exceeding 30 units each.</li> <li>b. Encourage the expansion and improvement of existing recreation and visitor-serving facilities.</li> <li>c. Design and locate new commercial visitor-serving facilities to minimize traffic and natural resource impacts.</li> <li>d. Encourage the development of low and moderate-cost commercial recreation and visitor-serving facilities in preference to high cost facilities.</li> <li>e. Encourage mixed use commercial development that includes housing units.</li> <li>f. Encourage development of commercial uses providing necessary service to coastal dependent industries such as commercial fishing, aquaculture, and energy production, and commercial facilities providing goods and services related to the use of local recreational opportunities.</li> </ol>

Community Recommendation Narrative – Community recommended that permitted visitor serving units should be tracked. However, one member inquired whether there should be a cap on hotel/motel units if there's no limitation to wastewater? The community recommended

additional language to “a” to ensure that visitor lodging units are included in the North Harbor area to avoid impacts to the community’s roads.

Staff’s Recommendation Narrative – The policy language staff presented at the community meeting included the current number of hotel/motel units and was modified to make the policy more precise. After Planning Commission discussions relative to priorities, staff further modified the policy. As shown below, the reference to preference of facilities in “d” has been omitted.

**2019 Policy No. NCLUP-ML-3.9 Staff Recommendation**

*“New development in Light Commercial and the Recreation and Visitor-Serving Commercial land use designations shall be allowed in accordance with the following provisions:*

- a. Permit a total of up to (110) overnight accommodation units after plan certification. Hotel and Motel units shall be provided by several smaller establishments not exceeding 30 units each. Hotel and Motel units shall not be concentrated in any area of the community. Bed and Breakfast facilities shall be limited to no more than ten guest rooms.*
- b. Encourage improvement of existing commercial facilities*
- c. Design and locate new commercial facilities to minimize traffic and natural resource impacts.*
- d. Encourage the development of lower cost commercial recreation and visitor-serving facilities.*
- e. Encourage mixed use commercial development that includes housing units.*
- f. Encourage development of commercial uses that provide necessary goods and services to coastal dependent industries and local recreational uses.”*

**Policy No. NCLUP-ML-2.10**

The intent of this policy is to limit development within the Moss Landing Business Park to a square footage acceptable to the property owner and within wastewater limitations for full buildout of community. Impacts analyzed in the MLCP EIR will be based on this limitation.

<b>1982 NCLUP</b>	N/A
<b>1982 MLCP</b>	N/A
<b>2009 Recommendation</b>	The 2009 Committee noted that the property owner of the Business Park estimated that future development of the property would generate 25,000 gpd of wastewater. Therefore, recommendation No. 12 suggested development of the park be tied to an allocation of 25,000 gpd.
<b>2017 Version</b>	Development in the Moss Landing Business Park shall be limited to 190,000 square feet of structure(s) and 25,000 gpd wastewater.

Community Recommendation Narrative – Some desire to keep cap; others allow more flexibility. No consensus on policy language was reached. However, the community generally felt that wastewater generated from new development within the Business Park should not be such that capacity of the wastewater system would not be able to accommodate buildout of the community plan.

Staff’s Recommendation Narrative – The existing structural development on the Business Park is over 300,000 square feet and under the current LCP, approximately 4,000,000 square feet of

structural coverage is allowed on the site. The policy language staff presented at the community meeting identified a limitation of 1,000,000 square feet of structural coverage or 25,000 gpd of wastewater, whichever is more restrictive. However, during the meeting, the property owner's representative stated that the desired development is 2,000,000 square feet. Based on water and wastewater calculations for business park, total water use would be approximately 34,000 gpd and wastewater is estimated as 36,000 gpd. This 11,000 gpd increase is within the physical limitation of the wastewater system and within the calculated wastewater needs for planned community buildout. Therefore, staff recommends the modified language below.

2019 Policy No. NCLUP-ML-2.10 Staff Recommendation

*"Total development in the Moss Landing Business Park shall be limited to 2,000,000 square feet of floor area of habitable structure(s) or 36,000 gpd wastewater, whichever is more restrictive."*

## CONCLUSION

Based on the suggested policy language presented, and discussions that will occur during the workshop, staff requests the Commission provide direction to finalize these policies for preparation of a Draft Community Plan. In accordance with the management process for preparation and adoption of Long Range planning documents endorsed by the Board of Supervisors (Board Order 13-0055 No. 22), the Commission's direction will contribute to completion of Phase 3: Draft Document/Public Review and advance to Phase 4: Public Hearing/Adoption.

<b>General Ordinance/Document Preparation Process</b>	
Phase 1: Scoping	At a preliminary level and in collaboration with relevant County departments and outside agencies, identify the need and purpose, policy and regulatory framework, relationship to other ordinances/documents being prepared and technical requirements. Develop alternative approaches and present to the RMA Deputy Director, County Counsel, and other senior management for discussion and confirmation. Completion of this phase is considered 20% of the work effort.
Phase 2: Concept/ Alternatives Development	Prepare an administrative draft of the recommended concept and/or alternative approaches to address specific issues for internal discussion with relevant County departments. Based on this draft effort, staff will refine concepts/alternatives. Staff will transmit the concept/alternative description to established committees and groups such as (but not limited to) the Land Use Advisory Committees, Agricultural Advisory Committee, Alternative Energy and Environment Committing, and Permit Streamlining Task Force. These committees/groups will be given the opportunity to submit comments to staff to be included in the input transmitted to the Planning Commission. Staff will then conduct a noticed Planning Commission Workshop to present the purpose, policy and regulatory framework, technical background, proposed concept/alternatives, and proposed process (including appropriate stakeholders). The Planning Commission will receive the staff presentation, public comment and provide direction in developing a draft ordinance and/or performing additional research and analysis. If necessary staff will develop additional options and return for another workshop on the concept/approach; completion of this phase is considered 50% of the work effort.
Phase 3: Draft Document/Public Review	Prepare a draft document for public review by Board Subcommittees, outside agencies, and interest groups as identified by the Planning Commission. Refine the draft document based on this input and prepare a draft environmental review document. Distribute draft documents for public review. If new issues arise or there are differing opinions for a solution, conduct an additional Planning Commission Workshop to present options and receive direction. Following the public review, evaluate comments received and prepare draft responses in collaboration with relevant County departments, consultants and outside agencies. Completion of this phase is considered 80% of the work effort.

Phase 4: Public Hearings/Adoption	Finalize the document and hold Planning Commission hearing to consider a formal recommendation to the Board of Supervisors. Address Planning Commission recommendations and forward onto the Board for a noticed public hearing as required. Perform project close out activities. Completion of this phase is considered 100% of the work effort.
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