



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: ORD 12-020 **Name:** Elimination of Minor & Standard Subdivision Committees (Coastal)

Type: Ordinance **Status:** Scheduled PM

File created: 7/19/2012 **In control:** Board of Supervisors

On agenda: 7/31/2012 **Final action:**

Title: Public hearing to consider adoption of a Resolution of Intent to:
a. Find the proposed ordinance statutorily exempt
b. Adopt an ordinance amending Title 19 (coastal subdivision ordinance) and Title 20 (Monterey County Coastal Implementation Plan, Parts 1, 2, 3 and 4) of the Monterey County Code to change the process for consideration of applications for subdivisions and lot line adjustments in the unincorporated coastal zone of the County, including dissolving the County of Monterey’s Minor and Standard Subdivision Committees, designating the Monterey County Planning Commission as the appropriate authority to consider applications for minor subdivisions and lot line adjustments in the coastal zone, and updating the lot line adjustment and filing standards in coastal Title 19 to conform to changes in state law;
c. Certify that the ordinance is intended to be carried out fully in conformity with the Coastal Act; and
d. Direct staff to transmit the proposed ordinance to the California Coastal Commission for certification together with materials sufficient for a thorough and complete review.
(REF120004, Elimination of Minor and Standard Subdivision Committees, Coastal Ordinance Amendments, Coastal Zone)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment A - Discussion, 2. Attachment B - Draft Board Resolution, 3. Attachment B-1 - Draft Ordinance (REDLINE version), 4. Attachment B-2 - Draft Ordinance (CLEAN version), 5. Attachment C - Planning Commission Resolution No. 12-026, 6. Attachment D - Board Order Board of Supervisors, 7. Completed Board Order

Date	Ver.	Action By	Action	Result
7/31/2012	1	Board of Supervisors	continued	Pass

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c. Certify that the ordinance is intended to be carried out fully in conformity with the Coastal Act; and
d. Direct staff to transmit the proposed ordinance to the California Coastal Commission for certification together with materials sufficient for a thorough and complete review.
(REF120004, Elimination of Minor and Standard Subdivision Committees, Coastal Ordinance Amendments, Coastal Zone)

PROJECT INFORMATION:

Planning File Number: REF120004

Owner: County of Monterey

Project Location: Coastal Zone

Plan Area: Coastal Zone

Flagged and Staked: N/A

CEQA Action: Statutorily Exempt per Section 15060 (c) (3) and 15378 (b) (5)

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a Resolution of Intent (Attachment B) to:

- a. Find the proposed ordinance statutorily exempt, per CEQA Guidelines Sections 15060 (c) (3) and 15378 (b) (5);
- b. Adopt an ordinance amending Title 19 (coastal subdivision ordinance) and Title 20 (Monterey County Coastal Implementation Plan, Parts 1, 2, 3 and 4) of the Monterey County Code to change the process for consideration of applications for subdivisions and lot line adjustments in the unincorporated coastal zone of the County, including dissolving the County of Monterey's Minor and Standard Subdivision Committees, designating the Monterey County Planning Commission as the appropriate authority to consider applications for minor subdivisions and lot line adjustments in the coastal zone, and updating the lot line adjustment and filing standards in coastal Title 19 to conform to changes in state law;
- c. Certify that the ordinance is intended to be carried out fully in conformity with the Coastal Act; and
- d. Direct staff to transmit the proposed ordinance to the California Coastal Commission for certification together with materials sufficient for a thorough and complete review.

SUMMARY:

On July 13, 2010, the Board of Supervisors directed staff (see **Attachment D**) to proceed with the preparation of ordinances that would eliminate the Minor and Standard Subdivision Committees (Committees). In the coastal zone, dissolution of the Minor and Standard Subdivision Committees would redirect applications for minor subdivisions and lot line adjustments to the Planning Commission for consideration. Applications made for standard subdivisions would go before the Planning Commission as a recommending body and then before the Board of Supervisors for final consideration, as is the current process. To accomplish this organizational change and eliminate all references to the Minor and Standard Subdivision Committees, the ordinance amends coastal Title 19 (subdivision ordinance) and Title 20 (coastal zoning), including the area-specific Coastal Implementation Plans (CIP) for North County, Big Sur Coast, and Carmel Area. (The Del Monte Forest CIP was recently amended and does not require further amendment.) The draft ordinance in redline form, showing deletions as ~~strike through~~ and additions as underline text, is attached to the proposed resolution of intent. (See Attachment B-1) The ordinance affects sections of coastal Title 19 that contain lot line adjustment standards and filing standards that have since been changed by and preempted by state law, and therefore, the ordinance also updates these standards to conform to changes in state law.

On June 13, 2012, the Monterey County Planning Commission conducted a public hearing and adopted a resolution recommending that the Board of Supervisors adopt the ordinance by a vote of 6-0 (See **Attachment C**). Technical corrections but no substantial modifications have been made to the ordinance since it was considered by the Planning Commission.

The ordinance is not a project under CEQA per CEQA Guidelines Sections 15060 (c) (3) and 15378 (b) (5) because the ordinance is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment. The update to standards to conform to state law also does not result in direct or indirect physical changes because the County has already been applying the standards required by state law, and the ordinance merely conforms coastal Title 19 to state law.

Because this ordinance amends the County's certified Local Coastal Program, the County must submit it to the California Coastal Commission (CCC) for certification. The ordinance will not go into effect until after subsequent formal adoption by the Board of Supervisors at a duly noticed public hearing following action by the Coastal Commission, and it will not become operative until the CCC's certification is final and effective.

DISCUSSION:

Detailed discussion is provided in **Attachment A**.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- Environmental Health Bureau
- Public Works Department
- Water Resources Agency
- Parks Department

The Monterey County Planning Commission recommended approval of the ordinance (**Attachment C**).

FINANCING:

Funding for staff time associated with this project is included in the Fiscal Year (FY) 2011-2012 Final Budget for the Planning Department.

Prepared by: Nadia Amador, Associate Planner ext. 5114

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192

<mailto:> Benny Young, Director Resource Management Agency

This report was reviewed by Jacqueline R. Onciano, Planning Services Manager, Advance Planning Team.

cc: Front Counter Copy; Mike Novo; Jacqueline R. Onciano, Planning Services Manager; California Coastal Commission; The Open Monterey Project; LandWatch; Project File REF120004.

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

- Attachment A Discussion
- Attachment B Draft Board Resolution with:
 - Attachment B-1: Draft Ordinance (REDLINE version)
 - Attachment B-2: Draft Ordinance (CLEAN version)
- Attachment C Planning Commission Resolution No. 12-026, July 13, 2012
- Attachment D Board Order, Board of Supervisors, July 13, 2010 (Board Referral No. 2010.07)