



Legislation Details (With Board Report)

File #: 19-0164 **Name:** 2018 Annual Progress Report

Type: General Agenda Item **Status:** Passed - RMA Land Use and Community Development

File created: 3/14/2019 **In control:** Board of Supervisors

On agenda: 3/26/2019 **Final action:** 3/26/2019

Title: a. Consider accepting the 2018 Annual Progress Report for the Monterey County General Plan(s);
b. Consider accepting the 2018 Annual Progress Report for the 2015-2023 Housing Element;
c. Consider authorizing the Chief of Planning to submit the final progress reports to the State Office of Planning and Research and State Department of Housing and Community Development, as required.
Proposed CEQA Action: Not a project per CEQA Guideline secs. 15060(c)(1) and 15378(b)(4)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Annual Progress Report for the 2010 General Plan, 3. Item No. 18 Completed Board Order

Date	Ver.	Action By	Action	Result
3/26/2019	1	Board of Supervisors	approved - rma land use and community development	Pass

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Proposed CEQA Action: Not a project per CEQA Guideline secs. 15060(c)(1) and 15378(b)(4)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Find that submitting these annual reports is not a project subject to CEQA per Section 15060(c)(1) and 15378(b)(4) of the CEQA Guidelines;
- b. Accept the 2018 Annual Progress Report for the Monterey County General Plan(s) pursuant to Government Code Section 65400 (**Attachment A, Exhibits 1 and 2**);
- c. Accept the 2018 Annual Progress Report for the 2015-2023 Housing Element to comply with State Department of Housing and Community Development requirements (**Exhibit 2 of Attachment A**);
- d. Authorize the Chief of Planning to submit the final progress reports to the State Office of Planning and Research and State Department of Housing and Community Development.

SUMMARY:

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

- 2010 General Plan, as amended, for inland areas
- 1982 General Plan, as amended, and certified Land Use Plans for coastal areas
- 2015-2023 Housing Element, countywide

Staff has prepared the required annual reports for Board consideration.

This report discusses the status of Monterey County General Plan(s), including progress on implementing Housing Element objectives, General Plan Amendments/Updates, and/or implementing ordinances completed. Reports to the state are required to report on what has been completed over the past year. There were no General Plan amendments processed or completed in 2018. Long range planning tasks identified as priority for calendar year 2018 included (status discussion below):

- Moss Landing Community Plan Update. Progress was made on the comprehensive update and preparation of EIR to address long-range plans for major stakeholders in the Moss Landing area, and update policies to address current issue such as sea level rise. Staff previously released a schedule that indicated the Board of Supervisors hearing date for consideration of adoption of the MLCP Update would be December 2019; however based on feedback received at recent Planning Commission workshops and staff's current availability, that hearing date may potentially be pushed back to early/mid 2020.
- Development Evaluation System. On May 30, 2018, staff held a second Planning Commission workshop on the DES. Based on the direction from the PC, staff will finalize the appropriate thresholds for water and wastewater, appropriate methodology for calculating traffic, refine the DES scoring methodology, and conduct further research on the proposed exemptions. Once this work is completed, staff will return to the Commission for a workshop with a complete draft DES to allow final consideration prior to making their recommendation to the Board of Supervisors. A Board of Supervisors' hearing to consider final adoption of DES is planned for the 2019-2020 Long Range Work Program.
- Salinas Valley Zone 2C - The Salinas River Ground Water Basin Study is currently being conducted. The Study is anticipated to be completed in 2020.
- Agricultural Land Mitigation Program and Ag Conservation Easement Project Grant. Staff will continue to work with the state Department of Conservation to finalize the program. Multiple easements have been processed in 2018 to assist in completing this program.
- Carmel River Floodplain Restoration & Environmental Enhancement (CRFREE) Projects. In March 2019, the draft EIR/EA for the CRFREE project was circulated for public review. A Board of Supervisors' hearing to consider final approval of the CRFREE project is anticipated to occur before the end of 2019.
- Short Term Rentals (STR). Staff conducted multiple workshops with the Planning Commission. Staff is expecting to release the draft STR Ordinance and Initial Study in spring 2019 and expects hearings on the ordinances in 2019.
- Landscape Ordinance. The Board of Supervisors held a hearing on the draft landscape ordinance on October 23, 2018. The Board directed staff to work with development community members to revise the ordinance.
- Community Climate Action Plan. As part of the 2018/19 FY budget, position(s) allocated to the Go Green! Program was deleted. Based on the uncertainty of resources at this time, staff needs to assess priorities for completing this task.
- Zoning Maps. Due to staff constraints, updates to the zoning maps have been placed on hold. Based on the uncertainty of resources at this time, staff needs to assess priorities for completing this task.

Attachment A includes the 2018 annual reports for 1) General Plan Implementation and 2) Housing Element/RHNA.

Priorities shift as new issues arise (cannabis/hemp, Fort Ord, impact fees, etc. - see discussion below). Monterey County has many competing priorities and limited resources to address them. As such, tasks that

were identified as priorities last year did not get as far along as planned. Therefore, RMA proposes to bring forward a separate report on priority projects/programs for Board input. That report will include the long-range planning work program as well as other projects/programs that require allocation of resources. In addition, RMA and Housing staff are collaborating on updates to housing policies and regulations (ADU ordinance, Inclusionary ordinance, etc.) that will be brought forward separately for discussion and consideration.

DISCUSSION:

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

The Housing Element portion of the report must conform to specific content requirements, and the reports must be submitted to OPR and HCD in April of each year.

This report presents a status of the implementation of the General Plan tasks and implementing housing programs. Since adoption, 55 General Plan tasks have been completed. Pursuant to Government Section 65400, Attachment A, Exhibit 2 provides a detailed account of the County's progress on meeting its share of the Regional Housing Needs Assessment (RHNA).

In 2018, many vacant planner positions have been filled and training is on-going so the long-range planning program was reinitiated. However, through the year key positions were vacant and/or vacated (Chief of Planning, Long Range Planning Manager, Supervising Planner). As of writing this report, two planner positions are not filled. Staffing challenges, coupled with changing priorities (Cannabis/Hemp, STR, Fort Ord, Homeless Shelters, Affordable/Ag Housing, etc), significantly impacted RMA's ability to perform these tasks. As a result, many tasks that were planned to meet certain milestones, were not met. Despite these unforeseen events, RMA is developing a plan to continue to proceed to complete Long Range Planning projects.

The following is an update on what has been completed in 2018 for the list of priority projects that was presented to, and accepted by, the Board of Supervisors last year:

- Moss Landing Community Plan Update. Comprehensive update and preparation of EIR to address long-range plans for major stakeholders in the Moss Landing area, and update policies to address current issue such as sea level rise. Staff facilitated several Community Meetings, Planning Commission Workshops/updates and outside agency meetings to finalize policies within the Draft MLCP Update. A Moss Landing Sewer System Analysis was prepared in July 2018. Amendment No. 9 to the MLCP EIR Professional Service Agreement and Funding Agreement was approved to extend the life of the agreements to May 2020. Staff has also updated the Project webpage and mailing list.
- Salinas Valley Ground Water Basin Study. Amendment to GP Policy PS-3.1 in 2013, resulting from a settlement agreement, included language requiring a 5-year study of the basin relative to the projected buildout. County contracted with the Monterey County Water Resources Agency (MCWRA) to provide staffing resources to manage outside consultants (such as USGS) for this work. Year 4 (of the 5-year study) work program was provided.
- Ag Land Mitigation Program. Working with Ag Land Trust as part of a grant received through the Sustainable Agricultural Lands Conservation Program (SALC) was identified as a top priority due to grant fund timing. On June 27, 2017, the Board of Supervisors accepted the grant award and issued resolutions of support to the Ag Land Trust for five easement proposals to the California Department of

Conservation SALC program. In 2018, the grant was extended to June 2019. Staff is working with the Department of Conservation to finalize the Ag Land Program.

- Development Evaluation System (DES). On May 30, 2018, staff held its second Planning Commission workshop on the DES based on comments received from LandWatch at the first Planning Commission Workshop. Staff received direction to finalize the appropriate thresholds for water and wastewater, appropriate methodology for calculating traffic, refine the DES scoring methodology, and conduct further research on the proposed exemptions.
- Water and Energy Efficient Landscape Ordinance/Water Conservation Ordinance/ Fire Resistance Plant List /Invasive Plant Policy and Procedures. Implementation of Policies OS-5.14 and S-2.4 require the exclusion and eradication of invasive plants and incorporating the use of fire-resistant plants. In addition to the General Plan policies, the “State Water Conservation in Landscaping Act” requires local jurisdictions to either adopt the State Model Water Efficient Landscape ordinance (MWELo) or a local ordinance that is at least as effective in water conservation. Staff has drafted Coastal and Inland Water and Energy Efficient Landscape ordinances and an accompanying design manual that incorporates the requirements of the General Plan and state law. Staff presented the revised ordinance to the Board of Supervisors at the October 23, 2018 hearing. The Board of Supervisors directed staff to work with the development community members to revise the ordinance.
- Community Climate Action Plan. In 2017, a scope of work was prepared by ICF International to provide the County with technical support services for development of the County’s Community Climate Action Plan and a contract was awarded to ICF in the amount of \$15,000. In 2017-2018, the County assembled an inventory of private sector (non-County owned or operated) built environment emission activities and sources to establish the County’s greenhouse gas (GHG) baseline conditions. As of this date, the contract with ICF is still valid and no monies have been spent. However, based on the amount of work necessary for completing a draft CCAP, the contract amount would be insufficient, and the County should actively explore additional funding opportunities.
- Zoning Maps Update. Due to staff constraints, updates to the zoning maps have been placed on hold. Staff will need to assess priorities for completing this task.

Other priority tasks completed in 2018 but not presented to the Board of Supervisors during the previous reporting period include the following:

- Cannabis Regulations. Commercial cannabis was a top priority as evolving State regulations required multiple revisions to the adopted set of regulations. RMA retained the lead role in working with all County land use agencies and County Counsel, for ordinance amendments. The following amendments to ordinances relating to commercial cannabis uses were completed within this reporting period:
 1. Local Coastal Plan amended to permit cannabis operations in Moss Landing Business Park.
 2. Amendment of Title 20 (Zoning Ordinance, Coastal), submitted to Coastal Commission
 - An ordinance amending setbacks from parks and playgrounds
 - An ordinance amending setbacks between retailers.
 3. Amendment of Title 21 (Zoning Ordinance, Non-coastal)
 - An ordinance amending setbacks from parks and playgrounds.
 - An ordinance amending setbacks between retailers
 4. Outdoor grows; drafting regulations for a pilot program; and community meetings.
- Carmel River/Lagoon. RMA continues efforts toward long-term solutions at the mouth of Carmel Valley to address flooding issues. In a MOU with US Army Corp of Engineers and National Marine Fisheries Service the County agreed to continue effort toward a long-term solution.
- Short Term Rentals (STR). In 2018, staff disseminated preliminary draft regulations to the public, and the Planning Commission has held several hearings on the preliminary draft regulations. Staff is

expecting to release the draft STR Ordinance and Initial Study in spring 2019 and expects hearings on the ordinances in 2019.

- Fort Ord Reuse Transition. A Transition Plan was adopted by the Fort Ord Reuse Authority (FORA) in December 2018 that required significant staff resources to track and evaluate. Under current state law, FORA dissolution is scheduled to occur on June 30, 2020.
- Airport Land Use Compatibility Plan (ALUCP) Updates. The Monterey County Airport Land Use Commission (ALUC), which is staffed by RMA and County Counsel, adopted the Airport Land Use Compatibility Plan (ALUCP) for the Monterey Regional Airport. A draft ALUCP and IS/proposed MND for the Marina Municipal Airport was circulated to the public in 2018, and the ALUC is expected to consider adoption of the ALUCP for the Marina Municipal Airport in 2019.

As noted in the summary, staff will schedule discussion of the long-range planning program for 2019 separately, including discussion of RMA priority projects overall.

CEQA

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

OTHER AGENCY INVOLVEMENT:

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

Due to the late submission of this Board Report, the CAO Budget and Analysis Division was not provided adequate time to fully review for potential fiscal, organizational, policy or other implication to the County of Monterey.

FINANCING:

Most of the implementation work is performed by staff, with no additional cost to the General Fund. However, there are aspects of the work that require technical expertise that is only available through outside consultants. To date, approximately \$1,149,867 (excludes anticipated estimated) has been expended for outside consultant assistance:

- FY 2011-12 \$144,692
- FY 2012-13 \$158,440
- FY 2013-14 \$253,920
- FY 2014-15 \$45,680
- FY 2015-16 \$50,542
- FY 2016-17 \$194,165
- FY 2017-18 \$256,518
- FY 2018-19 \$46,000

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

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

This report was prepared with the assistance of County Counsel.

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

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

- Exhibit 1 - 2018 Annual Progress Report Summary Matrix
- Exhibit 2 - 2018 Annual Housing Element Progress Report

CC: Front Counter Copy; Fenton & Keller (David C. Sweigert); Brian Finegan Law Office (Michael Harrington); Grower-Shipper Association (Jim Bogart); Law Offices of Michael D. Cling (Michael Cling); Monterey County Farm Bureau (Norm Groot); Salinas Valley Water Coalition (Nancy Isakson); Prunedale Neighbors Group (Ed Mitchell); Anthony Lombardo and Associates (Dale Ellis); Horan Lloyd Law Firm (Pamela Silkwood); Big Sur Multi-Agency Advisory Council c/o Kathleen Lee; Highway 68 Coalition (Mike Weaver); Carmel Residents Association; Carmel Valley Association; Marjorie Kay; The Open Monterey Project (Molly Erickson); LandWatch (Michael DeLapa); Janet Brennan; John H. Farrow; Carl Holm; Wendy Strimling; Brandon Swanson; Planning File No. REF190011.