



County of Monterey

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

Board Report

File #: 13-0659, **Version:** 1

Public hearing to consider:

- a. Adoption of an ordinance amending Title 19 (non-coastal subdivision ordinance) and Title 21 (non-coastal zoning) of the Monterey County Code in order to change the process for consideration of applications for subdivisions and lot line adjustments, including dissolution of the County of Monterey's Minor and Standard Subdivision Committees and designation of the Monterey County Planning Commission as the appropriate authority to consider applications for standard subdivisions and those applications for lot line adjustments and minor subdivisions for which there is evidence of public controversy or public opposition to the proposed use or development; and
- b. Adoption of a resolution of intent to adopt an ordinance amending Title 19 (coastal subdivision ordinance) of the Monterey County Code and the Monterey County Coastal Implementation Plan, Parts 1, 2, 3, and 4 (Title 20 of the Monterey County Code) in order to change the process for consideration of applications for subdivisions and lot line adjustments in the unincorporated coastal area of the County of Monterey, including dissolution of the County of Monterey's Minor and Standard Subdivision Committees, designation of the Monterey County Planning Commission as the appropriate authority to consider applications for lot line adjustments and minor subdivisions, and updating the lot line adjustment and filing standards in coastal Title 19 to conform to changes in state law, with direction to staff to transmit the proposed ordinance to the California Coastal Commission for certification.
[REF100014 (Inland) and REF120004 (Coastal), Elimination of Minor and Standard Subdivision Committees, County-wide]

PROJECT INFORMATION:

Planning File Number: REF100014 (Inland) and REF120004 (Coastal)

Applicant: County of Monterey, RMA-Planning

Project Location: County-wide

CEQA Action: Not a project per CEQA Guidelines Sections 15060 (c)(3) and 15378 (b)(5)

RECOMMENDATION:

It is recommended that the Board of Supervisors take the following actions:

Inland Ordinance (REF100014):

- a. Adopt the ordinance (**Attachment B-1**) amending Title 19 (non-coastal zoning subdivision ordinance) and Title 21 (non-coastal zoning) of the Monterey County Code in order to change the process for consideration of applications for subdivisions and lot line adjustments in the unincorporated inland area of the County of Monterey. Changes to the process include the dissolution of the County of Monterey's Minor and Standard Subdivision Committees and designation of the Monterey County Planning Commission as the appropriate authority to consider applications for standard subdivisions and those lot line adjustments and minor subdivisions for which there is evidence of public controversy or public opposition to the proposed use or development.

Coastal Ordinance (REF120004):

- b. Adopt a Resolution (**Attachment C**) to:

1. Find that the ordinance is not a project under the California Environmental Quality Act (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;
2. Adopt a Resolution of Intent to adopt the ordinance (**Exhibit 1 to Attachment C**) amending Title 19 (coastal subdivision ordinance) and the Monterey County Code and the Coastal Implementation Plan, Parts 1, 2, 3, and 4 (Title 20 of the Monterey County Code) in order to change the process for consideration of applications for subdivisions and lot line adjustments in the unincorporated coastal area of the County of Monterey, including dissolution of the County of Monterey's Minor and Standard Subdivision Committees and designation of the Monterey County Planning Commission as the appropriate authority to consider applications for lot line adjustments and minor subdivisions, and updating the lot line adjustment and filing standards in coastal Title 19 to conform to changes in state law;
3. Certify that the amendment is intended to be carried out in a manner fully in conformity with the Coastal Act; and
4. Direct staff to transmit the proposed ordinance to the California Coastal Commission for certification together with the materials sufficient for a thorough and complete review.

SUMMARY:

After multiple hearings regarding processing options for lot line adjustment and subdivision applications, on April 16, 2013, the Board of Supervisors directed staff to draft ordinances pursuant to "Option 3." Option 3 was referred to as the "compromise option" at the April 16, 2013 Board of Supervisors Hearing and would dissolve the Minor and Standard Subdivision Committees, retain the Director of Planning as appropriate authority for some applications in the inland area, and transfer responsibility for hearing some applications from the Subdivision Committees to the Planning Commission. Staff has drafted inland and coastal ordinances following the Board's direction for consideration. The attached inland and coastal ordinances would do the following:

Inland Ordinance (Attachment B-1)-

- Dissolves the Minor and Standard Subdivision Committees; and
- Retains the Director of Planning as the appropriate authority over "non-controversial" lot line adjustments and minor subdivisions (status quo)
- Designates the Monterey County Planning Commission as the appropriate authority to consider applications for standard subdivisions (status quo) and for "controversial" lot line adjustments and "controversial" minor subdivision applications.

Coastal Ordinance (Exhibit 1 to Attachment C)-

- Dissolves the Minor and Standard Subdivision Committees; and
- Designates the Monterey County Planning Commission as the appropriate authority to consider applications for lot line adjustment and minor subdivision applications.

DISCUSSION:

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

OTHER AGENCY INVOLVEMENT:

County Counsel has approved the ordinances as to legal form.

FINANCING:

Funding for staff time associated with this project is included in the FY12-13 Adopted Budget for the RMA-Planning Department. Furthermore, adoption of these ordinances would save the County approximately \$12,487 per year because of dissolution of the Subdivision Committees.

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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.

cc: Front Counter Copy; California Coastal Commission; David C. Sweigert, Fenton & Keller; Michael Harrington, Brian Finegan Law Office; Jim Bogart, Grower-Shipper Association; Michael Cling, Law Offices of Michael D. Cling; Dale Huss, Ocean Mist Farms; Norm Groot, Monterey County Farm Bureau; Nancy Isakson, Salinas Valley Water Coalition; Ed Mitchell, Prunedale Neighbors Group; Dale Ellis, Anthony Lombardo and Associates; Joel Panzer, Maureen Wruck Planning Consultants, LLC; Michael Caplin; Pamela Silkwood, Horan Lloyd; Butch Kronlund, Coast Property Owners Association; Big Sur Multi-Agency Advisory Council c/o Kathleen Lee; Friends, Artists and Neighbors of Elkhorn Slough (FANS); Highway 68 Coalition c/o Mike Weaver; Carmel Residents Association; Carmel Valley Association; Save Our Carmel Neighborhoods Coalition; League of Women Voters of the Monterey Peninsula; Sierra Club, Ventana Chapter; Marjorie Kay; Beverly Bean; Janet Brennan; Julie Engell; California Native Plant Society, Monterey Bay Chapter; Gary Patton, Wittwer & Parkin, LLP; Jacqueline R. Onciano, Planning Services Manager; Nadia Amador, Project Planner; The Open Monterey Project c/o Molly Erickson; LandWatch; Planning Files REF100014 (Inland) and REF120004 (Coastal).

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

- Attachment A Discussion
- Attachment B-1 Draft Inland Ordinance (Clean version) File No. REF100014
- Attachment B-2 Draft Inland Ordinance (Redline version) File No. REF100014
- Attachment C Draft Board Resolution for Coastal File No. REF120004 with:
 - Exhibit 1: Draft Ordinance (Clean version)
 - Exhibit 2: Draft Ordinance (Redline version)
- Attachment D Planning Commission Resolution No. 12-002 for Inland Ordinance
- Attachment E Planning Commission Resolution No.12-026 for Coastal Ordinance