



Board Report

File #: PC 19-071, **Version:** 1

GPZ090005 - MOSS LANDING COMMUNITY PLAN UPDATE

Public workshop to discuss proposed Harbor-related Land Use Policies, two Moss Landing Business Park Policies, two new special treatment area overlay policies, and Policies NCLUP ML-2.3 and 2.25 for the Moss Landing Community Plan Update. The special treatment areas pertain to the Harbor District property on Potrero Road and to the area known as the Island.

Project Location: Moss Landing Community (Coastal Zone, North County Land Use Plan)

Proposed CEQA action: Statutorily Exempt per CEQA Guidelines section 15262

RECOMMENDATION:

It is recommended that the Planning Commission:

1. Find that this workshop is a planning study for possible future action which the commission has not approved and qualifies as a Statutory Exemption per Section 15262 of the CEQA Guidelines; and
2. Receive a presentation, take public testimony, and provide direction to staff on draft harbor and Moss Landing Business Park land use policies for the Moss Landing Community Plan update.

PROJECT INFORMATION:

Planning File Number: GPZ090005

APN: Multiple (Moss Landing Community)

Project Location: Moss Landing Community Plan boundary area

Plan Area: North County Land Use Plan

OVERVIEW:

This workshop is the eighth in a series being held at the Planning Commission to develop draft policy language for the Moss Landing Community Plan (MLCP) update prior to preparing draft implementing regulations and a Draft Environmental Impact Report. These workshops are intended to provide an additional forum for public participation in drafting the Plan as well as to allow policy makers, staff, and the public to discuss policy language prior to finalization of the draft MLCP. After all policies have received input from the Planning Commission, staff will develop corresponding regulations (Coastal Implementation Plan-CIP) and prepare and circulate a Draft Environmental Impact Report (EIR). Once this process has been completed, the Draft Plan, CIP and a Final EIR will be brought to the Planning Commission for a recommendation to the Board of Supervisors. The workshops that have previously taken place include the following:

- January 9, 2019 - Visual Resources & Community Character and Historical, Cultural, & Archaeological Resources Policies
- January 30, 2019 - Public Transit, Rails, Noise and Public Access & Recreation Policies
- February 13, 2019 - Transportation Policies
- February 27, 2019 - Public Access & Recreation Policies
- May 29, 2019 - Land Use Designations and draft Land Use Policies 2.2 and 2.10 of the Moss Landing Community Plan Update (Workshop continued from April 24, 2019)
- July 31, 2019 - Moss Landing Community Plan Vision (Workshop continued twice from June 12th and July 10th, 2019)

- August 28, 2019 - Land Use Designations and Land Use Nomenclature and draft Land Use Policies 2.1 through 2.11
- September 11, 2019 - Harbor District and Moss Landing Business Park policies (Workshop continued to September 25, 2019)

This workshop was originally scheduled on September 11, 2019; however, the workshop was continued to September 25, 2019 to allow for a Planning Commission quorum. Staff will continue the discussion of Land Use policies, specifically those policies relating to the Harbor and the Moss Landing Business Park as well as two new special treatment overlay policies, and Policies NCLUP ML-2.3 and 2.25. The Moss Landing Community Plan is a Chapter of the North County Land Use Plan (NCLUP) and draft policies of the MLCP update that are presented will replace the existing policies within Chapter 5 of the NCLUP. As such, draft policies presented for discussion are supplemental to the policies in the NCLUP and must be implemented in conjunction with the other NCLUP policies once adopted.

LAND USE DISCUSSION TOPICS TO BE PRESENTED:

During the August 28, 2019 Planning Commission (PC) Workshop for the Moss Landing Community Plan (MLCP) Update, staff presented PC with draft land use policies MLCP-ML-2.1 through 2.11. The Commission directed staff to come back with a detailed narrative for the proposed substantive changes made to the harbor land use policies proposed under the draft 2017 MLCP from the current 1982 MLCP harbor policies listed in NCLUP Section 5.3. Additionally, they directed staff to present the two Moss Landing Business Park land use policies together to provide the public and Commission with a full picture as to what is being proposed for the Business Park Special Treatment Area Overlay. Therefore, staff will present the following policies:

- 1) Harbor Land Use Policies NCLUP-ML-2.11 through 2.24 alongside with Harbor policies from the 1982 MLCP;
- 2) Moss Landing Business Park Land Use Policies;
- 3) The Island Special Treatment Area Overlay and North Potrero Road Special Treatment Area Overlay Policies; and
- 4) Draft Policies: NCLUP ML-2.3 and 2.25

SEPTEMBER 25th PC WORKSHOP AGENDA:

- 1) Staff will present a narrative of the proposed Harbor Land Use Policies and discuss each proposed harbor land use policy;
- 2) Staff will present a narrative of the proposed Moss Landing Business Park and discuss the proposed business park land use policies;
- 3) Staff will present the two Special Treatment Area Overlay Policies
- 4) Staff will Present Draft Policies: NCLUP ML-2.3 and 2.25
- 5) Receive public testimony on the presented draft policies; and
- 6) Receive comments and/or direction from PC on the presented draft policies.

To assist in the Land Use Discussion, staff has attached the following Exhibits as described below:

Exhibit A - Discussion provides a detailed land use discussion that staff will be presenting at the Planning Commission Workshop.

Exhibit B - 1982 Moss Landing Community Plan Land Use Diagram: is the currently adopted Moss Landing Community Plan Land Use Diagram that shows the current Land Use Designations and is to be used for reference.

Exhibit C - 2017 Draft Moss Landing Community Plan Land Use Diagram: is the draft 2017 Moss Landing Community Plan Land Use Diagram that shows the proposed draft MLCP Land Use Designations and is to be used for reference.

Exhibit D - Land Use Policies Community Input Matrix: is a matrix that provides all the draft land use policies presented to the community during the community input process. The matrix includes the original 2017 draft policy, text changes to the 2017 draft MLCP Land Use Policies as recommended by staff and/or members of the community, and notes from the community meetings that summarize the changes.

Exhibit E - 1982 North County Land Use Plan Land Use Policies: is a basic list of all the NCLUP Land Use Policies organized by policy number and is used for reference when discussing draft land use policies.

Exhibit F- 1982 Moss Landing Community Plan Land Use Policies: is a basic list of all the existing MLCP Land Use Policies organized by policy number and is used for reference when discussing draft land use policies.

Exhibit G - 2009 Moss Landing Community Plan Update Committee Recommendations: is a full copy of the 2009 MLCP Committee Recommendations Report and is used for reference when discussing draft land use policies and land use designations.

Exhibit H - 1982 North County Land Use Plan/Moss Landing Community Plan: is a weblink to the County RMA Land Use Regulations webpage where the adopted 1982 North County Land Use Plan (including Chapter 5 - Moss Landing Community Plan) can be viewed or downloaded:

<https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/land-use-regulations>

Exhibit I - 2017 Draft Moss Landing Community Plan: is a weblink to the Moss Landing Community Plan Webpage where the 2017 Draft Moss Landing Community Plan can be downloaded:

<https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/ordinances-plans-under-development/moss-landing-community-plan>

Exhibit J - Redlined 1982 NCLUP Chapter 5 Moss Landing Community Plan: is a marked-up version of the 1982 MLCP that tracks the changes made to the 1982 MLCP during the 2017 MLCP Update and will also provide a detailed introduction of how the redlines were prepared. This version reflects the changes made between the certified 1982 plan and the 2017 Draft plan. This document can be viewed and downloaded at the Moss Landing Community Plan Webpage:

<https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/ordinances-plans-under-development/moss-landing-community-plan>

Exhibit K - 2019 Draft Visionary Land Use Diagram: is provided as a visionary tool to illustrate where major blocks of certain types of land uses will be generally located without parcel lines or project locations.

Exhibit L - Board of Supervisors Resolution 18-071: is the Board adopted amendment to the text of the North County Land Use Plan that allows permitting of commercial cannabis activities at the former Kaiser National Refractories site located at 7697 Highway 1, Moss Landing, notwithstanding the coastal-dependent

industrial land use designation on the site.

PLANNING COMMISSION DIRECTION:

Staff requests the Planning Commission take public testimony and provide direction on the draft Harbor and Moss Landing Business Park land use policies. Direction provided from all Planning Commission workshops, when completed, will allow staff to complete a final draft update of the MLCP in order to move forward with finalizing the corresponding CIP and EIR. Upon completion, staff will bring the entire Community Plan project back to the Planning Commission for a public hearing to make a final recommendation to the Board of Supervisors.

CEQA:

This workshop is intended to seek input and direction from the Planning Commission to develop policy language that will be considered at a later stage by the Board of Supervisors and California Coastal Commission. This information gathering qualifies for a statutory exemption from environmental review pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies. Furthermore, the workshop, and its outcome, is not a project as defined in Section 15378. The policies being developed will be analyzed as a portion of the project description in an Environmental Impact Report being prepared for the Community Plan update.

OTHER AGENCY INVOLVEMENT:

The following agencies had comments, and/or recommended modified language addressing policies within the draft MLCP:

- California Coastal Commission
- Moss Landing Harbor District
- California Department of Fish and Wildlife
- California State Parks, Monterey District
- RMA-Public Works and Facilities
- Monterey-Salinas Transit
- CalTrans
- Transportation Agency for Monterey County
- Association of Monterey Bay Area Governments

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Brandon Swanson, Interim Chief of RMA Planning

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

The following attachments are on file with the RMA:

- Exhibit A - Workshop Discussion
- Exhibit B - 1982 MLCP Land Use Diagram
- Exhibit C - 2017 Draft MLCP Land Use Diagram
- Exhibit D - Land Use Policies Community Input Matrix
- Exhibit E - 1982 North County Land Use Plan Land Use Policies
- Exhibit F - 1982 Moss Landing Community Plan Land Use Policies
- Exhibit G - 2009 MLCP Update Committee Recommendations

Exhibit H - 1982 North County Land Use Plan*
Exhibit I - 2017 Draft Moss Landing Community Plan*
Exhibit J - Redlined 1982 NCLUP Chapter 5 MLCP*
Exhibit K - 2019 Draft Visionary Land Use Diagram
Exhibit L - Resolution 18-071 amending the text of the NCLUP

Note: Exhibits designated with an asterisk (*) are found on the website described in this staff report above.

cc: Front Counter Copy; Planning Commission; Supervisor Phillips; Katie Butler, California Coastal Commission; Brandon Swanson, Interim Chief of RMA Planning; Craig Spencer, Interim RMA Planning Services Manager; Mike Novo, Management Specialist; Shelley Glennon, Senior Planner; Anna V. Quenga, Senior Planner; John Olejnik, CalTrans; Stephen Bachman, California State Parks, Monterey District; Lisa Rheinheimer, Monterey-Salinas Transit; Transportation Agency for Monterey County; Association of Monterey Bay Area Governments; Elkhorn Slough Foundation; Hamlin Properties, LLC; Moss Landing Harbor District; Monterey Bay Aquarium Research Institute; San Jose State University Research Foundation (Attn: Moss Landing Marine Labs); Keith Family Investments LLC; Greggs Drilling; Haute Properties, LLC; Moss Landing Commercial Park, LLC dba Moss Landing Business Park (Attn: Nader Agha); Quin Delta, LLC; Phil DiGirolamo; Nancy Russell, FANS (Attn: Mari Kloeppe), Dale Ellis, Charlie Eadie, Paul Hart, Interested Parties; The Open Monterey Project (Attn: Molly Erickson); LandWatch (Attn: Executive Director); Project File GPZ090005.