



# County of Monterey Planning Commission

**Item No.5**

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

**Legistar File Number: PC 25-010**

January 29, 2025

**Introduced:** 1/22/2025

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

## **REFERRAL 24.7 - PROCESS TO CONSIDER A MORATORIUM FOR NEW VISITOR SERVING UNITS IN THE BIG SUR COAST PLANNING AREA**

- a. Consider receiving a report from staff regarding the process and findings necessary to consider a moratorium for new Visitor Serving Units in the Big Sur Coast Planning Area.
- b. Provide direction to staff.

**Project Location:** Big Sur Coast Land Use Plan

**Proposed CEQA action:** Statutory Exemption pursuant to Section 15262 of the CEQA.

### RECOMMENDATION:

It is recommended that the Planning Commission:

- a. Receive a report from staff on the process to consider a moratorium for new Visitor Serving Units in the Big Sur Coast Planning Area; and
- b. Provide direction to staff.

### SUMMARY/DISCUSSION:

Referral No. 2024.07 is a request from the Planning Commission for staff to provide a report explaining the process and findings required for the County to consider a moratorium for new Visitor Serving Units (VSUs) in the Big Sur Coast Planning Area. This referral came in response to concerns raised to the Planning Commission by members of the Big Sur community related to housing and visitor serving uses and accompanying request that the County place a moratorium on issuing permits for new VSUs in the Big Sur pending the certification of an update to the Big Sur Coast Land Use Plan (BSLUP).

The County of Monterey Housing and Community Development Department (HCD) has been working with the Big Sur community and Planning Commission Ad Hoc Committee to update the BSLUP. The updated BSLUP will return to the Planning Commission for review and will be an opportunity for the public to provide feedback to the County, including consideration of the appropriate categories and quantity of allowable new VSUs that may be permitted in the Big Sur Coast Planning Area moving forward.

### *Visitor Serving Units in Big Sur*

The County's November 27, 2023 Memorandum on Visitor Accommodations and Campgrounds identified 600 VSU in the Big Sur Coast Planning Area, of which a total of 103 units have been added since the BSLUP was certified in 1986 (Access the memo at

<https://www.countyofmonterey.gov/home/showpublisheddocument/127481/638366817552270000>)

≥. The County's BSLUP VSU count is a living document and is staff will update as new projects are

entitled or new documentation is identified related to existing VSUs. VSU's in Big Sur provide opportunity for visitors to stay in the area when visiting Big Sur. The BSLUP identifies visitor serving facilities (and units) in two categories: 1) Visitor Accommodations, which include inns (units), recreational vehicle (RV) campgrounds (campsites), and hostels (beds); and 2) Campgrounds, which include rustic campgrounds (campsites), and hike-in and environmental campsites. As adopted, the BSLUP allows a maximum of 300 new VSUs for inns and RV campgrounds and 50 maximum hostel beds [units]. There is no cap on rustic campsites. Over the years Big Sur has grown in popularity, resulting in a significant increase in traffic along Highway 1.

Community members raised concerns to the Planning Commission regarding the increase in traffic on Highway 1 since the 1986 Plan adoption, creating congestion and dangerous conditions due to increased visitation. Additionally, community members recognize that VSUs and visitor lodging facilities require additionally staffing, yet there is a severe shortage of housing for the community and workers in Big Sur, further exacerbating the housing and traffic issues.

#### *Process to Develop an Interim Ordinance*

Government Code section 65858 allows a jurisdiction to adopt an interim ordinance without following the procedures otherwise required for zoning ordinance if necessary to protect public safety, health, and welfare. An interim ordinance serves as a temporary urgency measure to prohibit a use that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission, or the County is considering.

The Board of Supervisors would be required to make certain findings to support the adoption of an interim ordinance. An interim ordinance could take effect immediately and be in effect for 45 days upon a four-fifths vote of the Board of Supervisors (Board).

Pursuant to Government Code section 65858(a), after proper notice and public hearing, the Board may extend the interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for one year. Any extension also requires a four-fifths vote by the Board for adoption. The interim ordinance cannot have more than two extensions. If the Board considers and adopts the Big Sur Coast Land Use Plan during this time period, the interim ordinance would be terminated.

Alternatively, pursuant to Government Code section 65858(b), after proper notice and public hearing the Board may by four-fifths vote extend the interim ordinance for 22 months and 15 days. This alternative option would not allow the Board to extend the interim ordinance.

Government Code section 65858(d) also requires ten days prior to the expiration of an interim ordinance or any extension, the Board must issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance.

#### *Findings to Develop an Interim Ordinance*

Pursuant to Government Code section 65858(c), the Board shall not adopt or extend any interim ordinance unless the ordinance contains legislative findings that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to

comply with a zoning ordinance would result in that threat to public health, safety, or welfare. In this case, the Board would need to make findings that VSUs pose a current and immediate threat to public health, safety, and welfare, and that issuing an entitlement for any new VSUs in the Big Sur Coast Planning Area would result in that threat. The Board would then need to find that this interim ordinance would prevent the current and immediate threat to public health, safety, and welfare. Adverse impacts of new VSUs in Big Sur Coast Planning Area *may* include, but are not limited to, increasing levels of traffic, impacts and congestion on Highway 1, and overcrowding of recreational facilities.

#### ENVIRONMENTAL REVIEW

This staff report is statutorily exempt pursuant to Section 15262 of the CEQA Guidelines as an early discussion of possible future actions that do not involve commitment to a project.

Prepared by: Katie Scariot, HCD Assistant Planner x 6093

Reviewed by: Taylor Price, Senior Planner (Working out of Class)

Approved by: Melanie Beretti, AICP, Chief of Planning

cc: Front Counter Copy, Planning Commission, Supervisor Daniels, Big Sur Coast Land Use Plan Update (REF210024) Interested Parties List, Big Sur Byways Organization - Members Distribution List, Monterey County District 5, California Coastal Commission, Land Watch, Big Sur Byways Organization Interested Parties Distribution List, Big Sur Chamber of Commerce, Big Sur and South Coast LUAC's.