



County of Monterey

Item No.9

Board Report

Legistar File Number: PAR 26-002

February 03, 2026

Introduced: 1/14/2026

Current Status: Scheduled PM

Version: 1

Matter Type: Preliminary Analysis Report

- a. Receive an update in response to Board Referral No. 2024.10, submitted by Board of Supervisor Church, to allow point of use and point of entry water treatment devices for new construction on legal lots of record, including accessory dwelling units; and
- b. Provide further direction to staff, as appropriate.

RECOMMENDATION:

It is recommended that the County of Monterey Board of Supervisors:

- a. Receive an update in response to Board Referral No. 2024.10, submitted by Board of Supervisor Church, to allow point of use and point of entry water treatment devices for new construction on legal lots of record, including accessory dwelling units; and
- b. Provide further direction to staff, as appropriate.

SUMMARY:

Board Referral No. 2024.10 requests that staff research and evaluate necessary steps to allow for point of use (POU) and point of entry (POE) water treatment devices to be used for vacant legal lots of record and accessory dwelling units (ADUs) where POU/POE treatment is otherwise allowed for the existing connections. Staff have completed the draft amendments to Monterey County Code Chapter 15.06 that would include provisions for new development using POU/POE treatment on existing lots of record and ADUs. Monterey County Environmental Health Bureau has engaged with Rincon Consultants for preparation of the initial study on the draft ordinance. The anticipated date that a draft ordinance and initial study will be available for public review is end of March 2026.

DISCUSSION:

Background information:

On June 18, 2019, the County of Monterey Board of Supervisors adopted Ordinance No. 5310 which amended Chapter 15.04 and added a new Chapter 15.06 to the Monterey County Code thus allowing property owners of undeveloped lots belonging to water systems with 2-14 connections to use POU/POE water treatment for lot development. The County received litigation challenging Ordinance No. 5310 and on August 27, 2019, the Board of Supervisors adopted Ordinance 5316 that suspended the sections of Ordinance No. 5310 that allowed POU/POE treatment to be used for development on lots that are part of a 2-14 connection water system.

On November 28, 2023, the Board of Supervisors adopted Ordinance No. 5408 amending portions

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

of Chapters 15.04 and adding Chapter 15.06 to the Monterey County Code to allow for POU/POE treatment to be utilized by systems with 2-14 connections, however Ordinance No. 5408 only applies to existing service connections, not new construction on legal lots of record or ADUs.

On October 1, 2024, staff provided an update to the Board in response to Board Referral No. 2024.10, outlining the next steps, including the amendment of Monterey County Code Chapter 15.06 to allow new development on existing lots of record to utilize POU/POE treatment. Staff also indicated the need to collaborate with an external consultant to conduct an Initial Study-Mitigated Negative Declaration (IS-MND), with an estimated timeline of approximately 9 months, along with the potential for transitioning to an Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA).

On April 22, 2025, staff provided an update to the Board that a draft amendment to Monterey County Code Chapter 15.06 was under staff review. The draft amendment would include provisions for new development using POU/POE treatment on existing lots of record. In parallel, staff was working on environmental review, which will be conducted by an external consultant. Without the option to use POU/POE treatment, new construction-including ADUs-would be required to connect to a centralized treatment system for the entire water system, even if other connections on the system already utilize POU/POE treatment. Centralized treatment systems are significantly more expensive and cost-prohibitive compared to POU/POE treatment.

Current Update:

Staff has met with Rincon and provided information, and Rincon is currently working on the draft documents. There were some delays in the process on securing a consultant and the anticipated date that a draft ordinance and initial study will be available for public review is end of March 2026.

OTHER AGENCY INVOLVEMENT/COMMITTEE ACTIONS:

The Office of County Counsel has reviewed and approved this update.

FINANCING:

There are no fiscal provisions; therefore, there is no impact to the General Fund with the acceptance of this staff update.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

POU/POE water treatment devices to be used for vacant legal lots of record and ADUs where POU/POE treatment is otherwise allowed for the existing connections supports the need for more affordable housing by reducing the cost of treatment, the development of new options for water treatment to provide reliable and safe water for residents, and the goal to increase equity by allowing a more affordable option for safe drinking water.

Mark a check next to the related Board of Supervisors Strategic Plan Goals:

- Well-Being and Quality of Life
- Sustainable Infrastructure for the Present and Future
- Safe and Resilient Communities

Diverse and Thriving Economy

Prepared by: Charise Walters, Management Analyst III, 755-4708

Approved by: Elsa Mendoza Jimenez, Director of Health Services, 755-4621

Attachments:

Board Report

Board Report No. 25-247

Preliminary Analysis Report

Board Referral No. #2024.10