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Planning Commission December 13, 2023

REF210024 – Big Sur Coast Land Use Plan Update

- a. Conduct a public workshop to review and receive public input regarding the Ad Hoc Committee's proposed updates to the Big Sur Coast Land Use Plan; and
- b. Provide direction to staff.

Project Location: Big Sur Coastal Planning Area

Proposed CEQA action: A planning workshop is statutorily exempt per CEQA 15262.

RECOMMENDATION:

It is recommended that the Planning Commission:

- a. Conduct a public workshop to review and receive public input regarding the Ad Hoc Committee's proposed updates to the Big Sur Coast Land Use Plan; and
- b. Provide direction to staff.

PROJECT INFORMATION:

Planning File Number: REF210024

Project Location: Big Sur Coastal Planning Area

Plan Area: Big Sur Coastal Planning Area

SUMMARY:

This is the first in a series of planned workshops with the Planning Commission on the Big Sur Coast Land Use Plan update. In this first workshop, staff will provide the Planning Commission and the public with a presentation summarizing the key policy issues and updates made to the Big Sur Coast Land Use Plan (BSLUP) to solicit feedback from the Planning Commission and members of the public. The Ad Hoc Committee wanted to present the draft of the BSLUP update at this stage to solicit community and Planning Commission input to guide further refinement of the BSLUP. The Ad Hoc Committee plans to take the input received from the Planning Commission and the public to refine the BSLUP updates and return for a subsequent Planning Commission workshop(s). The Ad Hoc Committee will also present a review of the BSLUP land use and zoning maps at a future workshop.

The Ad Hoc Committee released the draft BSLUP update document to the public on November 13, 2023, to ensure that the public had a month to review the document prior to the first Planning Commission Workshop. The Ad Hoc Committee's letter and the draft BSLUP update document are attached as Exhibits A and B, respectively. A line-by-line review of the edits proposed in the draft BSLUP update is included as Exhibit C.

The Ad Hoc Committee addressed the following key policy matters in the BSLUP update, summarized below.

- Addressing concerns related to Highway 1 capacity and its continued ability to provide the main means of access for the visiting public;
- Responding to changing conditions and impacts of wildfires;

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- Creating additional opportunities for affordable and employee housing;
- Updating and clarifying language for the Rural Community Center and Commercial Facilities Outside of Rural Community Centers' land use categories; and
- Addressing concerns related to helicopters, drones (Unmanned Aircraft Systems), and special events.

Staff recommends that the Planning Commission limit the workshop to two hours, and then the item will be continued to a date in early 2024.

DISCUSSION

Background

The BSLUP was adopted by the Monterey County Board of Supervisors on November 5, 1985, and certified by the California Coastal Commission on April 10, 1986. Since the certification of the BSLUP, many conditions along the Big Sur Coast have changed, new land use issues have arisen, and old concerns remain unresolved, as current policies cannot fully address them, including the lack of capacity on Highway 1, lack of affordable housing for the Big Sur Community and workforce, protection from wildfires, fire fuel management, Critical Viewshed protections, and overcrowding of public coastal attractions and sites.

The BSLUP update process began when the Big Sur and South Coast Land Use Advisory Committees (LUACs) began a series of public meetings and deliberations beginning in January 2013 and culminated in two public workshops held at the Planning Commission on July 14, 2021, and August 11, 2021. After the two public workshops on the BSLUP update in 2021, the Planning Commission appointed an Ad Hoc Committee to consider all public input received and return to the Planning Commission at a later date with a comprehensive full draft for review.

Ad Hoc Committee's Approach

Previous input into the BSLUP updates included extensive and thoughtful edits and proposals made by the Big Sur and South Coast LUACs during multiple years of public workshops, comments from public agencies such as the California Coastal Commission, and comments from private individuals and groups. The Ad Hoc Committee took the LUAC's recommendations and all of this public input into consideration when developing the revised draft BSLUP update. It balanced that with the knowledge that the existing BSLUP is a "gold standard" Local Coastal Program (LCP) that has managed the competing needs of the Big Sur Coastal Planning Area remarkably well since its certification by the California Coastal Commission in 1986. Therefore, the Ad Hoc Committee strove to ensure that changes to BSLUP should be minimized to only edits necessary to address the conditions that have changed since the certification in 1986 and provide clarification where needed in the BSLUP.

All changes to the BSLUP the Ad Hoc Committee made continue to emphasize protecting the natural and rural landscape in the Big Sur Coastal Planning Area to ensure that millions of visitors can experience this stunning landscape as they drive scenic Highway 1. The updates to the BSLUP continue to reflect the importance of Critical Viewshed protection and ensure that the existing unspoiled vistas of the ocean from Highway 1 continue to be protected from alterations

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in the natural landscape. The updates focus on minimizing the negative impact of overcrowding on these public vistas from Highway 1.

In reviewing public input from the previous hearing body process, the Ad Hoc Committee focused on four additional areas of critical importance in the updates: fire, housing and the visiting public's impact on Highway 1 capacity, land use categories, and special events and aircraft.

Wildfire

The impact of wildfires has significantly increased since the 1986 BSLUPs certification. Climate change, non-native species and pathogens, and fire suppression have exacerbated significant fire events and contributed to their increasingly destructive nature. The Ad Hoc Committee made updates to ensure a balance between protecting natural resources such as Environmentally Sensitive Habitats Areas and the Critical Viewshed while encouraging fire fuel management practices to minimize the impact of devastating wildfires to the extent feasible. The updates weigh these concerns by trying to facilitate fire fuel management practices and clearly stating which fire fuel management practices are allowable without a Coastal Development Permit and under what circumstances those activities are allowable.

Housing and Visitor Serving Uses

The Big Sur community is critical to the continued survival of the Big Sur Coastal Planning Area and the ability of the visiting public to enjoy its wild, unspoiled nature. Because of the criticality of protecting natural landscapes from development, the community has significant limits on where development can occur. Continuing to protect the natural landscape from development has been reinforced with this update while at the same time ensuring that modest changes are made to encourage employee and affordable housing were feasible and where impacts to the natural environment can be minimized. These changes are intended to minimize the impacts on Highway 1, as many employees commute long distances to their jobs, serving the visiting public in the Big Sur Coastal Planning Area by providing additional opportunities to create housing for the Big Sur workforce.

As the BSLUP updates are forward-looking, there is a recognition that the remaining 187 Visitor Accommodation units (which encompass inn units, r.v. campgrounds [campsites], and hostel units), since the BSLUP certification by the California Coastal Commission, may not accurately reflect the ability of the Big Sur Coastal Planning Area to accommodate additional Visitor Accommodation units. The BSLUP and Monterey County Coastal Implementation Plan Chapter 20.145 (CIP) state a maximum of 300 new inn/r.v. campground [campsite] units that may be approved after certification of the BSLUP. Yet, conditions have changed since the certification of the 1986 BSLUP. Therefore, it may be appropriate to consider a potential revision to the number of allowable inn/r.v. campground [campsite] units considering the increased impact of that these units could have on Highway 1 and the broader Big Sur community. To see the detailed County unit count data and a discussion unit count data, please see Exhibit D.

The BSLUP updates seek to address concerns related to visitors' impact on Highway 1 capacity while acknowledging that the Big Sur Coastal Planning Area is a unique tourist attraction and, in many cases, visitor numbers cannot be feasibly limited without negatively impacting public

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access. The BSLUP is ultimately a build-out plan for the Big Sur Coastal Planning Area, with limitations on the number of new visitor accommodations and restrictive development standards to protect the natural environment from overdevelopment. To great success, the BSLUP attempted to be forward-looking and recognize that development within the Big Sur Coastal Planning Area must be carefully managed. Yet, while some of the original build-out assumptions were fairly accurate, others were not. Therefore, the edits made by the Ad Hoc Committee attempt to address the build-out assumptions where conditions have substantially changed since the 1986 BSLUP certification. Conditions have changed most drastically with respect to Highway 1, where the Highway usage is significantly greater than imagined, particularly in areas of the Big Sur Coastal Planning Area that are most popular with the visiting public. Highway 1 over usage contributes to dangerous conditions for visitors and the Big Sur community, particularly in emergency situations and in situations where the visiting public may not be aware of their impact on Highway 1. The visiting public may inadvertently create dangerous travel conditions by inappropriately or illegally parking on or alongside Highway 1, dangerously crossing Highway 1, or standing or blocking Highway 1. These actions impact the Big Sur community and the visiting public by creating dangerous and congested travel conditions for all drivers on Highway 1.

As the visiting public's main means of accessing the Big Sur Coastal Planning Area is the visual access provided by driving Highway 1, any congestion or dangerous travel conditions negatively impact that access. Therefore, the BSLUP updates seek to ensure that future land use decisions are considered based on their potential impact on Highway 1. This is reflected in the focus on providing additional affordable and employee housing opportunities for those in the Big Sur community who are currently unable to live where they work. New and expanded visitor-serving uses shall ensure that they, to the extent feasible, provide opportunities to expand and create affordable and employee housing opportunities in areas of Big Sur where feasible and where impacts to the environment can be minimized.

Staff would like to note that the Ad Hoc Committee draft BSLUP update being presented at the workshop does not include updates related to Accessory Dwelling Units and Junior Accessory Dwelling Units (ADUs/JADUs) in Big Sur. State law has changed since the BSLUP was last updated regarding ADUs, and additional ADU/JADU updates to the BSLUP are moving on a separate, more accelerated track to comply with state law. Staff anticipates ADU/JADU updates to the BSLUP will come to the Planning Commission for consideration in the first half of 2024.

Land Use Category Clarifications

The BSLUP updates seek to clarify sections of the original BSLUP that were unclear or where the original intention was not achieved pursuant to the original BSLUP assumptions. These updates will clarify the original BSLUP intentions and focus on Critical Viewshed protection and preservation of the natural environment. One area of confusion in the BSLUP is the Rural Community Center (RCC) and Commercial Facilities Outside of the Rural Community Center (CFORCC) land use categories. These categories were not fully described in the original BSLUP. Therefore, because these categories are mapped in the certified BSLUP, but the BSLUP does not provide clear land use descriptions, it is unclear what the allowable uses are and what the requirements of these uses are. This creates confusion as to what are allowed uses in these land use categories for applicants and the County. The Ad Hoc Committee updates provide clear

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land use categories and descriptions of what is allowable in these land use categories, which were mapped in the original BSLUP but not defined clearly in the written document.

Special Events and Aircraft

The BSLUP updates also further note that actions or events that disturb its rural and wild nature should be discouraged to protect the rural nature of the Big Sur Coastal Planning Area. The update specifically adds language to prohibit the takeoff and landing of drones (Unmanned Aircraft Systems) and helicopters, with exceptions for emergency circumstances. The takeoff and landing of helicopters and drones create significant noise impacts and can disrupt wildlife and the peace and tranquility of the Big Sur community. Language to regulate special events was added to recognize the disruptive nature that special events in the Big Sur Coastal Planning Area can have on the visiting public and the Big Sur community. This addition outlines clear considerations for allowing special events of an appropriate scale and how special event considerations differ in the Big Sur Coastal Planning Area's RCC and CFORCC versus non-RCC and CFORCC land use categories.

The draft BSLUP update document reflects the work of the Ad Hoc Committee since 2021 and carefully considers the LUAC's recommendations along with all public comments received. The Ad Hoc Committee update tries to minimize changes to the BSLUP document to ensure that the existing BSLUP, which is the "gold standard" of Local Coastal Programs, continues to reflect its original intention of protecting the unique natural splendor and community that exists in the Big Sur Coastal Planning Area.

OTHER AGENCY INVOLVEMENT

Housing and Community Development Department staff are working in collaboration with the Big Sur Land Use Plan Ad Hoc Committee of the Planning Commission to update the BSLUP and with the Office of County Counsel to review the proposed updates.

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EXHIBITS

Exhibit A – Letter from the Planning Commission Ad Hoc Committee

Exhibit B – Big Sur Coast Land Use Plan with Track Changes

Exhibit C – Line-By-Line Review of 2023 LUP Update

Exhibit D – Memorandum on Visitor Serving Unit Count Data

Exhibit E – Public Comment Letters Received

Cc: Big Sur & South Coast LUACs; Big Sur Byways Organization; Big Sur Multi-Agency Advisory Committee; Monterey County Water Resources Agency; California Coastal Commission; Monterey Bay National Marine Sanctuary; Coastal Conservancy; California State Parks, Los Padres National Forest; Big Sur Chamber of Commerce; California Department of Fish and Wildlife; Big Sur Land Trust; Caltrans; Monterey Peninsula Regional Parks District REF210024 Public Distribution List; Monterey Peninsula Regional Park District.

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