



August 7, 2017

Cosme Padilla, Chair
Monterey County Planning Commission
168 W. Alisal St.
Salinas, CA 93901

SUBJECT: PC 17-056 Update on the 2016 Annual Progress Report on the Monterey County 2010 General Plan Implementation & 2016 Annual Housing Progress Report

Dear Chair Padilla and Members of the Commission:

When the General Plan was adopted almost 7 years ago, it was recognized that decisions on many difficult issues were delayed, and that the “can was being kicked down the road” for later action. Well, the proverbial can is still rolling. Of the over 200 policies identified by LandWatch, only 11% have been implemented, and this number does not include nine mitigation measures included in the FEIR needed to address impacts of the 2010 General Plan. While 52% of the policies are under development and have been for several years, 37% have no schedule for adoption. Fourteen of the policies have passed General Plan due dates.

In addition, several of these policies are subject to litigation, and one recently filed lawsuit seeks a writ of mandamus for the County’s failure to implement two important policies related to affordable housing, including the long-overdue requirement that the County adopt a Development Evaluation System (DES). If the County doesn’t address the DES immediately, it will be exposed to further costly litigation.

As in previous testimony, LandWatch has urged the County to provide adequate resources to the Planning Department and County Counsel’s Office to finally complete the General Plan, and that this be done before the next General Plan update is required! Further, the County should make implementing the Development Evaluation System (DES) a top priority to avoid more litigation exposure.

At the Board of Supervisor’s hearing on General Plan implementation, County Planning staff identified following tasks in order of priority:

1. SVGWB Study
2. Ag Land Mitigation
3. Tracking System
4. Hazard Mitigation Plan
5. Local Agency Management Program (LAMP)
6. Water and Energy Efficient Landscape Ordinance
7. DES

When asked about moving DES forward, staff responded that other tasks were higher priority because of funding and grants. LandWatch's understanding is that Monterey County Water Resources Agency is the lead on item #1 and Environmental Health is the lead on #5. According to the staff report item #4 is complete. What that means is that the Planning Department is responsible for items #2, 3, 6, and 7.

DES should be given a significantly higher priority, especially because of the legal liability (and costs) it poses to the County and because most of the work on the DES system is done and ready for public hearings. LandWatch stands ready to help the County complete its DES system within 30 days.

Sincerely,

Michael DeLapa
Executive Director

cc: Jacquelyn Nickerson
Jacqueline Onciano
John Farrow, Esq.

IMPLEMENTATION OF GPU2010

Policy/Mitigation Measure	Schedule in GPU	Responsible Agency	Status
LU-1.13 Lighting Criteria	None	Planning	Done
LU-9.1 Work program to update Title 21	Within 3 months	Planning	Done
LU-1.8 ; OS-1.7, T-1.6 Establish TDR Program	None	Planning	
LU-1.14 to 1.18	Lot Line Adjustment/Subdivision Provisions	Planning	
LU-1.19 Development Evaluation System	Within 12 months	Planning	Under Dev- Past due
LU-1.20 Tracking system for build-out	None	Planning	Done
LU-2.8, 2.12, 2.16, 2.18, 2.28, 2.34, 2.35, 3.1, 4.1, 5.1, 6.1 6.2, 9.4 – Zoning Related	None		Under Development
LU-2.24 Adoption of Community Plans Boronda Chualar Pajaro	None	Planning	
LU-9.2 Guidelines for cultural resource protection	Within 1 year	Planning	Done
LU-9.6 & 9.7 Criteria for general plan amendments	None	Planning	Done
C-1.8 Develop County Traffic Impact Fee	Within 18 months		Under Dev Past due
C-1.11 Adopt Regional Impact Fee	Within 12 months TAMC adoption		Done
C-10.1 Establish integrate system of bicycle routes for Monterey County	None		Done
OS-1.1 Visual Sensitivity Maps	Oct 2016	Planning	Past Due
OS-1.2,, C-5.2, C-5.3, C-5.4, T-2.8 Scenic Highway/Rd Corridor	None	Planning	
OS- 1.3-1.5 Criteria for ridgeline development	None	Planning	Under Dev
OS-1.8 Clustering Program	None	Planning	
OS-2.4 , 2.5 Map mineral deposits in GIS; OS-3.4 Map slopes with severe erosion constraints	None	Planning	
OS-5.1 Map endangered species; map acreages of potentially suitable habitat for protected species	None	Planning	
OS-6.2, 7.2, 8.2 Update Arch Sensitivity Map	None	Planning	
OS-8.5-Establish Native American Panel	None	Planning	Done
OS-5.14; S-4.28 Fire Resistant Plant List			Under Dev
OS-10.11; C-3.1 Climate Action Plan/GHG Reduction Plan	Within 24 months	Planning	Under Dev-past due
S-5.1 to S-5.6 Maintain hazard GIS data and develop programs for sharing information with other jurisdictions; Hazard Mng. Plan	None	Planning	Under Dev

Page 2			
OS-1.8 Clustering Program		Planning	
OS-2.2, 2.5 SMAR Ordinance Update			
OS-3.1 & 3.3 Establish BMPs for erosion control	None	Planning	Under Dev
S- 3.6, 3.8, 5.7 Mapping Issues	Oct. 2015		No action – past due
OS-3.5 & 3.6 Discretionary permit process for development on steep slopes or hazard areas; Agricultural Permit process for conversion on steep slopes; ministerial permit process for development on slopes 10 to 24%	None	Planning	
OS-5.7 to OS-5.10 Timber Harvest			
OS- 5.14 Policies to encourage control of invasive plants	None	Planning	Under Dev
OS-5.21, 5.22, 5.1,5.24, 5.16, Conservation Strategic Plan	None	Planning	Litigation since 2010
OS-6.2 , 7.2, 8.2 Compile data on archaeological resources; work with local tribes to update County GIS maps on archaeological sensitivity areas;	None	Planning	
OS- 3.9, 5.2, 5.15, 5.10, 5.17, 5.18, 5.19, 5.21, 5.23, 5.25 Conservation Strategic Plan	5.21 & OS.3.9 due Oct. 2015; OS-5.22 due Oct 2013; OS- 5.23 due Oct 2016; OS-5.19 due Oct, 2014	Planning	Under dev. 4 Past due
OS- 6.5 Policies to avoid impacts to sensitive archaeological sites	None	Planning	Done
OS-6.6 Guidelines re: consultation with Native Californian descendents, etc	None	Planning	Done
OS-8.1 to 8.4 – Policies re: Native Californian cultural sites	None	Planning	Done
OS-7.1 – 7.5 Policies to protect paleontological resources	None	Planning	Done
OS-10.13 Alternative Energy Sources	None	Planning	Under Dev
S-1.2, 3.6,3.8, 5.7; OS-3.4 Hazard Data Base Mapping	Due Oct 2015	Planning	Past Due
S-1.2, 5.1-5.10 –Hazard Mitigation Plan	None		
S- 1.1 to 1.9; 2.3, 2.6, 3.9, 2.10, 2.11,S-3.1, 3.2, 3.3,3.5, 3.7, 4.10, & 4.17; PS-2.8-2.9. & OS-3.3 Flood Criteria or Drainage Design Manual	None	MCWRA	Under Dev
S-5.11 and S-6.3 Development Impact Ordinance	None	Planning	
S-5.16 Develop inventories of at-risk structures;	None	Planning	

Page 3			
S-7.1 Community Noise Ordinance	None	Planning	Under Dev
S-4.27 Increasing roadway connectivity	None	Planning/Public Works	
PS-2.2 Monitoring Wells for Rapid Growth Area			
PS -2.4 & 2.5 Regulations for new domestic wells	None		Under Dev
PS-2.6 Hydrologic Resources & Constraints Mapping	None		
PS-3.1 SVGWB Study	None	MCWRA	Under Dev
PS-3.2 Long Term Sustainable Water Supply Ord.	None		
PS-3.3 Criteria for proof of long term sustainable water supply	None	Planning/MCWRA	Under Dev
PS-3.4 Criteria for adequacy of new wells	None	MC Health Depart.	Under Dev
PS-3.9 Program to eliminate overdraft of water basins as part of CIFP	None	MCWRA	Under Dev
PS-3.10 to 3-13 Ordinance identifying conservation measures reducing ag and potable water demand	None	MCWRA	Under Dev
PS-3.13 Guidelines for water supply assessments			
PS-3.14 – Alternative Water Source Plan	Oct. 2015	MCWRA	Under Dev- Past due
PS-3.15 Guidelines for water supply assessments	Oct. 2015	MC Health Depart. and MCWRA	Under Dev- Past due
PS-4.7 and 4.8 Criteria for new wastewater treatment facilities and septic disposal systems;	None	MC Health Department	Under Dev
PS-4.10 Alternative wastewater system management program consistent with AB885;	None	MC Health Dept.	Under Dev
PS-4.12 On-site Wastewater Management Plan	None	MC Health Dept	Done
PS-5.3 Program to facilitate recycling/diversion of construction materials	None		Under Dev
PS- 5.5 Review Solid Waste Management Plan every 5 years; adopt requirements for composting by wineries	None		Under Dev
PS-6.4 Ordinance to establish buffer zones for landfills	None		Under Dev
PS-11.2, 11.11, 11.12 Parks Acquisition Guidelines	None		
PS-12.1 and 12.2 Update historic preservation plan and cultural resources inventory	None		Under Dev
PS-12.16 Develop public information programs on opportunities to preserve historic and cultural resources	None		Done
AG-1.2 Ag Buffer Ord; LU-2.8	None		Under Dev

Page 4			
Ag-1.3 Sub. Of Ag Land			
AG-1.5 Ordinance with policies providing tax and economic incentives for agriculture	None		
AG-1.9 Strengthen Right-to-Farm ordinance	None	Planning	Done
AG-1.10 Farmland Mapping			
AG-1.12 Program mitigating loss of ag land	None	Planning	Under Dev
AG-2.1, 2.2, 2.9, 3.3-Ag zoning issues	None	Planning	Under Dev
AG-4.3 Wine Corridor Tracking			On-going
ED-2.1 Program to enhance Monterey County's industry; ED-2.2 Track industry clusters	None		
ED-3.2, 3.4-Economic Incentive Program			
ED-3.3 Link Overall OEDC and Workforce Investment Plan			
ED-4.2 Inventory Vacant/underutilized commercial and industrial land			
ED-4.1- Develop permit assistance process for projects supporting key industry clusters	None	Planning	
C-1.2, 1.12; LU-2.29, 2.30, PS-1.1, 1.2.3.7, 4.1, 7.8, 11.10 – Capital Improvement Finance Plan	18 months after adoption of County Traffic Impact Fee		Under Development
CV-3.20; NC-3.8; NC-5.4 Permit Process for Well Ord.	Oct 2011		Under Dev-past due
LU-2.13 Program for retaining affordable housing units.	None	Planning	
S-4.5 Update wildland fire severity map			
S-4.6 Identify structural and other non-wild land fire risks within wild land urban interface areas; S-4.7 Procedures to inform developers of fire hazard area requirements	None	County and fire agencies	Under Dev
S-4.9, 4.13, 4.16, 4.19, 4.22, 4.23, 4.44 – Fire Safety Issues	None		Under Dev
S-5.11, 6.3 Dev. Impact Ord	None	Planning	
S-6.6 Information brochures on levels of safety service	None	Planning	
PS-8.3 Establish or maintain programs for routine inspection of food, milk and dairy operations, water systems, sewage disposal, public housing, institutions, labor camps, swimming pools, recreation facilities, locations of hazardous substances, occupational health issues and noise hazards	None		
PS-11.1 Evaluation of parkland and recreational needs;	None		
PS- 11.2, 11.11, 11.12 Management plans for county parks, etc.	None		

Page 5			
Mitigation Measures from FEIR not included as policies			
BIO-1.1 Baseline inventory of land cover, special status species, etc	None	Planning	
BIO-1.2 Salinas Valley Conservation Plan for kit fox	Within 4 years	Planning	
BIO-1-5 Comprehensive County Natural Communities Conservation Plan	By 2030	Planning	
Bio-2.1 Stream Setback Ordinance	None	Planning	
BIO-2.2 Oak Woodlands Mitigation program	None	Planning	
Tran-1E Revise Safety Element	None	Planning/Public Works	
CC-5 Adopt GHG Reduction Plan for County Operations	None		
CC-13 Prepared Climate change Preparedness Plan	None		
CC-3 Map renewable resources in GIS			

5/11/2018