

# MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT  
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## MEMORANDUM

**DATE:** March 31, 2004

**TO:** Rick Hyman, Deputy Chief Planner  
California Coastal Commission

**FROM:** Carl P. Holm, AICP, Senior Planner  
Monterey County, Planning and Building Inspection

**SUBJECT: SUMMARY NOTES FOR TOWN HALL MEETINGS:**

- 1) North County Coastal, 3/11/04
- 2) Central County Coastal, 3/29/04
- 3) South County Coastal, 3/30/04

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**NORTH COUNTY COASTAL  
MOSS LANDING CHAMBER OF COMMERCE BUILDING  
March 11, 2004**

### PRESENTATIONS

LOU CALCAGNO, Supervisor  
CURTIS WEEKS, Monterey County Water Resource Agency  
WENDY STRIMLING, Deputy County Counsel  
SCOTT HENNESSY, Planning and Building Inspection  
RICK HYMAN, Coastal Commission  
LEE OTTER, Coastal Commission

### PROCESS

PERIODIC REVIEW SERVES TO EVALUATE IF THE COASTAL ACT IS BEING IMPLEMENTED BY THE LOCAL COASTAL PROGRAM (LCP)

NORTH COUNTY LCP HAS GOOD LANGUAGE. RESULT IS FEWER CORRECTIONS AND SERVES AS MODEL FOR OTHER LCP'S

PERIODIC REVIEW PROVIDES SUGGESTIONS FOR GPU. RESOURCE DOCUMENT IS START OF PROCESS-NOT END ALL

ONCE GPU APPROVED THERE IS STILL 1 YEAR TO CERTIFY. DOES THIS RAISE AN ISSUE OF CONSISTENCY WITH NEW GPU?

KEEP OLD LCP UNTIL NEW LCP CERTIFIED (LCP INCLUDES ZONING)

WHEN GPU ADOPTED COUNTY BOARD OF SUPS COULD CLARIFY THAT OLD LUP REMAINS IN EFFECT UNTIL NEW LCP IS CERTIFIED

## **WATER**

1982 IDENTIFIED SALT WATER INTRUSION.

OVERDRAFT HAS INCREASED.

RECOMMEND NO ADDITIONAL LOTS UNTIL RESOLVED (SUBDIVISIONS).

VACANT LOTS NEED TO HAVE WATER OFFSET (REFERENCE CAMBRIA PROGRAM).

COASTAL COMMISSION (CCC) PAPER COMING OUT. NEED POLICIES TO LIMIT POTENTIAL SO NOT GROWTH INDUCING.

PREVIEW OF CCC VIEW OF DESALINATION (DESAL).

CCC HAS NO POSITION, BUT HAS CRITERIA TO MEET CSTL ACT STANDARDS.

RECOGNIZE POTENTIAL TO DEVELOP DESAL PLANTS SO NEED TO SET CRITERIA.

CCC REPORT ON DESAL ON WEBSITE MONDAY 3/15/04. PAPER RAISES ISSUES RELATIVE TO CSTL ACT.

ISSUES INCLUDE IMPACT TO MICROORGANISMS, BRINE DISCHARGE.

STRONG IMPLICATION IN REPORT TO LIMIT # OF DESAL PLANTS.

DESALINATION POLICY TO HAVE FEWER BUT LARGER FACILITIES ALONG THE COAST VERSUS LOTS OF SMALL PRIVATE OPERATIONS BECAUSE NEED GOOD PUBLIC OVERSIGHT WITH REGULATIONS.

LINKAGE BETWEEN PROVIDING/SUPPLYING WATER AND GROWTH INDUCING DEVELOPMENT TECHNIQUES.

HOW MUCH GROWTH?

HOW MUCH WATER?

LIMIT PIPE & PUMP SIZE TO LIMIT GROWTH FROM IMPROVEMENT.

DEFINE SERVICE AREA/FEE.

1 FOOT NO UTILITY BUFFER STRIP SERVES TO LIMIT ADDITIONAL HOOK UP FOR GROWTH.

PAJARO VALLEY BASIN MANAGEMENT PLAN (+OTHERS)...HOW IS IT AFFECTED BY THE PERIODIC REVIEW?

CCC NO POSITION ON PROJECTS.

COUNTY SETS POLICY THAT ADDRESSES ISSUES.

EXTENT OF JURISDICTION TO WATER SHED?

NO CCC AUTHORITY IF PART OF PROJECT OR IMPACTS NOT IN CSTL ZONE.

ON FEDERAL PROJECTS, CCC CAN REACH OUTSIDE CSTL ZONE.

LU8.6 PRIVATE WATER SUPPLIES/WELLS.

WHERE ARE URBAN SERVICE AREAS?

DO THEY HAVE CAPACITY?

INTRIGUE ON PRIVATE WATER RIGHTS.

DIFFERENCE BETWEEN WATER RIGHTS AND PERMIT/ENTITLEMENT PROCESS TO USE UNFETTERED.

IF AREA TO BE SERVED BY PURVEYOR THERE SHOULD BE NO INDIVIDUAL WELLS DRAWING WATER FROM THE SAME AQUIFER IN ORDER TO AVOID OVER-USE UNLESS NO OTHER OPTION FOR USE OF THAT PROPERTY.

DO NOT ALLOW FOR PROPERTY THAT SERVICE AREA CANNOT SERVE.

DO NOT PROHIBIT.

NEED OVERALL MANAGEMENT.

HOW CCC DEFINES "URBAN SERVICE AREA"?

VARIETY OF PURVEYOR SYSTEMS NEED SOME DEFINITION.

NOTE: JUDGE VOGLE RULING TODAY: ORDERED ALCOE COMPANIES TO BE UNDER SUNNY MESA.

CCC AND COUNTY HAVE NO AUTHORITY TO LIMIT/TAKE CORRELATIVE RIGHT. SO IF SAY NO WELLS THEN THERE IS POTENTIAL TAKING.

HOWEVER, DRILLING A WELL IS CONSIDERED DEVELOPMENT WHICH REQUIRES A PERMIT UNDER THE CSTL ACT AND THAT PROVIDES AUTHORITY TO REGULATE.

QUESTION DEFINING URBAN SERVICE AREA.

SUNNY MESA SPHERE OF INFLUENCE?

NORTH COUNTY.

### **HIGHWAY ONE (HWY 1)**

RATIONAL TO KEEP 2-LANE HAS A 2-PRONG APPROACH:

- CSTL ACT SAYS HWY 1 REMAIN 2-LANE AS A RESOURCE (CAN DEBATE)
- CSTL ACT DESIGNED TO PROTECT AGRICULTURE AND WETLANDS.

WIDENING TO 4-LANE CREATES POTENTIAL IMPACTS INCONSISTENT WITH CSTL ACT AND LUP.

SUGGEST SAFETY & INTERSECTION IMPROVEMENTS IN LCP

SUPPORT COMPREHENSIVE TRANSPORTATION PLANNING.

ANY PLANS FOR SALINAS ROAD/DOLAN ROAD?

THIS IS PART OF WHAT THE PERIODIC REVIEW IS TALKING ABOUT.

NOT AWARE OF SPECIFIC PLANS TO MAKE IMPROVEMENTS.

THERE IS NO PROBLEM IF THERE IS NO IMPACT TO WETLANDS.

LIMITED TO POLICIES TO ALLOW AND IN WHAT CAPACITY (NOT GROWTH INDUCING).

CALTRANS OPPOSED.

LCP PROVIDES LOCAL AUTHORITY OVER STATE.  
THEREFORE, PUTTING SIGNALS INTO LCP MAY ALLOW COUNTY TO SUPERCEDE  
CALTRANS AUTHORITY.  
NEED TO BE MORE SPECIFIC FOR PARAMETERS ALONG HIGHWAY ONE.  
IMPROVE SAFETY WITHOUT INCREASING CAPACITY.

### **HABITAT/MARITIME CHAPARRAL**

NO MAJOR SHIFT.  
FEW CLARIFICATIONS; IDENTIFY ENTIRE HABITAT IN BIOLOGY REPORTS;  
ELIMINATE 25% THRESHOLD (WHAT IF ALL CHAPARRAL)?  
THERE ARE DIFFERENT CIRCUMSTANCES EVALUATED IN CCC REPORT;  
EASEMENTS NOT MANAGED OR COORDINATED FOR OVERSIGHT.

IS THIS HABITAT IN CSTL ZONE OR ENTIRE COUNTY?  
CONCERN IS CENTRAL MARITIME CHAPARRAL ONLY.  
PRETTY LIMITED TO NORTH COUNTY, CARMEL, NORTHERN BIG SUR AREAS.

### **GENERAL QUESTIONS**

WHAT DOES SH-23 AND SH-25 MEAN (EXPAND)?  
PORTRERO ROAD-PRIVATE OWNERSHIP  
SH-23 NORTH SIDE OF PORTRERO; REMOVE POSSIBILITY FOR RESIDENTIAL  
DEVELOPMENT.  
SH-25 WAS BASED ON PRIOR POSSIBILITY TO RELOCATE THE SANDHOLT BRIDGE  
TO THE SOUTH AND ELIMINATE COMMERCIAL DESIGNATION.  
SINCE NO CHANGE IN BRIDGE LOCATION, THIS IS OUTDATED.  
RESIDENT BELIEVES DESIGNATED COMM TO AVOID TAKINGS ISSUE WHEN PLAN  
ADOPTED.

RECOMMEND DESIGNATION CHANGES – UPDATE MOSS LANDING COMMUNITY  
PLAN TO MEET CURRENT NEEDS.  
CONFUSION WITH “COMMUNITY AREA” RURAL CENTER” AND ‘COMMUNITY  
PLAN” TERMINOLOGY.  
QUESTION OF CONSISTENCY FOR GPU WITH MOSS LANDING COMMUNITY PLAN  
IF NOT CHANGED.

REVISE FROM COMMUNITY UP.  
CCC NOT SAYING WHAT TO CHANGE, BUT TO EVALUATE NEEDS AND  
PARAMETERS.

WHAT IS IMPLICATION OF DESIGNATION AS RURAL CENTER AND CONSISTENCY  
WITH MOSS LANDING COMMUNITY PLAN?

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**CENTRAL COUNTY COASTAL  
CROSSROADS CENTER COMMUNITY ROOM  
March 29, 2004**

**PRESENTATIONS**

CARL HOLM, County Planning and Building Inspection  
RICK HYMAN, Coastal Commission

**PROCESS**

WHEN DO NEW POLICIES BECOME EFFECTIVE TO REPLACE OLD?  
CHANGE IN THE GAME.  
NEED TO GRANDFATHER PERMITS IN PLACE

CHANGES REQUIRED TO BE FROM BOTTOM UP  
LCP = LOCAL COASTAL PROGRAM  
CCC CORRECTIONS ARE CONTRARY TO THIS

IS CCC GOING TO USE PERIODIC REVIEW AS BASIS FOR REVIEWING PROJECTS  
NOW?  
ONE INDIVIDUAL PROJECT RECEIVED COMMENTS THAT IT IS INCONSISTENT  
WITH PERIODIC REVIEW, BUT CONSISTENT WITH LCP.  
PERIODIC REVIEW IS INTERPRETATION BY CCC.  
EVALUATION BASED ON CERTIFIED LCP.

ANYONE CAN SUBMIT DOCUMENTATION & SUPPORTING INFORMATION TO CCC.  
CCC WILL RESPOND TO COMMENTS RECEIVED BEFORE 4/16/04, BUT WILL  
CONTINUE TO ACCEPT COMMENTS AFTER THAT DATE.

**PINE FOREST**

CCC RECOMMENDS CONSIDERATION AS ENVIRONMENTALLY SENSITIVE  
HABITAT (ESHA) AS DEFINED IN CSTL ACT.  
ESHA = LIMITED USE...PROVIDED NO TAKING  
CONSTITUTIONAL RIGHTS

CCC FOREST MANAGEMENT RECOMMENDATIONS:  
SIZE NOT MOST IMPORTANT  
OLDER MGMT PLANS CONCENTRATE ON TREES VS FOREST (INCL. FLORA AND  
FAUNA) AS A WHOLE.  
3<sup>RD</sup> PARTY REVIEW  
FORESTRY AND BIOLOGY NEED BETTER COORDINATION.  
MORE PROCESS RECOMMENDATIONS SUCH AS EXCEPTING 12" MIN POLICY.

DEBATE OVER UNIQUENESS  
MONTEREY PINE IN OTHER AREAS (FIJI, CHILE, ETC.)

NATIVE NATURAL FOREST VS PLANTED FOREST (TREE FARM)  
DEBATE OF GENETICS  
NO GENETICS PURE WITH INTRODUCED PLANTS/LANDSCAPE  
MAN-MADE VS NATURAL CHANGES

PERIODIC REVIEW HAS CLEAR LANGUAGE FOR HOW TO IMPLEMENT.

SH-29.5. WHAT DOES IT MEAN?  
CROSS-REFERENCE WITH OVERALL PINE MANAGEMENT STRATEGY  
NO SUBDIVISION UNTIL EXISTING OVERLAY IS REMOVED  
NOT SURE OF FOR SFR ON AN EXISTING LOT VS SUBDIVISION

IN ORIGINAL LCP CERTIFICATION PROCESS, PINE FOREST DROPPED AS ESHA  
WITHOUT EXPLANATION.

NO DUALING EXPERTS.  
DIVERSE ISSUE = DUALING EXPERTS  
REVIEW INFO AND DRAW CONCLUSIONS BASED ON INFO.  
CCC RECOMMENDS GUIDELINES SETTING PARAMETERS FOR BIOLOGIST AND  
FORESTER TO USE IN REPORTS.

NEED SCIENTIFIC APPROACH TO BALANCE FOREST WITH HOUSING/SOCIETY  
CCC IMPLEMENTS CSTL ACT = RESOURCE MANAGEMENT

## **GENERAL COMMENTS**

FIRE MANAGEMENT  
CCC FOUND DEGREES OF FLEXIBILITY IN FIRE CODES.  
NO SPECIFIC RECOMMENDATION.  
MORE RELATED TO PROCESS.  
BETTER APPROACH IS TO COORDINATE WITH BIOLOGIST

CONCERN TO ALLOW REMOVAL OF FALLEN DEBRIS AS FUEL LOAD IF DEFINED  
AS ESHA

PB CSD (CDF) CRITICAL OF COUNTY POLICY ON THINNING UNDERBRUSH  
(HABITAT).  
CCC RECOMMENDS ESTABLISH BUILDING ENVELOPE FOR STRUCTURE,  
DRIVEWAY, FUEL MODIFICATION, ETC.  
CONSIDER IMPACT OF EVERYTHING AT ONCE.

DEFINE CARMEL "UPLANDS"

LU 13.6. PUBLIC ACCESS WITHIN HIGHWAY 1 RIGHT-OF-WAY (ROW).  
IN CONJUNCTION WITH CHMP  
COASTAL TRAIL, IF HAPPENS, WOULD HAVE TO BE IN CALTRANS ROW.

“PAGE 4”; REDESIGN ATE EXCEPT AG  
STATE PARKS PLANNED AS INTERPRETIVE PART OF KEEPING BARN.

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**SOUTH COUNTY COASTAL  
BIG SUR MULTI-AGENCY FACILITY  
March 30, 2004**

**PRESENTATIONS**

CARL HOLM, County Planning and Building Inspection  
RICK HYMAN, Coastal Commission  
JEFF MAIN, County Planning and Building Inspection  
LEE OTTER, Coastal Commission

**PROCESS**

TIMING FOR COMMENTS 4/16/04

WILL THERE BE CROSS REFERENCE FOR LAYERS OF REGULATIONS?

CONCERN WITH SAN DIEGO PROCESS

LAST MINUTE CHANGES BY CCC

NOTED COORDINATION BETWEEN CCC AND GPU

GPU PROCESS TO BE COMPLETED FIRST THEN ASSESS PERIODIC REVIEW

SCOPE OF PERIODIC REVIEW DID NOT ADDRESS WHAT IS NOT THERE  
ISSUE WITH POLICIES THAT ENCOURAGE BUY-OUT OF COMMUNITY SO THAT  
NOW 1/3 OF BIG SUR IS PUBLIC LAND = NO PROPERTY TAX.  
POLICIES INCREASE DEVELOPMENT COST SO ENCOURAGE SELLING  
NEED TO REDRAFT POLICIES TO HAVE COOPERATIVE SPIRIT TO ALLOW USE OF  
LAND.

ACQUISITION SHOULD BE LAST OPTION BUT CCC RECOMMENDATIONS MAKE  
THINGS MORE RESTRICTIVE.

**VIEWSHED**

WHO/WHERE DID ISSUE OF VIEWS FROM BOATS COME FROM?

COMMENTS ABOUT RESTRICTION OF THIS AS A POLICY

EXPLAIN RELATION TO CRITICAL VIEWSHED POLICIES

REQUEST TO REMOVE REFERENCE TO THIS RELATIVE TO VIEWSHED

CURRENT GPU POLICY IDENTIFIES “PUBLIC WATER” AS REQUIRED BY CSTL ACT  
RECOMMENDATIONS NOTE TO DEFINE/IDENTIFY WHAT THESE WATERS ARE

IF VISIBLE, THEN MUST BE DESIGNED IN CHARACTER WITH SURROUNDING DEVELOPMENT.

IF ISOLATED, THEN NEED TO SCREEN.

SR10.1 SUGGEST CREATING EXEMPTION AREA FROM MALPASO CREEK TO COUNTY LINE.

DISCUSSION OF VIEWS FROM ABOVE.

SR10.17 EXPLAIN “INSTITUTE VIEWSHED LIMITS THROUGH COMMUNITY EFFORT”  
CCC NOTED THAT MANY POLICIES IMPLEMENTED BECAUSE COMMUNITY (E.G. REALTORS) LET BUYER BE WARE.

VIEWS FROM TRAILS.

CONCERN OF HAVING PROPERTY, NEIGHBORING PROPERTY PURCHASED BY PUBLIC AGENCY, AGENCY WANTS TO INSTALL TRAIL, NOW PRIVATE PROPERTY NOT PREVIOUSLY SEEN FROM ANYWHERE RESTRICTED.

CAN PRIVATE OWNERS/COUNTY RESTRICT DEVELOPMENT OF TRAILS THAT IMPACT THEM?

REQUEST TO EXEMPT TRAILS FROM CRITICAL VIEWSHED STANDARDS.

EXISTING LCP TRAILS = DIFFERENT VIEW STANDARDS NOT CRITICAL VIEWSHED.  
NO CHANGE TO CURRENT PLAN NEEDED.

DOES VIEWSHED POLICY EXTEND TO LANDSCAPE VISIBLE FROM HIGHWAY?  
WHAT CAN WE DO IF PEOPLE HAVE INSTALLED IMPROPER LANDSCAPE?  
CONCERN TO NOT BURDEN COMMUNITY WITH ENFORCEMENT.

## **ESHA**

REQUEST TO LIMIT/OMIT MARITIME CHAPARRAL IN BIG SUR VS NORTH COUNTY.  
CCC NOTES DFG LISTING AND CSTL ACT REQUIREMENTS  
DEBATE/ISSUE OF LIMITED DOCUMENTATION AND NUMEROUS LISTINGS.  
NEEDS TO BE STUDIES BEFORE ASSESSING AS A POLICY  
ASSESS AS IMPACT POTENTIAL WITH LIMITED INTENSITY OF USE.

CCC REQUESTING GUIDANCE DOCUMENT FOR CONSISTENT PARAMETERS ON REPORTS (E.G. BIOLOGY).