

DRAFT  
Minutes

GENERAL PLAN UPDATE – REFINEMENT GROUP

Thursday, September 23, 2004, 12:00 to 5:00 PM  
at the Monterey County Herald, 8 Upper Ragsdale, Monterey

Those present: Nancy Isakson, Alfred Diaz-Infante, Mike Caplin, Luann Meador, Christine Kemp, Jay Brown, Shari Damon, Rick Smith, Kurt Gollnick, Gwen Miller, Chris Steinbruner, Aaron Johnson, Tom Carvey, Chris Bunn,

I) Public Comment Period (Public Comment for issues not on the agenda)  
Public comment: none

II) Approval of agenda for September 23, 2004  
Public comment: none  
Add: presentation of finished RG work (after IIIA)  
Add: meeting places for November and December (under VIII)

III) Approval of minutes of September 16, 2004  
Public comment: none  
Approved as e-mailed.

Tom Carvey distributed the finished RG binders and CD-ROM's to the members of the RG. The bill for copying was \$623.00, plus the binders and dividers, for a total of \$700.00. Several members of the group agreed to split the bill.

Discussion about when to present the finished work to the County Planning Staff and Board of Supervisors. Agreed that Tom Carvey will deliver the RG binders to County Planning Staff on Friday. Alfred Diaz-Infante will present the RG binders to the Board of Supervisors on Tuesday, September 28, 2004. Tom will present the RG binders to the Planning Commission on Wednesday, September 29, 2004.

Tom Carvey will post the RG cover letter on the web site.

IV) 1982 Plan Analysis (Chapter 1)  
Public comment: none  
Jay Brown distributed copies of the 1982 General Plan matrix, showing last week's comments and notes from last week. Some objectives of the 1982 plan didn't have policies; these have been added to the matrix distributed today. See notes on the following pages.

V) Cover letter for distribution of RG work to the mayors  
Public comment: none  
Continued until next week's meeting.

VI) Discussion points for the 12 Guiding Objectives  
Public comment: none  
Discussion included the following points:

- Jay Brown suggested dividing up the Guiding Objectives (GO) and working in subcommittees.

- Rick Smith suggested looking at the inconsistencies in the 12 GO's and linking them to high priority issues.
- Decided to split the high priority issues as follows:
  - Slope policy to Land Use (LU) subcommittee
  - Ridgeline development to LU subcommittee
  - Native vegetation to ERME subcommittee
  - Minimum parcel size to LU subcommittee
  - Water supply to Public Service subcommittee (water subcom)
  - Erosion and water quality to Health and Safety subcommittee (water hazard subcom)
  - Circulation to Circulation subcommittee
  - Concurrency of infrastructure to Public Service, Housing, Circulation and LU subcommittees
  - Ag element to Ag subcommittee
  - Housing mix to Housing subcommittee
  - Financing of infrastructure to new committee.

Discussion about the necessity for an Ag element. M/s/c/u to keep Ag element.

Jay Brown suggested that we create a table for the guiding objectives, with the GO's on the vertical and horizontal axes. Jay will create a table for this and will e-mail it to the group this week. m/s/c to leave the discussion on the 12 GO's until next week and continue with the 1982 plan. Add to next week's agenda.

VII) Preparation for the Board of Supervisors' meeting: included under III (above).

VIII) Agenda building for next meeting

IX) Adjournment to meeting of Thursday, September 30, 2004, 12:00 to 5:00 PM at the at the Salinas Chamber of Commerce, 119 E. Alisal St., Salinas



**1982 General Plan – Chapter 1 Natural Resources** 9/21/04

| <p align="center"><b>1982<br/>General Plan Goal</b></p>  | <p align="center"><b>Policy</b> (or Objective w/o supporting policy)</p>   | <p align="center"><b>Current Practice &amp;<br/>Implementation</b></p>   | <p align="center"><b>Worked?<br/><br/>Not Worked?<br/><br/>Not Needed?</b></p>   | <p align="center"><b>Proposed Change of<br/>Policy Direction</b></p>  | <p align="center"><b>Belongs in<br/>Which<br/>Mandatory<br/>Element?</b></p> |
|--|--|--|--|---|--|
| <p><i>1 GOAL<br/>TO RETAIN THE<br/>CHARACTER AND<br/>NATURAL<br/>BEAUTY OF<br/>MONTEREY<br/>COUNTY BY THE<br/>PRESERVATION,<br/>CONSERVATION,<br/>AND<br/>MAINTENANCE<br/>OF OPEN SPACE<br/>WITHIN<br/>CONSTITUTIONAL<br/>CONSTRAINTS.</i></p> | <p>1.1.1 Open space land use designations shall be used, as needed for compliance with the goals, objectives, and policies of this Plan.</p> | <p>“O” districts under title 21. Zoning. Scenic easements also? Scenic easements are used to enforce 30% slopes, etc. Discussion of “O” districts. Looked for them on the 1982 maps, but couldn’t find them. Rick Smith found them on the 1982 plan map, dated 1999.</p> | <p>Has not worked. Open space is not listed in the 1982 plan. There is no “open space” text in the 1982 plan in the Land Use section, nor in the maps.</p> | <p>There are currently no policies. Do we need this policy? Confusion of “open space” designation with scenic easements, Williamson Acts.</p> <p>Can be achieved through other means: Williamson Act, scenic easements.</p> | <p>Open Space</p>  |
| <p>Notes, 9/9/04<br/>Required 7 Elements:<br/>Land use<br/>Circulation<br/>Housing<br/>Conservation<br/>Open space<br/>Noise</p>   | <p>1.1.2 Open space land use designations shall be used as needed to preserve the physical and natural features contributing to</p>          | <p>“O” districts under title 21. Zoning. Scenic easements also? Scenic easements are used to enforce 30% slopes, etc. Discussion of “O” districts. Looked for them on the 1982 maps, but couldn’t find them. Rick Smith found them on the 1982 plan map, dated 1999.</p> | <p>Has not worked. Open space is not listed in the 1982 plan. There is no “open space” text in the 1982 plan in the Land Use section, nor in the</p>       | <p>There are currently no policies. Do we need this policy? Confusion of “open space” designation with scenic easements, Williamson Acts.</p> <p>Can be achieved through other means: Williamson Act, scenic easements.</p> |  |

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|-----------------------------------|--|--|--|---|--|
| Safety                            | the County's outstanding natural beauty.   |  | maps.  |   |  |
|                                   | 1.1.3 Landowners shall be encouraged voluntarily to restrict the development potential of property through grants of conservation easements, Williamson Act contracts, or other appropriate protections in areas designated for open space uses such as agriculture and resource conservation. | Currently, this is not a very voluntary process. Scenic and conservation easements are required as conditions of approval. | It has worked, but has not been voluntary.               | Reinforce the voluntary nature of the policy. | Open Space                                 |

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|---|--|---|--|--|--|
| <i>2 GOAL TO PROVIDE FOR THE CONSERVATION, UTILIZATION, AND DEVELOPMENT OF THE COUNTY'S MINERAL RESOURCES IN KEEPING WITH SOUND CONSERVATION PRACTICES AND TECHNIQUES</i> | 2.1.1 The County shall work in conjunction with the State Division of Mines and Geology to inventory lands containing valuable mineral deposits and identify on- and off-site land uses that would be incompatible with mineral extraction activities. | The County has designated mineral extraction areas on the 1982 General Plan map and allows mineral extraction in various zoning designations. | Current practice has worked as implemented, but would not work if literally applied. | Modify the policy to be consistent with current practice to the extent permissible by state law..  | Land Use, Conservation element.            |
| Notes:  | 2.1.2 The County shall designate land use categories which will protect potentially significant mineral deposits from land uses which would permanently preclude mineral extraction.   | County has designated mineral extraction areas on 1982 map and allows mineral extraction in various zoning designations.                      | Current practice has worked as implemented, but would not work if literally applied. | “Modify the policy to be consistent with current practice to the extent permissible by state law.” | Land Use, Conservation.                    |

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|-----------------------------------|---|---|--|---|--|
|                                   | 2.2.1 Existing mining operations shall be inventoried and off-site incompatible land uses identified.                           | The County has designated mineral extraction areas on the 1982 General Plan map and allows mineral extraction in various zoning designations.                               | Current practice has worked as implemented, but would not work if literally applied. | Modify the policy to be consistent with current practice to the extent permissible by state law.  | Land Use, Conservation.                    |
|                                   | 2.2.2 The County shall designate land use categories which will protect existing mining operations from incompatible land uses. | M/s/c to use the language:<br>The County has designated mineral extraction areas on the 1982 General Plan map and allows mineral extraction in various zoning designations. | Current practice has worked as implemented, but would not work if literally applied. | The County shall develop a buffer policy addressing the above 5 points below:<br><ol style="list-style-type: none"> <li>1. Purpose: protect existing use</li> <li>2. New use provides buffer</li> <li>3. New use maintains buffer</li> <li>4. Terminate when no longer needed</li> <li>5. Include a broad category of specifics and minimum requirements to avoid conflict of uses.</li> </ol> Also see RG AG-1.4 | Land use, conservation                     |
|                                   | 2.3.1 A mining and reclamation plan shall be required for all proposed mineral extraction operations.                           | The policy states the current practice.   | Has worked   | No change necessary   | Land Use, Conservation                     |

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| <p>Notes: some "objectives" do not have "policies." We need to watch this. If we look at one objective, we should look at them all. We originally said we wouldn't cover objectives. But if there is an objective with a state requirement, we'll have to address it. Could be as simple as "County shall write a policy consistent with state law."</p> <p>It's dangerous to be silent. We should be consistent with the approach.</p> <p>Jay needs from me: today's work. He will add the objectives to this format. We don't necessarily have to look at the objectives, but just those objectives that don't have policies.</p> | <p>2.3.2 Mining operators shall be required to furnish the County with all information needed to make an environmental assessment of the proposed mineral extraction operation.</p> | <p>The policy states the current practice.</p> | <p>Yes</p>   | <p>No</p>                                  | <p>Land use, conservation</p>              |
|   | <p><i>Objective</i><br/>2.4 Support efforts to conserve raw mineral resources through recycling.</p>  |  |  |  |  |
| <p>3 GOAL<br/>TO PROMOTE THE</p>  | <p>3.1.1 Erosion control procedures shall be</p>  | <p>The policy states the current practice.</p> | <p>Has worked.</p>                                       | <p>No change necessary</p>                 | <p>Conservation</p>                        |

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| <i>CONSERVATION OF SOILS AS A VALUABLE NATURAL RESOURCE.</i> | established and enforced for all private and public construction and grading projects.  |  |  |   |  |
|  | 3.1.2 The County shall support and encourage existing special district, state, and federal soil conservation and restoration programs within its borders. | County currently coordinates and cooperates with various agencies. | Not needed   | Delete the policy because this is already covered by state and federal law. | Conservation                               |

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|                                   | 3.1.3 In the absence of more detailed site specific studies, determinations of soil suitability for particular land uses shall be made according to the Soil Conservation Service's Soil Survey of Monterey County. | County does what the policy says.  | Has worked   | Update the reference to the Soil Conservation Service's Survey to a more accurate survey if one exists.  | Conservation                               |
|                                   | 3.2.1 A slope map shall be produced to identify areas in the County where slope poses severe constraints for particular land uses.  | County has prepared maps to exclude development on slopes exceeding 25-30%.  | Has not worked as applied; would work if implemented as written.     | This policy should focus on preventing erosion and not limiting land use. Policy should be rewritten to read: 3.2.1 A slope map shall be produced to identify areas in the County where slope poses risk of severe soil erosion. | Conservation                               |
|                                   | 3.2.2 Lands having a prevailing slope above 30% shall require adequate special erosion control and construction techniques.   | With rare exceptions Current practice is to preclude development and require conservation easements on land over 25/30%. | Has not worked as applied, but would work if implemented as written. | Implement the policy as written. Allow development on slopes over 30% as stated in the policy.   | Conservation                               |
|                                   | 3.2.3 Lands having a high   | In part, current practice has been   | Current policy   | For new <u>and expanded Ag</u> uses, lands   | Conservation                               |

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|                           | erosion potential as identified in the Soil Survey shall require adequate erosion control methods for agricultural uses. | implemented through Title 21.<br><br>Agreed to revisit this policy again next week. | has not been uniformly applied or enforced.         | identified as having a high erosion potential as identified in the soil survey shall require erosion control methods for new or expanded uses. The soil survey map should be updated.<br><br>Change this policy to read “for new or expanded ag uses.”<br><br>Existing ag erosion control issues are addressed through the RWQCB and revise Title 21 to deal solely with lands with high erosion potential rather than blanket slope percentage prohibitions.<br><br>Work stopped at this point on 9-16-04. |  |

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|------------------------|--|--|---|--|--------------------------------------|
|                        | <p>3.2.4 Except in areas designated as medium or high density residential or in areas designated as commercial or industrial where residential use may be allowed, the following formula shall be used in the calculation of maximum possible residential density for individual parcels based upon slope:</p> <p>* Those portions of parcels with cross-slope of between zero and 19.9 percent shall be assigned 1 building site per each 1 acre.</p> <p>* Those portions of parcels with a cross-slope of between 20 and 29.9 percent shall be assigned 1 building site per each 2</p> | <p>Mike Caplin read from the 1982 plan on how to compute slope/density.</p> <p>Refer to RG LU-9-17 (A) and (B).</p> <p>Discussion of the use of only flat land for building. Allowing building on slopes would preserve farmland. Discussion of whether this is inconsistent with city-centered growth. Building into the hills could tie in with cities.</p> <p>Current practice allows for clustering of lots.</p> | <p><b>Has not worked, in that the policy has put pressure on prime farmland. And therefore hasn't achieved the objective as stated.</b></p> <p><b>Soils on 30% slopes are valuable, but not prime farmland, while</b></p> | <p><b>In order to reduce the pressure on our most valuable farmland and encourage the greater use of slopes to meet housing needs, the County should encourage greater use of slopes.</b></p> <p><b>Cross slope should not be used to determine development density, but could be properly used to decide when geotechnical studies are needed to develop slopes safely.</b></p> | <p><b>Land Use; Conservation</b></p> |

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|                              | <p>acres.</p> <p>* Those portions of parcels with a cross-slope of 30 percent or greater shall be assigned zero building sites.</p> <p>* The density for a particular parcel shall be computed by determining the cross-slope of the various portions of the parcel applying the assigned densities listed above according to the percent of cross-slope and by adding the densities derived from this process. The maximum density derived by the procedure shall be used as one of the factors in final determination of the actual density that shall be allowed on a parcel.</p> |                                      |   |  |  |

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|--|---|---|--|--|-------------------------------------|
|  | Where an entire parcel would not be developable because of plan policies, an extremely low density of development should be allowed.  |   |  |  |                                     |
| <i>4 GOAL TO PRESERVE AND ENHANCE ALL VIABLE AGRICULTURAL LANDS.</i> | 4.1.1 The Important Farmlands Inventory, developed by the USDA Soil Conservation Service and the California Department of Conservation and accepted by various County agencies, shall be used to identify important agricultural lands in the County. | <p>Maps must be accurate and subject to clarification with site-specific analysis.</p> <p>E.g. 1982 plan farmland map was very out-of-date.</p> <p><b>Maps are used as stated in the policy, but are often out of date or inaccurate.</b></p> <p><b>Current practice allows an Agricultural Viability study to confirm or refute the state mapping.</b></p> | <b>Has not worked due to outdated and/or inaccurate mapping.</b> | <p>Ensure that maps are updated and current. Mapping may be corrected based on site-specific analysis. Current practice allows an Agricultural Viability study to confirm or refute the state mapping.</p> <p><b>Revise policy to incorporate current practice allowing site-specific Agricultural Viability Study to supersede state mapping.</b></p> | <b>Conservation</b>                 |

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|------------------------------|--|--|--|---|--|
|                              | 4.1.2 The County shall establish agricultural zoning districts on prime farmlands, farmlands of statewide importance, unique farmlands, and farmlands of local importance. | County has established zoning districts based on the criteria in the policy, which are not entirely accurate. See language above in 4.1.1. | Has not worked, due to flaws in mapping, is not entirely accurate.<br><br>Has been over-inclusive in that land that is not prime farmland has been protected. Cities have annexed ag lands.<br><br>Affordable housing prices have been inflated through the over-inclusive policy. | Revise policy to incorporate current practice allowing site-specific Agricultural Viability Study to supersede state mapping. |  |
|                              | 4.1.3 All farmlands designated as prime, of statewide importance, unique, or of local importance shall be protected from incompatible uses on adjacent lands.              | Current practice is to require buffers.  | Has not worked; the policy requires permanent 200' buffers in all cases.   | Use the RG buffer policy see RG LU-9.4 and AG-1.4.  | Land Use                                     |

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|------------------------------|--|---|--|--|--|
|                              | 4.2.1 The County shall establish agricultural zoning districts for grazing and related purposes. | <p>Current practice is as per policy. See comments on mapping on 4.1.1.</p> <p>The current districts are no longer used for their current designations.</p> <p>Permanent grazing is to protect exclusive grazing lands in Monterey County.</p> <p><b>There are currently 2 designations: rural grazing and permanent grazing.</b></p> | <p><b>Has not worked, because the distinction between the 2 designations is not clear and is not supported by agricultural practice.</b></p> | <p><b>Combine the 2 designations. Allow clustering in all grazing definitions, and redefine those areas which are not truly grazing areas to another land use category (e.g. rural countryside). Revise policy to incorporate current practice allowing site-specific Agricultural Viability Study to supersede state mapping.</b></p> | <p><b>Land Use</b></p>                       |

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|--|---|---|---|---|--|
| <p><i>5 GOALS<br/>TO CONSERVE<br/>AND ENHANCE<br/>THE WATER<br/>SUPPLIES IN THE<br/>COUNTY<br/>AND<br/>ADEQUATELY<br/>PLAN FOR THE<br/>DEVELOPMENT<br/>AND PROTECTION<br/>OF THESE<br/>RESOURCES AND<br/>THEIR RELATED<br/>RESOURCES FOR<br/>FUTURE<br/>GENERATIONS.</i></p> | <p>5.1.1 Vegetation and soil shall be managed to protect critical watershed areas.</p>  | <p>Other than the Pescadero watershed, the RG is unaware of any other areas designated as “critical watershed areas.”</p>                         | <p>This policy is not needed</p>                    | <p>The goal itself needs to be corrected, or the policies changed.</p> <p><b>This policy should be deleted. It is not needed as other entities have jurisdiction e.g. Fish and Game, RWQCB.</b></p> | <p><b>Not needed.</b></p>                    |
|  | <p>5.1.2 Land use and development shall be accomplished in a manner to minimize runoff and maintain groundwater recharge in vital water resource areas.</p> | <p>This policy is currently implemented through the Monterey County Water Resources Agency (MCWRA), which regulates on-and off-site drainage.</p> | <p>Has worked.</p>                                  | <p>No change as currently implemented.</p>  | <p>Conservation</p>                          |

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|------------------------------|---|--|--|--|--|
|                              | 5.2.1 Owners of property adjacent to waterways or responsible agencies shall be encouraged to maintain healthy vegetation along the drainage course, or provide other suitable means of preventing bank erosion or siltation. | County currently requires setbacks from riparian corridors. Additionally, land owners are prevented from doing work within the riparian corridor to establish healthy vegetation or provide other suitable means for preventing bank erosion or siltation. | Has not worked as applied; would work if implemented as written. | The policy should be revised to ensure that to the extent possible, the County shall allow land owners to maintain the riparian corridor to establish healthy vegetation or provide other suitable means for preventing bank erosion or siltation. | Conservation                                 |
|                              | 5.2.2 The County shall establish special procedures for land use, building locations, grading operations, and vegetation removal adjacent to all waterways and significant water features.                                    | The County has established procedures, but has gone beyond what is needed to conserve and enhance the water supply as stated in the goal.  | Has not worked.  | Rewrite the policy to limit its application to only those procedures needed to enhance the water supply as stated in the goal.   | Conservation                                 |

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|--|---|--|---|---|-------------------------------------|
|  | <p><i>Objective</i><br/>5.3 Promote the use of public water reservoirs for multiple purposes, where appropriate, i.e., water conservation, flood control, recreation, and hydroelectric generation.</p> | <p>This is a floating objective, without a policy. There should be a policy along with the objective.</p> <p><b>This objective has been treated as a policy.</b></p>   | <p><b>Has generally worked, except within the MPWMD.</b></p>                | <p>Convert this objective to a policy.</p>  | <p>Conservation</p>                 |
| <p><i>6 GOAL TO PROMOTE ADEQUATE, REPLENISHABLE WATER SUPPLIES OF SUITABLE QUALITY TO MEET THE COUNTY'S VARIOUS NEEDS.</i></p> | <p>6.1.1 Increased uses of groundwater shall be carefully managed, especially in areas known to have ground water overdrafting.</p>   | <p>This policy is currently in practice. It is currently managed through various entities, such as the B-8 Overlay District, the MPWMD and the MCWRA.</p> <p>The County has established procedures, but has gone beyond what is needed to manage ground water in areas known have ground water overdrafting.</p> | <p>Has not worked as applied, but would work if implemented as written.</p> | <p>Policy needs to be rewritten to ensure that the policy is only applied in areas <u>proven</u> to have ground water overdrafting.</p> | <p>Conservation</p>                 |
|  | <p>6.1.2 Water conservation measures for all types of land uses shall be encouraged.</p>  | <p>The various water entities have adopted and implemented conservation measures and ordinances.</p>   | <p>Has worked.</p>  | <p>No change needed.</p> <p>Work stopped at this point on 6-23-04.</p>  |                                     |