



Chapter XI. ADMINISTRATION ELEMENT

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Part I: Introduction

This introductory narrative is provided for background purposes only. It is not policy, and shall not be cited as policy or used to interpret or construe the policies of this plan.

The success of the General Plan will rest with its consistent administration and implementation. This Element provides the policies and actions that will be essential for accomplishing the Plan's goals and for ensuring that improved land use decisions will bring certainty, consistency and efficiency to the process.

State Requirements

While the Administration Element is not a mandated element under state law, the County of Monterey recognizes that successful implementation of this Plan will be largely dependent on ongoing and dedicated Plan administration and implementation.

Guiding Objectives

This Element has been prepared in keeping with the overall General Plan Guiding Objectives. The Objective that most directly relates to this Element is:

- #12 *Provide a clear statement of county land use values and policies to provide clarity in the county's permit processing system and to simplify review of projects that are consistent with the General Plan.*

Part 2: Goals and Policies

Goal AD-I - Public Participation and Hearing Bodies
Provide opportunities for broad public participation and clarity in the roles and responsibilities for land use approvals.

Policy AD-I.1 **Public Participation** - Seek public awareness of, and participation in, the preparation, review and revision of the County's plans, the adoption or modification of land development regulations and other actions that implement the General Plan.

Comment: *The last sentence was removed because public notification is required by state law.*

Policy AD-I.2 **Role of Hearing Bodies** – The decision-making and appeal roles shall generally be:

- a. **Board of Supervisors** - The main role for the Board of Supervisors shall be to provide overall policy direction on legislative land use matters, including but not limited to the General Plan, other plans, land development regulations and other legislative actions and ordinances needed to implement the General Plan. The Board shall act as an appeal authority for all discretionary development approvals. The Board shall continue to act as decision-making authority for all projects on which state law requires final action by the Board of Supervisors.

- b. **Representative Planning Commission** – The Monterey County Planning Commission shall consist of 11 citizens appointed by the Board of Supervisors in accordance with this Policy to assist in evaluating land use planning issues. The Planning Commission reviews and makes recommendations on General Plan and zoning amendments and other legislative matters pertaining to land use, functions as the decision making body on certain discretionary permits, and is an appeal body for Administrative decisions. All decisions of the Planning Commission are appealable to the Board of Supervisors.

(1) Planning Commissioner Appointments

- (a) Five of the eleven Commissioners shall be directly appointed, one each by each member of the Board of Supervisors; provided, however, that the appointed Commissioner's primary residence is within the appointing Supervisor's district.
- (b) Six Commissioners shall be appointed by a majority vote of the Supervisors from nominees submitted by the following groups or organizations:
- i. One Commissioner selected from a list of two nominees provided by the Monterey County Central Labor Council;
 - ii. One Commissioner selected from a list of two nominees provided by the Monterey County Hospitality Association;
 - iii. One Commissioner selected from a list of two nominees provided by the Monterey County Farm Bureau;
 - iv. One Commissioner selected from a list of two nominees provided by the Grower-Shipper Association of Central California;
 - v. One Commissioner selected from a list of two nominees provided by the Monterey County Housing Alliance; and
 - vi. One Commissioner selected from a list of two nominees provided by the Monterey County Agricultural Advisory Committee (MAAC). The MAAC shall nominate Commissioners from all areas of agriculture not represented by the organizations listed in iii. and iv. above and shall include the Cattleman's, Vintners and Growers, Independent Growers and/or any other Monterey County based agricultural organization whose members derive their primary source of income from production agriculture produced on agricultural lands.

If not majority vote is forthcoming for a category of nominee(s), then the nominating organization shall submit additional nominees.

(2) Terms, Vacancies and Reappointment

- (a) The term of office for each Commissioner shall be two years excepting that each Supervisor's directly appointed Commissioner shall serve at the pleasure of said Supervisor, therefore the Commissioner may be replaced prior to completing their term.
- (b) The terms of office shall be staggered with the five Commissioners commencing terms on even calendar years and six commencing their terms on odd years.
- (c) A vacancy occurs among the directors when a Commissioner resigns or dies, or if the office is declared vacant by the Supervisors on the recommendation of a

majority of the Commissioners, due to the incumbent Commissioner's incapacity or failure to attend meetings, or if a directly appointed Commissioner serving at the pleasure of a Supervisor is decommissioned by said Supervisor. A vacancy shall be filled by appointment in the same manner as the appointment of the previous holder of the office. The person appointed to replace a Commissioner shall serve for the remainder of the original term, or if directly by a Supervisor they shall serve at the pleasure of the Supervisor, but in no case longer than the original term, and may thereafter be re-appointed or not, as the appointing authority may decide.

Comment: Policies AD-1.2, b. and c. changes reflect the Refinement Group's recommendation of a "Representative Planning Commission." The Planning Commission, as it is currently seated, lacks important assurances that Monterey County's leading industries, agriculture and hospitality and fundamental support industries, labor and housing, are adequately represented for Land Use decisions. The Board of Supervisors continues with the ability to appoint five other members of their choice. The "Representative Planning Commission" provides for a broad mix of citizens, including key industry representatives, to participate in Land Use Planning policies and decisions. A "Representative Planning Commission" is an efficient approach to Planning provided the representation is adopted as submitted.

c. **Agricultural Planning Commission**

Comment: Deleted Agricultural Planning Commission and added agricultural members to the Planning Commission.

- d. **Zoning Administrator** - The Zoning Administrator shall decide all discretionary permits for variances, designated use permits, designated coastal development permits, and Administrative Permits referred to the Zoning Administrator because of significant public policy issues. All decisions of the Zoning Administrator shall be appealable to the Board of Supervisors.

NEW Minor Subdivision Committee – The Minor Subdivision Committee shall consist of one member of the Planning Commission and one alternate, the Director of Public Works, the Director of Environmental Health, the Director of Planning and Building Inspection, the General Manager of the Monterey County Water Resource Agency, and the County Fire Warden, or their designated representatives. The Minor Subdivision Committee shall be the decision making body for minor subdivisions. All decisions of the Minor Subdivision Committee shall be appealable to the Board of Supervisors.

NEW Subdivision Committee - The Subdivision Committee shall consist of the Director of Public Works, the Director of Environmental Health, the Director of Planning and Building Inspection, the General Manager of the Monterey County Water Resource Agency, the Director of Parks and the County Fire Warden, or their designate representatives. The Subdivision Committee shall be an advisory body for standard subdivisions heard by the Planning Commission and/or Board of Supervisors.

- e. **Director of Planning and Building Inspection Department** – The Director of the Planning and Public Inspection Department shall decide administrative permit matters that do not require a public hearing and make administrative interpretations of the County's plans and regulations. Administrative permit matters shall be defined in ordinance and shall

include decisions related to house design, lot-line adjustments, fee and other waivers, and other items. All decisions of the Planning Director shall be appealable to the Board of Supervisors.

- f. **Land Use Advisory Committees** - The Land Use Advisory Committees representing specific geographic areas of Monterey County shall advise the appropriate authority by providing comments and recommendations on referred land use planning matters pursuant to the "Guidelines for Review of Applications." Each LUAC shall reflect broad communities of interest and reflect the input of the local community affected by a project. The Land Use Advisory Committee members shall be appointed by the Board of Supervisors for two (2) year terms and the composition of members shall ensure balanced representation from the Planning Area.

Comment: *LUAC members should be appointed by the Board of Supervisors so they are accountable to an elected official.*

Policy AD –I.2g **Deleted**

Comment: *This Council does not hear permits or provide advisory recommendations. It acts as an interagency cooperative committee and as a means of providing public review of public agency activities in the Big Sur area.*

Policy AD-I.3 **Deleted**

Comment: *The "Role of Permit Staff" policy was deleted as "Staff" is not a hearing body.*

Goal AD-2 – Processing General Plan Amendments and Permit Applications

Ensure General Plan Amendments and Permit Applications are processed in compliance with State law.

Policy AD-2.1 ***General plan amendments should be heard in accordance with state law which allows amendments to be heard up to 4 times a year.***

Policy AD-2.2 **Deleted**

Comment: *General plan amendments should be heard in accordance with state law which allows amendments to be heard up to 4 times a year.*

Policy AD-2.3 **Deleted**

Comment: *General plan amendments should be heard in accordance with state law which allows amendments to be heard up to 4 times a year.*

Policy AD-2.4 **Deleted**

Comment: *General plan amendments should be heard in accordance with state law which allows amendments to be heard up to 4 times a year.*

Policy AD-2.5 **Deleted**

Comment: *General plan amendments should be heard in accordance with state law which allows amendments to be heard up to 4 times a year.*

Policy AD-2.6 **Timely Processing of Permits and Plan Amendments** - The County shall make decisions regarding the approval of property owner-initiated permit applications, including General Plan amendment requests, in a timely manner, in accordance with the time requirements set forth in state law including the Permit Streamlining Act, Subdivision Map Act, and California Environmental Quality Act, and consistent with and contingent upon the timely submittal of necessary information by the applicant.

Policy AD-2.7 **Deleted**

Comment: *General plan amendments should be heard in accordance with state law which allows amendments to be heard up to 4 times a year.*

Policy AD-2.8 **Deleted**

Comment: *General plan amendments should be heard in accordance with state law which allows amendments to be heard up to 4 times a year.*

Policy AD-2.9 **Deleted**

Comment: *General plan amendments should be heard in accordance with state law which allows amendments to be heard up to 4 times a year.*

Goal AD-3 - Countywide Funding Program

Identify and prioritize funding programs on a countywide basis to identify infrastructure needs.

Policy AD-3.1 **Five-Year Capital Improvement Program** – To aid the public, private investors and developers in determining where and when public facilities will be constructed, the County shall prepare and maintain a Capital Improvement Program (CIP). The CIP shall be updated every five years and shall include a listing of the potential improvements to be constructed, and a financing plan.

Policy AD-3.2 **Funding Coordination** - The County, while considering input from other jurisdictions and agencies shall identify public facilities and services needs, define priorities for improvements, and leverage available funding to secure revenue for capital improvements and for maintenance and operations. The Capital Improvement Program (see Policy AD-3.1 above) shall include the consideration of infrastructure needs (e.g., water, wastewater, public facilities, roads, parks, drainage/flood, habitat mitigation, sheriff, transit, and other facility and service improvements) in both existing areas as well as new areas that are being planned to accommodate development and utilize a variety of revenue sources (e.g., general and special funds, developer impact fees,

connection fees, property tax assessments, sales or gas taxes, transient occupancy taxes, grants, bonds, redevelopment funding, assessment districts, and loans, and private donations) to construct identified capital improvements.

Policy AD-3.3 **Deleted**

Comment: Community Plans may not be in the revised General Plan.

Policy AD-3.4 **Deleted**

Comment: The priorities for Capital Improvement Investments should arise out of the CIP process.

Policy AD- 3.5 **Inventories of Public Facilities –** The County shall maintain inventories of existing public facilities, including roads, bridges, buildings, parks, and other capital facilities, in accordance with state requirements. The inventories shall identify the repair, remodeling, or renovation that is needed in order to keep existing facilities in good repair.

Policy AD-3.6 **Financing Plan -** The financing plan for capital improvements shall be based on realistic estimates of current local revenues and external revenues that are reasonably anticipated to be received by the County. If the projected funding is inadequate to finance needed public facilities the County shall seek to increase revenues, decrease level of service standards, or decrease the cost of the facility.

Policy AD-3.7 **Revenue Options –** A range of funding strategies shall be pursued for capital improvements. The strategies include, but are not limited to:

- a. Development impact fees;
- b. Debt financing;
- c. Local multi-purpose levies;
- d. Local single-purpose levies;
- e. Community Service Districts;
- f. State grants and loans;
- g. Federal grants and loans;
- h. Bonds;
- i. Assessment Districts; and
- j. Redevelopment Funding.

Policy AD-3.8 **Fair Share Contribution and Nexus Requirement -** Fair Share funding responsibilities attributable to a new development project for new infrastructure shall be based on the proportionate share of the cost of providing additional service/facilities necessary for the new development, excluding the cost to remedy any existing capacity deficiencies. In order to establish or increase a development impact fee the County must demonstrate a reasonable relationship between the fee being charged and the cost of the new infrastructure attributable to the new development on which the fee is being imposed.

Policy AD-3.9 **Public Participation in Capital Improvement Program –** The public shall be provided an opportunity to participate in and review and comment on proposed five-year Capital Improvement Program.

Policy AD-3.10 **Impact on Affordable Housing** – Exactions, dedications, impact fees, and assessment programs shall be structured so as not to place inordinate burdens on affordable housing.

Policy AD-3.11 **Deleted**

Comment: Annual review of GP has been eliminated. This process is too cumbersome and will not occur.

Policy AD-3.12 **Timing of Improvements** – Ensure that adequate public facilities and services needed to support new subdivision development are available concurrently with the impacts of such development.

Comment: See definition of “Concurrency.”

Policy AD-3.13 **Deleted**

Goal AD-4 – Budget and County Operation - Deleted

Goal AD-5 – Annual and Five-Year General Plan Reporting - Deleted

Comment: Annual and Five year review of GP has been eliminated as it is too cumbersome and will not occur.

Goal AD-6 – Project-Specific Fiscal Analysis - Deleted

Comment: This is an important concept and cannot be quantified in a GPU policy. The appropriate amount of an exaction is dealt with in other policies of the GPU as well as Government Code section 66000 and the Capital Improvement Program.

Goal AD-7 – Permit Application Review

Ensure that the review of individual development projects is consistent with the General Plan, efficient, fair and understandable.

Policy AD-7.1 **Deleted**

Policy AD-7.2 **Deleted**

Policy AD-7.3 **Deleted**

Comment: Departmental review should be limited to application of ordinances. Table PS-1 (Refinement Group version) does not apply to existing lots of record.

Policy AD-7.4 **Deleted**

Policy AD-7.5 **Simplify Permit Review** – The County shall evaluate permit review procedures for projects and shall prepare changes to ordinances and procedures to allow expedited processing.

Policy AD-7.6 **Incomplete Application** – The County shall notify applicants whose applications have been incomplete due to the failure to submit information for more than two years. The permit application will be closed if the applicant fails to notify the County within sixty days of his or her intention to provide the requested information and proceed with the application.

Policy AD-7.7 **Deleted**

Comment: *The subject of mapping is covered in other policies within the various elements.*

Policy AD-7.8 **Notification to Applicants Outside of Community Areas** - Applicants whose property is located outside of Community Areas shall be provided an information brochure regarding existing level of services. This information shall be provided to the property owner so that they can choose whether they wish to proceed with building plans. The brochure shall encourage property owners to contact local service providers to obtain specific information for their area.

Goal AD-New – Condition Compliance

Monitor and report on project condition compliance to assure an on-going compliance with project mitigation measures and conditions.

Policy AD-New **Condition Compliance** – The County shall implement adopted mitigation and monitoring programs to assure that project conditions and mitigation measures are strictly implemented and complied with.

Policy AD-New **Project Conditions** – In order to make condition compliance more efficient and effective, County agencies shall limit the number of conditions imposed on projects to those necessary to assure compliance with CEQA mitigation measures and adopted County ordinances and policies, and shall avoid unnecessary and redundancy conditions. Project conditions shall be worded in clear, simple and understandable language.

Goal AD-New – Code Enforcement

Ensure that planning and building codes are administered efficiently and uniformly and enforced effectively.

Policy AD-7.9 **Code Enforcement** – The County shall maintain an ongoing program to respond to complaints regarding violations of Monterey County land use and building codes.S

Goal AD-8 – Geographic Information System (GIS)

Maintain a Geographic Information System to allow for informed decisions and faster permit processing by decision-making bodies, planners, the public and applicants.

Policy AD-8.1 **GIS Map Updates** – The County shall continue to update and add new information to the Geographic Information System (GIS), placing the highest priority on data that facilitate evaluation of demographic and development trends, natural resource constraints and protection strategies, infrastructure management, and County service provision.

Policy AD-8.2 **Data Sharing** – Coordinate with other agencies outside the County to obtain data, share County information and facilitate interagency data exchanges. Data exchanges shall occur based on the terms established in agreements.

Policy AD-8.3 **Official Land Use Plan and Zoning Maps** – The County shall prepare and maintain digital Land Use Plan and Zoning Maps. A printed version of these maps, once adopted by the Board of Supervisors, shall be maintained as the County's Official Land Use Plan and Zoning Maps. Any change to the Official Land Use Plan Map or Zoning Map shall be processed as a General Plan or Zoning Map amendment and adopted by the Board of Supervisors. These maps shall be available for public review at the County's Planning and Building Inspection Department and be made available to the public on the County's website at no charge.

Goal AD-9 – Consolidation of County Agencies

Reduce administrative costs and improve the planning and delivery of County services by centralizing governance for similar services or by coordinating service provision.

Policy AD-9.1 **Consolidation of County Agencies** – The County shall explore consolidation of County agencies providing similar services when consolidation will improve efficiency, and the quality and value of services, where feasible and appropriate.

Policy AD-9.2 **DeletedS**

Goal AD-10 – Implementation Program

Ensure clear understanding of the tasks, roles, and schedules that are needed to implement the General Plan.

Policy AD-10.1 **Implementation Program** – The County shall adopt an Implementation Program within a reasonable time after adoption of the General Plan. For each task, the program shall describe the task to be undertaken, the priority cost and schedule for completion, and the body with primary responsibility for implementation.

Policy AD-10.2 **Deleted**