

Coastal-Wide Policies Executive Summary

The Refinement Group reviewed coastal-wide policies in GPU3 (policies that apply only within all areas in the Coastal Zone). Area-specific policies were not reviewed (policies applicable only within the North County Coastal, Carmel Coastal, Del Monte Forest, or Big Sur area).

The Refinement Group takes no position on whether the next draft of the General Plan Update should contain a coastal-wide section (the concept was new to GPU3).

Should a coastal-wide section be included in the next draft, the Refinement Group believes that coastal-wide policies should differ from county-wide policies only to the extent required by the Coastal Act.

Additionally, the Refinement Group believes that permit conditions based upon coastal policies must have adequate nexus and proportionality between the condition and the activity for which the permit is sought.

Consistent with these concepts, the Refinement Group revised coastal-wide policies generally as follows:

- Trail policies were deleted. Shoreline access policies were retained and revised.
- A permit condition requiring shoreline access is required only where there is a need (no alternative shoreline access exists), and the condition must be supported by sufficient nexus and proportionality.
- A public agency is required to develop a management plan and accept liability and responsibility for maintaining and managing shoreline accessways. Accessways may terminate if the agency fails to meet its obligations.
- Coastal permits are not required for activities which are excluded by Public Resources Code section 30610 (e.g., rebuilding after disaster, routine maintenance and repair, minor remodels, minor new structures, or other activities with little or no impact on coastal resources). Public hearings are not required on coastal permits for second units, as permitted by Government Code section 65852.2(j).
- Environmentally sensitive habitat areas (ESHA) are primarily left to be designated within area-specific sections of the plan. ESHA designations are limited to areas that truly require extraordinary protection.

- Access roads are allowed in ESHA if no feasible alternative access is available and significant impacts to ESHA are mitigated. Development generally is allowed in ESHA if impacts would not be significant. Development may be allowed in ESHA if the development is of a nature recognized as important by the Coastal Act or other state law, and impacts are unavoidable and are acceptable due to overriding considerations (e.g., as described in CEQA Guidelines section 15093). In-kind mitigation is not required at more than a one-to-one ratio.
- The existing one acre minimum parcel size for septic systems is retained.
- Setbacks from streams and wetlands will not exceed those required by applicable state and federal law.
- Water works, erosion and flood control projects, road crossings, and other developments which by their nature must occur within a stream channel, are not precluded in stream channels by coastal policies.
- Coastal archaeological protection is as provided in the Coastal Act.
- Agricultural policies assist agriculture, and generally differ from countywide agricultural policies only to the extent required by the Coastal Act.