

BIG SUR COAST LAND  
USE PLAN UPDATE

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WORKSHOP II

Monterey County Planning Commission August 11, 2021

# BACKGROUND AND SUMMARY OF WORKSHOP I

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- Planning Commission held Workshop I on July 14, 2001
- Big Sur LUACs presented a summary of Big Sur Coast Land Use Plan recommended amendments.
- HCD planning staff presented a summary of key issue areas, including fire safety and Environmentally Sensitive Habitat Areas and coastal access.
- Planning Commission discussed issues and asked for further information or consideration of the following draft plan topics:

# Discussion Topics

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1. An updated version of the draft plan showing underline and strike-through edits.
2. Legal advice on the relationship between Environmentally Sensitive Habitat Area (ESHA) protections and fire fuel management.
3. Information from the City of Malibu on Coastal Plan policies concerning ESHA and fire fuel management.
4. Information on “ad hoc” and assigned locations for parking along Highway 1 and other visitor destinations along the coast.
5. Information on bike trails.
6. Information about what the Coastal Act says about access to the Coast.
7. Information about what design standards would apply to workforce housing in commercial areas visible from Highway 1

## Discussion Topics Continued

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8. Information about the consistency of proposed new land use categories with the zoning ordinance, especially for Public and Quasi Public and Community and Visitor Serving categories.
9. Information about the recommendation to keep the Transfer of Development Credits policies to apply only to the Big Sur Coast and not to the countywide Transfer of Development Rights program.
10. Consideration of changing “objectives” to “policies” in the Introduction.
11. Consideration of adding language in the Introduction concerning the applicability of the plan policies to the Local Coastal Plan overall.
12. Consideration of what the plan narratives mean vis a vis plan policy.
13. Consideration of removing “constitutional takings’ language from several policies

# Staff Response to Discussion Topics

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1. **Working Draft BSLUP.** An updated version of the draft BSLUP strike through and underline copy is included as **Exhibit A**. This includes typographical and formatting updates, but not changes to the text received since Workshop 1.
2. **Refinement and discussion of ESHA legal issues.** **Exhibit B** is a memorandum from Ms. Wendy Strimling, Assistant County Attorney concerning ESHA issues.
3. **City of Malibu ESHA policies.** **Exhibit C** is a memorandum from John Dugan providing additional information about how the City of Malibu ESHA policies concerning fire fuel management are implemented. The Malibu policies exempting ESHA from property pursuant to the Los Angeles County Fire Department is strictly limited to the 100-foot defensible space around existing permitted structures.

# Staff Response

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- 4. Fire Fuel Management.** While the Commission did not ask questions about this topic, it is directly related to the ESHA issues and several fire fuel management policies. **Exhibit D** is a summary of the California Coastal Commission's staff report recommending approval and certification of a Fire Fuel and Forest Management Plan for Santa Cruz County.
  - 5. Parking Along Highway 1.** As the County experienced with the no parking restriction on the east side of Hwy 1 near the entrance to Point Lobos State Park, the Coastal Commission (CCC) staff expressed concern about maintenance of access to the coast. The CCC will likely seek a coordinated solution that restores and preserves access to the coast and coastal destinations.
  - 6. Bike Trails.** Caltrans is currently updating its Active Transportation Plan for District 5, which includes Big Sur. The plan is still in process.

# Staff Response

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- 7. Coastal Access.** The California Coastal Act states that one of its basic goals is to maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners. Article 2 of the California Coastal Act mandates that development shall not interfere with the public's right to access the sea and coastal beaches.
- 8. Design Standards for Workforce Housing.** The Coastal Implementation Plan (CIP) should include new design standards for workforce housing that will be visible from Highway 1.
- 9. New land use category consistency with zoning regulations.** The proposed land use categories are generally consistent with the land use categories of Title 20, the Coastal Zoning Ordinance.

# Staff Response

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**10. Transfer of Development Credits or Development Rights.** The staff concurs with the LUACs recommendation to maintain the existing Development Rights Credit program with no changes.

**11. Policies and Objectives.** Staff supports keeping the current adopted plan wording in the Introduction as “Policies” not “Objectives.”

**12. Additional Policy language in the Introduction concerning policy applicability to overall Local Coastal Program.** The language should be revised to state that the BSLUP policies apply only to the BSLUP planning area. Future planning work programs and projects will update the larger Coastal Plan.

**13. How are the plans’ narrative statements to be interpreted and used vis a vis the plan’s policies?** The narratives in current land use plans are used to help provide legislative intent and to inform interpretation of the policy language. They are not regulatory policies in themselves.

**14. Constitutional Takings.** Staff supports deleting “constitutional takings” language from several policies.



# Environmental Review

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- This workshop is intended to seek input and direction from the Planning Commission and the public to develop a land use plan that will be formally considered at a later stage by the Planning Commission, Board of Supervisors, and California Coastal Commission.
- This information gathering qualifies for a statutory exemption from environmental review pursuant to CEQA Guidelines Section 15262, Feasibility and Planning Studies.
- The workshop, and its outcome, is not a project as defined in CEQA Guidelines Section 15378.
- The policies being developed will be analyzed as a portion of the project description in the environmental assessment being prepared for the draft Big Sur Coast Land Use Plan.

# Exhibits

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- Staff Report
- Exhibit A – Working Draft BSLUP Strike Through and Underline Copy
- Exhibit B – Refinement and Discussion of ESHA Legal Issues
- Exhibit C – City of Malibu ESHA Policies
- Exhibit D – Fire Fuel and Forest Management Plan for Santa Cruz County Staff