



Monterey County Planning Commission

Agenda Item No. 4

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: PC 20-061

November 18, 2020

Introduced: 11/3/2020

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

GPZ090005 - MOSS LANDING COMMUNITY PLAN UPDATE

Public workshop to review and provide direction on the draft Moss Landing Community Plan prior to environmental review.

Project Location: Moss Landing Community (Coastal Zone, North County Land Use Plan)

Proposed CEQA action: Statutorily Exempt per CEQA Guidelines Section 15262

RECOMMENDATION:

It is recommended that the Planning Commission:

1. Find that this workshop is a planning study for possible future action which the Commission has not approved and qualifies as a Statutory Exemption per Section 15262 of the CEQA Guidelines;
2. Receive a presentation and take public testimony on the draft Moss Landing Community Plan; and
3. Provide direction to staff on the draft Moss Landing Community Plan.

PROJECT INFORMATION:

Planning File Number: GPZ090005

APN: Multiple (Moss Landing Community)

Project Location: Moss Landing Community Plan boundary area

Plan Area: North County Land Use Plan, Coastal Zone

OVERVIEW/BACKGROUND:

On May 27th, the Planning Commission held a public workshop to consider the draft Moss Landing Community Plan, which began with a focused discussion on policies related to water and coastal hazards. After staff's presentation, the Commission received public testimony relative to modifications of draft water and coastal hazards policies. The Commission noted that the intent of the workshop was to consider a full draft plan and move forward with the appropriate environmental review.

However, based on correspondence (see **Exhibit E**) and public testimony received, the Commission recommended staff meet with stakeholders on the draft coastal hazard policies for input, including addressing the Coastal Commission's comments. Thus, the Commission requested staff to refine the policies with stakeholder input and return with a final draft plan.

Since 2008, County staff, affected agencies, the Moss Landing community, and interested members of the public have been working on a comprehensive update of the Moss Landing Community Plan, a chapter of the North County Land Use Plan. Over the past year, the Planning Commission held a series of workshops to discuss draft Moss Landing Community Plan policies. These workshops were

categorized by policy topic with a goal to consider policy language in manageable portions and to provide an additional forum for public participation in drafting the Plan.

PRESENTATION TO THE PLANNING COMMISSION:

During the May 27th workshop, the Commission provided clear direction that, to move forward with the environmental review, the final draft Moss Landing Community Plan (Plan) must provide the framework that embodies the County's intent and vision for the area and that the draft policies contained within the plan have been definitively recommended by staff. It was also the desire of the Commission to review the draft plan holistically instead of evaluating it policy by policy.

Also as directed by the Commission, staff met with stakeholders to discuss the draft coastal hazards policies introduced at the workshop. On July 23, 2020, staff held a community meeting with members of the community, public and representatives from the Moss Landing Harbor District, Monterey Bay Aquarium Research Institute, Moss Landing Marine Labs and Friends, Artists and Neighbors of the Elkhorn Slough. On August 28, 2020, staff met with California Coastal Commission staff. During these meetings, each draft coastal hazard policy was presented, discussed and comments were received. Staff has considered all comments, made modifications where appropriate and recommends the Commission consider the draft policies as presented (**Exhibit E**).

For a more detailed discussion on how staff addressed public comment received at the May 27th workshop and finalized the draft coastal hazards policies, please refer to the "*Comment Letters-Submitted for May Planning Commission hearing*" section of the attached discussion (**Exhibit A**).

Staff is now seeking final comments and a recommendation from the Planning Commission to move forward with the environmental review based on the draft Plan. An explanation of staff's recommended policies in cases with public/stakeholder disagreement is outlined in **Exhibit A**.

Most of the Commissioners recommended staff return with a clean version of the full draft plan while a few preferred to have a red lined version. As such, **Exhibit B** to this staff report contains a red line version with an introduction that explains how formatting is used to identify specific changes. **Exhibit C** to this staff report contains a clean version of the plan. As an additional resource, the current Moss Landing Community Plan (Chapter 5 of the North County Land Use Plan) adopted in 1982 is attached as **Exhibit D**.

ADDITIONAL DOCUMENTS AND RESOURCES:

Staff reports for previous Planning Commission workshops included a copy of the North County Land Use Plan, the 2009 Moss Landing Community Plan Update Committee Recommendations, and the 2017 draft Moss Landing Community Plan, which were attached for reference. Based on the Commission's desire to review the final draft plan and how it applies to the vision of the community moving forward, and in an effort to reduce redundancy of providing attachments, these documents have not been attached to this staff report. Instead, the link to the County's Moss Landing Community Plan Update webpage is provided below:

<https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/ordinances-plans-under-development/moss-landing-community-plan>

The above referenced documents, as well as additional information for previous work completed, can be found on that webpage.

CEQA:

This workshop is intended to seek input and direction from the Planning Commission and the public to develop a community plan that will be considered at a later stage by the 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. Furthermore, 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 an Environmental Impact Report being prepared for the draft Community Plan.

NEXT STEPS:

Staff will develop corresponding regulations (Coastal Implementation Plan or CIP) and prepare and circulate a Draft Environmental Impact Report (DEIR), which will analyze the draft Plan and four long-range plans/projects for Monterey Bay Aquarium Research Institute, Moss Landing Marine Labs, Gregg Drilling and RMA-Public Works. Once this process is completed, the Draft Plan, CIP and a Final EIR will be brought back to the Planning Commission for public hearing(s) to make a final recommendation to the Board of Supervisors.

OTHER AGENCY INVOLVEMENT:

The following agencies had comments, and/or recommended modified language addressing the policy areas presented for this workshop:

- California Coastal Commission
- Moss Landing Harbor District
- Castroville Community Services District
- Monterey One Water
- California Department of Fish and Wildlife
- California State Parks, Monterey District
- RMA-Public Works and Facilities
- Monterey-Salinas Transit
- CalTrans
- Transportation Agency for Monterey County
- Association of Monterey Bay Area Governments

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- Reviewed by: Brandon Swanson, RMA Planning Services Manager
Craig Spencer, RMA Planning Services Manager
- Approved by: John M. Dugan, FAICP, Deputy Director of Land Use and Community Development

The following attachments are on file with the RMA and attached to the staff report:

Exhibit A - Discussion

Exhibit B - 2020 Draft Moss Landing Community Plan (MLCP) - Red Line Version

Exhibit C - 2020 Draft Moss Landing Community Plan - Clean Version

Exhibit D - Chapter 5 of the 1982 North County Land Use Plan, MLCP

Exhibit E - May 27th Planning Commission Public Comment Letters

cc: Front Counter Copy; Planning Commission; Supervisor Phillips; Katie Butler, California Coastal Commission; Brandon Swanson, RMA Planning Services Manager; Craig Spencer, RMA Planning Services Manager; Mike Novo, Management Specialist; Anna V. Quenga, Senior Planner; John Olejnik, CalTrans District 5; Stephen Bachman, California State Parks, Monterey District; Lisa Rheinheimer, Monterey-Salinas Transit; Transportation Agency for Monterey County; Association of Monterey Bay Area Governments; Elkhorn Slough Foundation; Hamlin Properties, LLC; Moss Landing Harbor District; Monterey Bay Aquarium Research Institute; San Jose State University Research Foundation (Attn: Moss Landing Marine Labs); Keith Family Investments LLC; Greggs Drilling; Haute Properties, LLC; Moss Landing Commercial Park, LLC dba Moss Landing Business Park (Attn: Nader Agha); Quin Delta, LLC; Phil DiGirolamo; Nancy Russell, FANS (Attn: Mari Kloepfel), Dale Ellis, Charlie Eadie, Paul Hart, Interested Parties; The Open Monterey Project (Attn: Molly Erickson); LandWatch (Attn: Executive Director); Project File GPZ090005.