

2008 GENERAL PLAN UPDATE

ERRATA/ADDENDUM

September 3, 2008

The 2008 draft General Plan (dated November 6, 2007) was released in December 2007. Since release, there are three types of changes that have developed:

1. *Typographical errors.* Staff has identified incorrect cross references and suggested clarifying wording with no substantive change.
2. *Narrative Data.* Legal counsel has identified some new laws that require adjustment to the general plan. Most of these changes are part of the narrative, but a few policy changes are also included to address new laws (e.g. zoning for homeless shelters). Data is being developed as part of the analysis for the DEIR in conjunction with the draft General Plan. This information will be incorporated into the narrative sections of the General Plan, similar to draft mitigation measures, prior to public hearings before the Planning Commission. These changes are discussed, but specific language is not provided in this Errata/Addendum.
3. *Mitigation Measures.* Mitigation measures in the draft EIR would be incorporated as policy.

The following errata have been evaluated and/or included as part of the DEIR. ~~Strikethrough~~ text will be deleted, text that is underlined will be added, and proposed changes are highlighted.

GENERAL PLAN

LAND USE ELEMENT

Standards of Population Density and Building Intensity. State law requires the General Plan to include a statement of standards of "population density" and "building intensity" (e.g. floor area ratio, lot coverage, building height) recommended for various districts. In 1999, when the County commenced an update of the 1982 General Plan, an Existing Conditions Report was developed to provide a description of the countywide conditions for land use, circulation, housing, employment and other topics. The General Plan includes policies that provide direction for land use intensity that affect population density and building intensity. Population projections through 2030 as well as buildout data is included as part of the analysis for the DEIR in conjunction with the General Plan. The projections were based on the 2004 AMBAG regional forecast of population, housing, and employment, and its estimate of 3 residents per housing unit. This information will be incorporated into the Land Use Element narrative in a revised draft General Plan prior to public hearings before the Planning Commission. The narrative section of the Land Use Element will be amended to include the following: "Residents per housing unit are based on the 2004 AMBAG regional forecast regarding population, housing and employment estimate of 3 residents per housing unit". In addition, a new policy will be added to the Land Use Element as follows:

The building intensity standards as set forth in Title 21 in sections 21.10.060, 21.12.060, 21.14.060, 21.16.060, 21.18.070, 21.20.070, 21.22.070, 21.24.070, 21.26.070, 21.28.070, 21.30.060, 21.32.060, 21.34.060, 21.36.060, 21.38.060, 21.40.060 and 21.42.030 shall be incorporated into this General Plan.

Evaluation System. When the evaluation system was changed from residential to general uses, the language retained a requirement for affordable housing. This has raised a question if/how that would apply to commercial, industrial, and agricultural projects. Continued agricultural operations like changing crops is not considered development; and therefore, staff finds that the

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draft language is flexible and the different types of development (residential, commercial, industrial, agriculture facilities) can be addressed at the ordinance level.

Homeless Shelters. SB2 (Cedillo, 2007) requires agencies to identify land use designations where homeless shelters are allowed as a permitted use without a use permit and allowing transitional and supportive housing types of residential uses. Staff recommends adding the following sentence to the end of LU-2.34.c:

LU-2.34 c. *Mixed Use (MU):* Mixed Use development involves residential and non-residential (primarily commercial retail and office) to encourage activity centers and pedestrian orientation. Residential uses can be either separate development on the same site or encouraged to be at least two stories tall in order to allow residential uses above non-residential uses where appropriate, subject to a General Development Plan. Residential density up to 30 units per acre shall be appropriate for the mixed use designation. The mixed use designation shall allow homeless shelters, transitional, and supportive housing types of residential uses as permitted uses.

Rural Centers. Correct cross reference in Policy LU-2.30 regarding the evaluation system from LU-2.12 to LU-1.19.

CIRCULATION ELEMENT

Lots of Record. Three Area Plans (North County, Greater Salinas, and Toro) each include a policy restricting further subdivision until constrained resource issues have been addressed. In limited cases, a public agency like TAMC or Caltrans may acquire right of way that splits a parcel that can be established as a new lot with a Certificate of Compliance pursuant to the Subdivision Map Act. Staff interprets that this policy would not restrict this action; and therefore, recommends clarifying language that reflects this interpretation. *See errata for referenced Area Plans.*

Proposed Transportation Facilities. State law requires the General Plan to include a map or discussion that identifies location of proposed transportation facilities and routes (Gov. Code § 65302.b). The following table is incorporated into the narrative for the Circulation Element along with *Figure C-2, Proposed Transportation Facilities* (attached) to illustrate known, proposed, traffic improvements in the current regional and County transportation programs. In addition, since the regional fee program has been completed, staff recommends the following addendum to policy C-1.8:

C-1.8 Development proposed in cities and surrounding jurisdictions shall be carefully reviewed to assess the proposed development's impact on the County's circulation system. The County, in consultation with TAMC and Monterey County cities shall, within 18 months of adoption of the General Plan, develop has adopted a County Traffic Impact fee that addresses impacts of development in cities and unincorporated areas on major County roads. From the time of adoption of the General Plan until the time of adoption of a County Traffic Impact

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Fee, the County shall impose an ad hoc fee on its applicants based upon a fair share traffic impact fee study.

TABLE C-1
2008 REGIONAL DEVELOPMENT IMPACT FEE - PROJECT LIST
SR 1 – Sand City/Seaside Widening from Fremont to Canyon Del Rey, interchange improvements
SR 68 Widening between Highway 1 and CHOMP
SR 156 Widening from Castroville Boulevard to 156/101 Interchange
Marina / Salinas Corridor – Widen Davis from Blanco to Reservation, widen Reservation from Davis to East Garrison, Widen Imjin Parkway from Reservation to Imjin Road, reconstruct 12th Del Monte – Lighthouse Corridor Improvements
US 101 – San Juan Grade Interchange
US 101 – frontage road north of Soledad
Westside Bypass (Salinas)
SR 68 commuter improvements between Toro Park and Corral de Tierra
Eastside Connector - US 101 / Harris Road interchange and 4-lane to Williams Road (Salinas)
G-12 South – widen San Miguel from Moro Rd to Castroville Blvd, improvements on San Miguel Canyon Road
G-12 North – widen Elkhorn Road from Hall to Werner, Elkhorn/San Miguel Canyon Road Intersection
US 101 - Gloria Road Interchange
Front Street/ Hector de la Rosa Street Interchange (south Soledad)
US 101 - Walnut Avenue Interchange (Greenfield)
US 101 - First Street Interchange (King City)

TABLE C-2
2008 COUNTY TRANSPORTATION IMPACT FEE - PROJECT LIST
San Juan Road Improvements – widen from Pajaro to 101, intersection improvements (signals)
G-12 Improvements – widen San Miguel Canyon Rd from Castroville Blvd to Hall, Widen Salinas Road from Railroad to Porter, intersection improvements
G-17 Widening (Reservation Road) – Widen Reservation from Davis to SR 68, signal at Davis
G-17 Widening (River Road) – from Las Palmas Road to Las Palmas Parkway
Salinas Road Improvements – various intersections
Castroville Improvements – extend Castroville Blvd to Blackie Road, Artichoke Avenue from SR 1 to Poole Street
San Juan Grade Road Improvements – widen from City of Salinas to Crazy Horse Canyon, traffic signals.
Crazy Horse Canyon Road Improvements – turn/passing lanes from San Juan Grade Road to US 101
Herbert Road/Old Stage Road Widening – Herbert from San Juan Grade to Old Stage, Old Stage from Herbert to Natividad, intersection improvements.

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CONSERVATION/OPEN SPACE ELEMENT

Timberland. State law requires the General Plan to identify a land use designation for timberland operations (Gov. Code § 65302(a)(1)). Staff recommends amending Policy LU-2.35 allow timber operations in the RC land use designation:

- LU-2.35 c. *Resource Conservation (RC):* The Resource Conservation designation is applied in primarily rural residential or agricultural areas with sensitive resources and areas planned for resource enhancement. Only very low intensity uses and supporting facilities may be permitted within this designation. Resource Conservation lands are envisioned to create important open space amenities for the entire community, and in some cases provide drainage and flood control facilities in conjunction with open space. A range of passive to active activities are allowed including park and recreation facilities as well as timber operations that can be accomplished without significant structural development and also complement, protect and enhance the resources. This policy does not apply in the Coastal Zone.

SAFETY ELEMENT

Flood Hazards. State law currently requires the General Plan to identify areas subject to flooding (Gov. Code § 65302(a)). Staff also recommends including flood hazard information and policies pursuant to new language in Government Code § 65302(g)(2) that will be mandatory “upon the next revision of the housing element on or after January 1, 2009”. The California Department of Water Resources (DWR) is currently in the process of identifying flood hazard areas not expected to be mapped by FEMA but having potential for development in the next 25 years (known as “Awareness Floodplain Mapping Program”). This information is intended to provide advisory flood hazard information to assist in sound land use decisions. Figures S-2 and S-3 (attached) have been created to illustrate *Awareness Floodplains* and *FEMA Flood Insurance Rate* maps. These figures are referenced as part of the flood hazard policy S-2.1 as follows:

- S-2.1 Land Use planning to avoid incompatible structural development in flood prone areas shall be the primary means of minimizing risk from flood hazards. (Refer to Figure S-2 FEMA Flood Insurance Rate and Figure S-3 Awareness Floodplain Maps)

PUBLIC SERVICES ELEMENT

Water Supply. Change reference in Policy PS-2.2 of who monitors wells from Water Resources Agency to County of Monterey.

AGRICULTURAL ELEMENT

Routine and On-Going Agriculture. Correct cross reference in Policy AG-3.3 listing policies that exempt R-O Ag. Correct from OS-5.4 (native vegetation) to OS-5.5.

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ECONOMIC DEVELOPMENT ELEMENT

No Change

HOUSING ELEMENT

No Change. The Housing Element is not a part of this General Plan Update. Staff has initiated work on the 2009 Housing Element update separately.

AREA PLANS

CACHAGUA

No Change

CARMEL VALLEY

No Change

CENTRAL SALINAS VALLEY

No Change

FORT ORD

No Change

GREATER SALINAS

Butterfly Village STA. Through negotiations, the project description of this project has changed and the following edits are recommended:

- GS-1.1 Butterfly Village Special Treatment Area. Approximately 671 acres located north of San Juan Grade Road and east of Harrison Road shall be designated as a "Special Treatment Area" to permit a planned development in substantial conformance with the Butterfly Village Land Use Plan (*Figure LU7*) including:
- a. Approximately ~~345~~ 370.8 acres of neighborhood, ~~County,~~ and community parks and open space uses such as hiking trails, recreation, public parking, storm water detention ponds and lakes for drainage control and water recharge as well as areas preserved for sensitive habitat.
 - b. 71 hospitality units.
 - c. A 20,000 square foot Community Health and Wellness Center that offers a variety of health, fitness and nutrition uses.
 - d. Public facilities, including a fire station, sheriff substation, maintenance yard, independent wastewater treatment facility, 200 square foot library,

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- e. and a 10-acre site for a potential elementary school site with athletic fields. Neighborhood Commercial (approximately 90,000 square feet) including mixed use development, to help provide jobs within the project.
- f. Development on slopes exceeding 25% and ridgeline development.
- g. Up to 1,147 residential units for various income levels ranging from 0.9 units/acre to 20 units/acre.
- h. A minimum of 32% inclusionary/workforce levels including but not limited to senior living facilities.
- i. Agriculture buffers ranging from 30 feet to 100 feet.
- j. Vehicular access from the west via Harrison Road and from the east via San Juan Grade Road.
- k. A dedicated easement to accommodate the realignment of the Highway 101 future Prunedale Bypass.

A Community Plan is not required for development of the Butterfly Village STA. The Butterfly Village STA shall be entitled to the exemptions in the General Plan provided for Community Areas and for areas for which a community Plan or Specific Plan has been adopted. However, the areas adjoining the Butterfly Village STA shall not be entitled to rely upon ~~LU-2.12-1.19(d)~~ and OS-9.2. Except as provided for in this General Plan, development shall be guided by the principles and standards contained in Chapters 3-8 of the document entitled "Rancho San Juan Specific Plan" dated November 7, 2005, which are otherwise consistent with the Butterfly Village STA and the Butterfly Village Land Use Plan (*Figure LU7*). (APNs: 113-271-014-000, 113-212-043-000, 113-212-044-000, 113-212-004-000, 113-212-003-000, 113-212-055-000, 113-212-056-000; 113-212-057-000 and 113-212-058-000)

Lots of Record. This policy was developed to restrict further subdivision until constrained resource issues have been addressed. In limited cases, public agencies like TAMC, Water Resource Agency, or Caltrans may acquire right of way that splits a parcel that can be established as a new lot with a Certificate of Compliance pursuant to the Subdivision Map Act. Staff interprets that this policy would not restrict this action; and therefore, recommends the following amending language to Policy GS-1.13 in order to clarify that the subdivision restriction does not apply to lots created as a result of acquiring private land for public purposes (e.g. road right-of-way):

GS-1.13 Development on properties with residential land use designations located within the Greater Salinas Area Plan north of the City of Salinas generally between Williams Road and Highway 101 (*Figure LU-7*) shall be limited to the first single family home on a legal lot of record. The County shall conduct a comprehensive review of infrastructure constraints regarding circulation, wastewater, and water supply. Said restriction shall not apply to development within adopted Community Areas, Rural Centers, AHOs or STAs. Restriction on subdivision established in this policy does not preclude the County from recognizing a new legal lot pursuant to state law if the new lot is created solely as a result of either: 1) conveyance of land to or from a governmental agency, or 2) through the governmental exercise of eminent domain. This restriction on subdivision also

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does not prohibit the County from requiring and acting upon a parcel map for the conveyance of land from a governmental agency if the County determines on the facts of the particular case that public policy necessitates a parcel map.

Land Use Map Designation Change-Bruno Property (Water Resource Agency-Bruno). Monterey County Resource Agency requests changing the land use designation for two parcels totaling 15.31 acres (Assessor Parcel Numbers: 175-051-001 and 002/Bruno) along the Salinas River in conjunction with the Salinas River project. The change would be from Farmland (F-40) to Resource Conservation (RC), which would allow "A range of passive to active activities are allowed including park and recreation facilities that can be accomplished without significant structural development and also complement, protect and enhance the resources." The interest expressed by Mr. Bruno is to create a recreational vehicle park as part of the visitor serving designation on adjacent land he owns in the City of Marina. Said use would be subject to obtaining a Use Permit. *(Also See GMP Area Plan)*

GREATER MONTEREY PENINSULA

Land Use Map Designation Change-Bruno Property (Water Resource Agency-Bruno). Monterey County Resource Agency requests changing the land use designation for two parcels totaling 15.31 acres (Assessor Parcel Numbers: 175-051-001 and 002/Bruno) along the Salinas River in conjunction with the Salinas River project. The change would be from Farmland (F-40) to Resource Conservation (RC), which would allow "A range of passive to active activities are allowed including park and recreation facilities that can be accomplished without significant structural development and also complement, protect and enhance the resources." The interest expressed by Mr. Bruno is to create a recreational vehicle park as part of the visitor serving designation on adjacent land he owns in the City of Marina. Said use would be subject to obtaining a Use Permit. *(Also See GS Area Plan)*

NORTH COUNTY

Lots of Record. This policy was developed to restrict further subdivision until constrained resource issues have been addressed. In limited cases, public agencies like TAMC, Water Resource Agency, or Caltrans may acquire right of way that splits a parcel that can be established as a new lot with a Certificate of Compliance pursuant to the Subdivision Map Act. Staff interprets that this policy would not restrict this action; and therefore, recommends the following amending language to Policy NC-1.5 in order to clarify that the subdivision restriction does not apply to lots created as a result of acquiring private land for public purposes (e.g. road right-of-way):

NC-1.5 Development on properties with residential land use designations located within the North County Area Plan shall be limited to the first single family dwelling on a legal lot of record. The County shall conduct a comprehensive review of infrastructure constraints regarding circulation, wastewater, and water supply. Said restriction shall not apply to development within adopted Community Areas, Rural Centers, or Affordable Housing Overlays. Restriction on subdivision established in this policy does not preclude the County from recognizing a new

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legal lot pursuant to state law if the new lot is created solely as a result of either: 1) conveyance of land to or from a governmental agency, or 2) through the governmental exercise of eminent domain. This restriction on subdivision also does not prohibit the County from requiring and acting upon a parcel map for the conveyance of land from a governmental agency if the County determines on the facts of the particular case that public policy necessitates a parcel map.

SOUTH COUNTY

No Change

TORO

Lots of Record. This policy was developed to restrict further subdivision until constrained resource issues have been addressed. In limited cases, public agencies like TAMC, Water Resource Agency, or Caltrans may acquire right of way that splits a parcel that can be established as a new lot with a Certificate of Compliance pursuant to the Subdivision Map Act. Staff interprets that this policy would not restrict this action; and therefore, recommends the following amending language to Policy T-1.7 in order to clarify that the subdivision restriction does not apply to lots created as a result of acquiring private land for public purposes (e.g. road right-of-way):

T-1.7 Development on properties with residential land use designations located within the Toro Area Plan along the Highway 68 corridor shall be limited to the first single family home on a legal lot of record. The County shall conduct a comprehensive review of infrastructure constraints regarding circulation, wastewater, and water supply. Said restriction shall not apply to development within adopted Community Areas, Rural Centers, or Affordable Housing Overlays. Restriction on subdivision established in this policy does not preclude the County from recognizing a new legal lot pursuant to state law if the new lot is created solely as a result of either: 1) conveyance of land to or from a governmental agency, or 2) through the governmental exercise of eminent domain. This restriction on subdivision also does not prohibit the County from requiring and acting upon a parcel map for the conveyance of land from a governmental agency if the County determines on the facts of the particular case that public policy necessitates a parcel map.

AGRICULTURAL WINERY CORRIDOR PLAN

No Change