

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> March 11, 2009 <b>Time:</b> 1:30 PM <b>Monterey Conference Room</b>	<b>Agenda Item No.:</b> 6
<b>Project Description:</b> Joint meeting of the Planning Commission and Land Use Advisory Committees to: 1) Consider PC Liaison Appointments to LUACs 2) Receive Annual Report 3) Review and Discuss Procedures (Board Resolution 08-338) and discuss issues 4) Receive Overview of the Brown Act and Conflict of Interest Rules	
<b>Project Location:</b> Countywide	<b>APN:</b> N/A
<b>Planning File Number:</b> PD090198	<b>Name:</b> RMA- Planning Department
<b>Plan Area:</b> All	<b>Flagged and staked:</b> N/A
<b>Zoning Designation:</b> : N/A	
<b>CEQA Action:</b> N/A	
<b>Department:</b> RMA - Planning Department	

**RECOMMENDATION:**

Staff recommends that the Planning Commission:

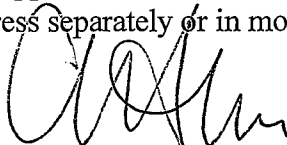
- 1) Consider PC Liaison Appointments to LUACs
- 2) Receive the Annual Report
- 3) Review Procedures (Board Resolution 08-338, PD061173) and discuss issues
- 4) Receive Overview of the Brown Act and Conflict of Interest Rules

**PROJECT OVERVIEW:**

LUAC procedures require staff to present an annual report to the Planning Commission in January, but staff delayed this meeting pending adoption of new LUAC procedures by the Board of Supervisors. Staff has attached lists of liaison appointments for informational purposes and also to provide an opportunity for the Commission to consider any changes to appointments of Commissioners as LUAC liaison.

This report includes a summary of LUAC activity for the 2008 calendar year such as projects, meeting attendance, and membership. In addition, this has been scheduled as a joint meeting with all of the LUACs invited to discuss issues that have come up over the past year such as: LUAC Expectations (new procedures), staff role as LUAC liaison, what type of documents are presented to LUACs, affects of current budget issues on implementing LUAC procedures. Since there are new Commissions and LUAC members, staff also proposes to provide a brief overview on the Brown Act and conflict of interest rules.

See **Exhibit A** for a more detailed discussion of the proposed project. The Commission may use this opportunity to direct staff to return with any item(s) that the Commission may wish to address separately or in more detail.



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 February 20, 2009

cc: Front Counter Copy; Planning Commission; LUAC members, County Counsel, Planning Department; Public Works; Water Resources Agency; Environmental Health; Parks Department/HRRB (Clovis); Redevelopment and Housing Office/HAC (Noel); Agricultural Commissioner/AAC (Roach); Carl Holm; Project File PD090198

Attachments:	Exhibit A	Discussion
	Exhibit B	Board Resolution 08-338
	Exhibit C	PC Liaisons
	Exhibit D	Staff Liaisons
	Exhibit E	LUAC Liaisons

## Exhibit A PROJECT OVERVIEW

### Overview of Procedures

#### **Liaisons**

In order to help facilities meetings, the LUAC procedures include provisions for the Planning Commission appointing a liaison to each LUAC, the Planning Department to appoint a staff liaison to each LUAC, and each LUAC to identify one member that is the contact person to the Planning Department.

PC Liaisons to LUACs. On June 28, 2006, the Planning Commission made appointments of Planning Commissioner to each LUAC. These liaisons are asked to attend at least one LUAC meeting each year, and also serve as the contact between staff and the LUAC when issues arise. The list of these appointments is attached as **Exhibit C**. The Commission may reaffirm or adjust these appointments at this time.

Staff Liaisons to LUACs. We have one staff member that prepares the agendas, schedules meetings, and handles the minutes for each LUAC. In addition, the new procedures include assigning planning staff to each LUAC. The purpose of these liaisons is to attend meetings so that they are available for answering procedural questions and general questions about a project in order to avoid continuances where possible. A list of these assignments is attached as **Exhibit D**.

LUAC Liaisons to Staff. LUACs are asked to identify one member that will be the contact person with the project planner. LUACs are encouraged to call a project planner to ask questions ahead of a meeting. The procedures include a provision that all LUAC questions be channeled through a single source to reduce the number of contacts and for consistent responses. A list of known LUAC liaisons is attached as **Exhibit E**.

#### **Annual Report**

LUAC procedures require staff to provide the Planning Commission with an annual report on LUAC activity. The following reports for each LUAC are being prepared and will be presented at the meeting:

1. LUAC Officers
2. Membership Summary
  - # Members
  - # new members added in 2008
3. Attendance Summary
  - # dates/meetings
  - # meetings cancelled due to lack of quorum
4. Project Summary
  - #/type projects
  - # projects that went to LUAC vs # the did not
  - # of projects continued

Staff needs to report that three LUACs have had only three members for some time now (Chualar, Spreckels, Cachagua). The LUAC procedures require a minimum of members, which

means there must be three members present to have a quorum. Some options for the Planning Commission to consider include:

- 1) Continue as is and continue to recruit for LUAC members. Staff would not schedule any items until there are at least five members.
- 2) Interpret the procedures to allow the LUAC to meet if three members attend. If all three attended, there would be a quorum and they could handle the LUAC business. Staff would set a schedule as needed.
- 3) Disband one or more these three LUACs
- 4) Consolidate with another LUAC or adjust boundaries for better attendance. For example:
  - Create a Greater Salinas LUAC that incorporates Chualar and Spreckels
  - Combine Cachagua with Carmel Valley as they have the most similar issues to address
  - Staff received a request to add the Bluffs development (located in Greater Salinas area where there is no LUAC representation) into the Toro LUAC.

### **Issues/Concerns**

On November 18, 2008, the Board of Supervisors adopted Resolution 08-338, establishing LUAC Procedures. A copy of the adopted procedures is attached as **Exhibit B**.

### Hearing Procedures

*Brown Act.* County Counsel will conduct a short training on the Brown Act and Conflict of Interest rules.

*Site Visits.* LUACs have two options to review a project site:

- 1) Member may individually review a site from the public right of way. No one has legal authority to enter onto private property without permission of the owner. Contact of the owner for access of a LAUC member should be coordinated through the County and (if granted) only the authorized LUAC member should attend the site visit.
- 2) LUACs may set a scheduled site visit. This needs to be coordinated through the County and noticed similar to the hearing. The LUAC needs a quorum at the site to hold the hearing and the public is invited.

Expectations. There were some discussions of expectations and value added when the subcommittee was developing the procedures. However, this was not shared with Planning Commissioner or LUAC members outside of the committee. The LUAC procedures attempt to reflect the expectations we have for Commissioners, LUACs, and staff. Staff would like this annual meeting to be a time where we discuss our roles and expectations so there is a clear understanding.

When a project goes to a LUAC, planning staff is not making any recommendation when the project is presented. What the LUACs receive is the application as it has been filed. At that point, staff has not completed any project analysis nor have we drawn any conclusions as to consistency. Once an application is submitted, staff is obligated by State law to move it forward...good, bad, or indifferent. Therefore, LUACs should focus on the project issues and not attack staff for bringing a project forward.

Neither staff nor LUAC are decision makers, but rather provide information and recommendations to the decision makers. Staff provides recommendations based on analysis of the policies and regulations also considering direction on interpretation of these polices and

regulations. LUACs provide recommendation for how a project should be designed to best fit in within their planning area. The staff liaison is intended to help better understand the intent behind LUAC recommendations because minutes generally do not reflect the details.

LUAC approval or denial of a project based on big issues like water supply or traffic is not value added. The value would be to evaluate the project and identify specific issues to be addressed through the process and/or suggested changes to fit in better with the surrounding area. For example, a LUAC may identify a concern to traffic but rather than stop there, identify road segments and/or intersections they feel may be impacted so that staff can evaluate these areas in their staff report. In cases where a LUAC does not support a project, it would be valuable to identify what projects changes could/should be made so that if the decision makers decide to approve the project, there are LUAC recommendations for how to make the project better.

Documents: LUACs receive projects when they are first submitted so are reviewing materials at the same time staff is reviewing them. Although there is no staff report or analysis provided to LUACs, staff should be preparing a memorandum that goes out with the project identifying specific points/questions that the project planner would like the LUAC to consider. Staff should also attach technical reports that pertain to specific issues begin addressed by the LUAC. Certain technical reports that may contain sensitive information (e.g. archaeological reports) will not be distributed.

While projects that require CEQA review (not exempt) are listed as projects that are sent to LUACs, this does not mean that the CEQA document is intended to go to LUACs for review. As noted above, projects are referred to LUACs before any CEQA analysis is completed. LUACs are not decision making bodies and they are not trained on CEQA. LAUCs are not staffed appropriately for noting comments or intended to accept public comments on a CEQA document. As such, CEQA documents will not be sent to a LUAC during a CEQA comment period. In a few cases, the Director or Planning Commission may refer a project back to a LUAC at a later point when CEQA has been completed. The role of the LUAC would be to identify issues they feel should be addressed in the CEQA document, but not to continue a project in order to wait for a CEQA document.

Minutes. The new procedures include a new standard format for minutes that is sent out with each agenda. This format was changed to try to make sure information that reflects the expectations was provided. All LUAC minutes should be completed in the same format so decision makers can consistently find information they are seeking.

Minutes are to be completed electronically wherever possible. This reduces staff time to scan the documents and reduces potential discrepancy if the writing in not legible. To help with the minutes, the new procedures include a provision to record meetings. As such, there is an expectation for the Planning Department to provide tape recorders to each LUAC. Also this addition has resulted in a question as to how long tapes must be retained.

Due to the current budget constraints and the cost associated with this action, the planning department cannot meet this obligation. However, the Planning Department budget includes tapes for recording meetings. If a LUAC is able to obtain a tape recorder that uses the same tape format, the Planning Department could possibly provide tapes to the LUAC.

Accella Automation. The Planning and Building Departments are working on a new computer system called Accella Automation. The design is to better manage the process of a project (workflow) and to make information more accessible and easier to use. Staff will provide a brief overview and anticipate timeline for implementing this program.

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No: 08 – 338**

Resolution by the Monterey County Board of )  
Supervisors adopting revisions to Monterey County )  
Land Use Advisory Committee (LUAC) Procedures )  
("Guidelines"). )  
(PD061173/LUAC Guidelines Update 2008) )

**WHEREAS**, on August 23, 1994, the Monterey County Board of Supervisors adopted Land Use Advisory Committee Procedures.

**WHEREAS**, on August 25, 1995, the Monterey County Board of Supervisors amended the Land Use Advisory Committee Procedures.

**WHEREAS**, on June 24, 2004, the Monterey County Board of Supervisors adopted interim Land Use Advisory Committee Procedures. Interim guidelines were established as a temporary measure to address reductions in Planning Department resources.

**WHEREAS**, on February 14, 2007, the Planning Commission established a subcommittee consisting of three commissioners. On March 28, 2007, the Commission expanded the subcommittee to include two LUAC members and two members of the Permit Streamlining Taskforce to review and recommend changes to the LUAC Procedures.

**WHEREAS**, in April 2007, Land Use Advisory Committees nominated and voted to select one coastal and one inland LUAC member to represent LUAC interests on the committee. Separately the Permit Streamlining Taskforce appointed two members to sit on the Committee.

**WHEREAS**, between January 28, 2008 and March 24, 2008, the LUAC subcommittee held five public meetings to draft proposed changes and amendments to the LUAC Procedures.

**WHEREAS**, the Planning Commission held public hearings between May 28 and August 8, 2008 to review amendments recommended by the subcommittee. The proposed changes are intended to provide greater clarity to the roles and duties of LUACs and planning staff as well as the type of projects that are reviewed by the LUACs. On August 27, 2008, the Planning Commission unanimously voted to recommend approval of revisions to the LUAC guidelines.

**WHEREAS**, on November 18, 2008, the Board of Supervisors held a public hearing and considered revisions to the LUAC guidelines as recommended by the Planning Commission.

**WHEREAS**, adoption of these revisions is an organizational, administrative activity that will not result in direct or indirect physical changes to the environment, and as such is not a project under CEQA.

**NOW, THEREFORE**, be it resolved that the Board of Supervisors adopt the following "Monterey County Land Use Advisory Committee Procedures":

*Monterey County Land Use Advisory Committee Procedures*

NOTE: *Section 3c and Exhibit B of these guidelines refer to components of the 2007 draft General Plan (GP) that is currently under consideration (e.g., Routine and On-Going Agriculture, Boronda Community Plan, Pajaro Community Plan, AWCP). The portions of these guidelines that rely upon policies/plans in the 2007 General Plan update will not go into effect until/unless the policies/plans are adopted by the Board of Supervisors. If changes are made through the GP hearing process that affect these references, these guidelines will require amendments to be considered by the Planning Commission and Board of Supervisors.*

1. The purpose of a Land Use Advisory Committee (LUAC) is to:
  - a. Advise the Appropriate Authority by providing comments and recommendations on referred land use planning matters pursuant to the "*Guidelines for Review of Applications*" in **Exhibit A**.
  - b. Reflect the perspective of the local community with focus on neighborhood character, unique community site and conditions, and potential local effects or contributions that would likely result from the implementation of a proposed project.
  - c. Perform such other review of land use issues as may be requested from time to time by the Planning Commission or the Board of Supervisors.
  - d. Provide a venue for project neighbors to provide input on proposed projects.
  - e. Identify concerns in response to staff-provided scope of review on neighborhood, community, and site issues excluding regional impacts which are the purview of the Appropriate Authority.
  
2. Definitions:
  - a. "Appropriate Authority" means that person, official, or body designated to hear, grant, deny, modify, condition, revoke or otherwise act on permits required by County Zoning Ordinances.
  - b. Brown Act (a.k.a. Ralph M. Brown Act) set forth in Section 54950 *et seq.* of the California Government Code means the state open meeting law applicable to local governing bodies.
  - c. "LUAC" means Land Use Advisory Committee.
  - d. "Planning Area" means geographic sub-regions of Monterey County established



by the applicable General Plan, Area Plans and Local Coastal Program Land Use Plans. (See **Exhibit B**).

3. Establishment of Committees.
  - a. Land Use Advisory Committee boundaries shall reflect broad communities of interest.
  - b. The Planning Commission may make a recommendation to the Board of Supervisors to establish a LUAC for each Planning Area, or for a more specific geographic area within a Planning Area of the County, or to consolidate LUACs from two or more different planning areas.
  - c. A list of current LUACs and other related advisory committees is attached as **Exhibit B**. When a project is proposed in an area covered by more than one advisory committee, a project should be reviewed by one committee unless the Planning Director finds substantial issues that may require review by multiple committees. For example:
    1. Agricultural-related projects on lands in Agricultural zoning designations shall be reviewed by the Agricultural Advisory Committee (AAC), which is governed by a separate set of by-laws. This includes projects involving regulations established by the Agricultural Element of the General Plan such as: Routine and On-Going agriculture, agricultural buffers, lands under Williamson Act contract, etc.
    2. Projects located within an area where a Community Plan has been adopted and a Citizen Advisory Committee (CAC) exists shall be reviewed by the CAC.
    3. Projects with an agricultural-urban interface shall be reviewed by the AAC and applicable LUAC.
4. Dissolution of Committees:
  - a. The Planning Commission may recommend to the Board of Supervisors that a LUAC be dissolved for good cause, including but not limited to the following reasons:
    1. Failure to abide by the procedures approved by the Board of Supervisors; or
    2. Failure to apply adopted land use policies, standards, and regulations, or
    3. Consistent lack of a quorum or interest by the LUAC, or
    4. Lack of activity by the LUAC for an extended period of time.
    5. Insufficient membership.
  - b. The Board of Supervisors shall make the final determination whether to create new LUACs, consolidate LUACs or dissolve a LUAC.
5. Land Use Advisory Committee Members:

- a. A LUAC shall consist of not fewer than five (5) and not more than nine (9) members. A quorum shall be defined as a simple majority of all members.
  - b. Members shall reside within the LUAC boundary area.
  - c. New members of an existing LUAC shall be appointed to a term of two (2) years. If a vacancy occurs, the Planning Commission may appoint a member to fill a vacancy for the remaining portion of that term. The terms of initial appointments to any newly created LUAC shall be set by lot in such a manner as to stagger the terms.
  - d. Encourage LUAC membership to include licensed or certified professionals in one or more of the following Building Industry Professions: Architecture, Engineering, Construction, Planning, and Building Inspection.
  - e. LUAC members are expected to attend a minimum of 80% of the regular scheduled meetings each year.
6. Appointment Procedures.
- a. The Planning Commission shall seek the names and qualifications of nominees for membership on the LUAC from members of the public residing within the LUAC boundaries in order to have broad community representation. The Planning Commission shall consider geographical distribution, diversity of interest and of points of view in making LUAC appointments.
  - b. As terms expire or vacancies occur, the County shall:
    1. Notify staff to update the County website
    2. Post notices in public locations
    3. Publish notices within a local newspaper
    4. Request names of potential new members from the LUAC
  - c. Applicants shall submit a "Statement of Interest for Appointment to a LUAC" to the Secretary of the Planning Commission. The Planning Commissioner who is liaison to that LUAC shall solicit input from the represented community, and if satisfactory responses are obtained, may nominate the applicant to the Planning Commission for appointment.
  - d. The Planning Commission shall appoint LUAC members at a regular meeting. The Director of Planning shall inform the Board of Supervisors, in writing, of all appointments.
7. Resignation:
- A LUAC member shall submit his/her resignation in writing to the Secretary of the

Planning Commission, with one copy to the LUAC chair. The Secretary shall provide a copy of the letter to the Planning Commission and the Board of Supervisors.

8. Committee Duties and Procedures:

- a. Committee members shall familiarize themselves with:
  1. Basics of reading plans and construction documents
  2. laws, ordinances, regulations, procedures, policies, and practices used in the land use regulatory process
  3. Brown Act
  4. Robert's Rules of Order
- b. All newly created LUACs and newly appointed LUAC members shall:
  1. Receive initial training materials and orientation from the Planning staff.
  2. Not assume their duties until they have received these materials.
  3. Receive annual training from the County.
- c. The LUAC shall act on matters referred to it by the Board of Supervisors, the Planning Commission, or Planning Department. Review of referrals shall be pursuant to the "*Guidelines for Review of Applications*" attached as **Exhibit A**. The LUAC shall take action only on matters referred to it in accordance with these procedures. The LUAC meeting shall not be used as a forum for discussion of matters not on the written meeting agenda or beyond the purview of specific LUAC responsibilities.
- d. Any information received from the project planner or the staff shall be made available to the public at the LUAC hearing on that item. Planners shall also provide a brief outline of the key planning issues upon which the staff is seeking input. Committee members may request more information on any specific land use item that has been referred pursuant to *Procedure 8f* below. Each LUAC shall designate one member plus one alternative to serve as the liaison between the LUAC and staff/applicant and all such requests shall be channeled through this designee.
- e. The LUAC may seek information that has not been supplied by the staff in order to clarify issues that arise during its consideration of an application. Such information must be requested through the Planning Department.
- f. No matter may be continued more than two times unless requested by the applicant. An applicant's failure to appear at a properly noticed meeting may be considered an applicant request for a continuance for the purpose of this Section unless an applicant has specifically indicated he or she will not be attending. If the LUAC is unable to make comments or recommendations based on information provided in the project application, it may ask the staff for more information as described above and continue the item. The continuance limitation shall not apply to projects that have not been staked per the planner's determination as to what is required. If after the

second continued hearing the LUAC is still unable to make a recommendation, its report shall state that it was unable to come to a conclusion and explain why this is the case. Continued matters shall be heard at the next LUAC meeting whenever possible. *(Also See Section 11h)*

- g. To ensure the integrity of the planning process, LUAC members shall treat all members of the public in a respectful, courteous and impartial manner. Committee members will consider each application fairly and impartially on its merits, according to the applicable standards and regulations.
  - h. Individual LUAC members may communicate with the project applicant or members of the public concerning a project under review by the LUAC, as long as they abide by Brown Act requirements (for example, avoiding meeting serially or having a quorum of the LUAC present outside of a noticed public meeting). Any such contacts shall be reported at the commencement of the LUAC consideration of that item, and shall be recorded in the minutes of the meeting.
  - i. Members with any financial interest in a matter before the LUAC must and shall disqualify themselves from participation as LUAC members in any discussion or vote on the matter. Members who have disqualified themselves from participating as LUAC members may however comment on the item as members of the general public. LUAC members may speak as individuals before any official body deliberating on a matter from which they disqualified themselves. Such a member so speaking must state that they are not representing the LUAC.
  - j. LUAC members may speak as individuals before any official body deliberating on a matter. However, the LUAC member must state that he or she is not representing the LUAC unless that member has been authorized by the LUAC to represent it.
  - k. The LUAC may provide input to staff for the preparation of an annual report to the Planning Commission. The input may include significant problems and suggestions for improving the land use planning process.
  - l. The LUAC as a whole and its members individually have no permit enforcement authority. The LUAC Chair shall refer matters brought to the attention of the LUAC that require enforcement action to the Director of Planning.
  - m. In order to provide the greatest possible opportunity for community involvement in issues of local concern, the LUAC agenda including the project description may be posted at the project site and/or in public locations by the LUAC.
9. Officers.
- a. The officers of each LUAC shall be the Chair and the Secretary.

- b. These officers shall be elected for a one-year term, at the first meeting of each year, by majority vote of the LUAC.

#### 10. Officer duties.

- a. The Chair shall:
  - 1. Arrange for a regular meeting place and time in accordance with direction from the Director of Planning,
  - 2. Preside at all meetings,
  - 3. Cause the agenda for each meeting to be posted pursuant to the Brown Act,
  - 4. When appropriate, cancel properly noticed meetings pursuant to the Brown Act.
  
- b. The Secretary shall:
  - 1. Prepare and maintain written minutes of all meetings and actions. Records shall be retained for three years.
  - 2. Prepare and submit audio records of all meetings and actions to the Planning Department.
  - 3. Submit legible copies of approved minutes of each LUAC meeting to the Planning Department.
  - 4. Report continued items, request for information, and lack of quorum to the Planning Department within five days following the meeting date.
  - 5. Report all adopted comments and recommendations in writing (email encouraged) using forms provided by the Planning Department. The report shall include reasons for the recommendations, and show the members' votes by name. Said report shall be submitted within five days following the meeting.
  - 6. Receive, handle, and sign for all correspondence.
  - 7. Act in the absence of the Chair.

#### 11. Meetings.

- a. The LUAC meetings shall be noticed, held, and conducted in accordance with the Brown Act. The latest edition of Robert's Rules of Order shall govern meeting procedures except as otherwise specifically provided herein.
  
- b. The agenda for each LUAC meeting shall be publicly posted in accordance with the requirements of the Brown Act.
  
- c. All meetings shall be held in a public place, and shall be open to the public. Plans and exhibits under discussion shall be clearly visible to all in attendance. The public shall be allowed to comment on each item under review by the LUAC.
  
- d. Each LUAC shall establish and provide to the Planning Department, by the first Monday in December, a schedule of regular meetings for the following year. The

schedule will indicate the date, time, and place of regular meetings. No LUAC shall hold more than two regular meetings per month.

- e. Special meetings, if necessary, shall be convened pursuant to the Brown Act.
- f. When field trips are scheduled, said field trips shall be noticed pursuant to the provisions of the Brown Act.
- g. Cancellation of meetings shall be noticed pursuant to the provisions of the Brown Act.
- h. Applications that are not reviewed due to lack of quorum shall be continued to the next regular scheduled meeting and there shall be no further continuance unless requested by the applicant. Applications that are not reviewed at that continuance shall be returned to the Planning Department without comment. *(Also See Section 8f)*
- i. Each LUAC shall hold an annual meeting in January. The meeting agenda shall include the election of officers and input for staff's annual report to the Planning Commission.
- j. There will be an annual joint meeting of LUACs, Planning Department and the Planning Commission. The purpose of the meeting is to:
  - 1) Update the LUAC members on any pertinent changes in policies, practices, and procedures of the Planning Department, new issues and trends in land use regulation, and to review any applicable changes in the Brown Act or other pertinent regulations.
  - 2) Answer questions from LUAC members, relative to the function of the LUAC, the PC, or the Planning Department.
  - 3) Allow LUAC members to communicate issues, problems, needs and positive or negative impacts of land use regulations on their community to the staff and the Planning Commission liaison.

12. **Staff Responsibilities.** The Planning Department shall:

- a. Provide mandatory initial training for each newly formed LUAC. Staff will provide each LUAC with a reference copy of the Brown Act. Staff shall also furnish each LUAC a copy of materials provided by County Counsel regarding the Brown Act to facilitate the members' understanding of the Act and how it pertains to their committee's operations, as well as any additional explanatory materials relating to committee operations.
- b. Provide training materials to each new member of established LUACs within ten days of their appointment. Training shall include familiarizing the new member with the LUAC procedures and the provisions of the Brown Act and Guidelines for Review of Applications (**Exhibit A**).

- c. Appoint a planner to attend all meetings of each LUAC. If a planner is not able to attend the meeting, the LUAC may proceed to hear the project.
- d. Make evaluation cards available to applicants and the public to assess their experience at the LUAC meetings. Periodically report results of these evaluations to the designated Planning Commission liaison or the alternate. If problems are identified and no appropriate response occurs within a reasonable time, Planning Department may refer such problems to the Planning Commission Chair for placement on a PC meeting agenda.
- e. Prepare agendas for each LUAC meeting, including the approximate time each item will be heard. The LUAC Chair, pursuant to the Brown Act, will post these agendas.
- f. Furnish each LUAC with one set of all pertinent planning documents needed for its review of land use applications within its area. Such documents include, but are not limited to:
  - 1) Area/Land Use Plan pertinent to that LUAC
  - 2) General Plan
  - 3) Zoning Code
  - 4) Pertinent County Codes/Policies
- g. Furnish applicable LUAC with one copy of all necessary materials submitted as part of a land use permit application. Such documents include, but are not limited to:
  - 1) Application
  - 2) Project Plans
  - 3) Pertinent Studies/Reports
  - 4) Self-Addressed, stamped envelopes for property owners within 300-feet of the project site.
- h. Staff will ensure that the project is staked and flagged in accordance with Planning Department standards when the application is submitted.
- i. Arrange for site visits by the LUAC if requested. This will include providing reasonable notice to the project applicant and arranging for lawful entry into controlled access facilities. The agenda should clearly state if entry onto private property is required in order to view the site of the project under consideration. LUAC members shall not enter private property without specific permission from the applicant.
- j. Furnish each LUAC Secretary a copy of subsequent decisions by the Appropriate Authorities regarding a project that the LUAC has reviewed.
- k. Furnish each LUAC an adequate supply of stamped, addressed mailing envelopes

to forward its comments and recommendations to the Planning Department. Furnish each LUAC with a tape recorder and tapes or equivalent medium for recording LUAC meetings.

- l. Maintain membership records and term expiration dates. Staff will immediately notify the designated PC liaison when it becomes aware of a LUAC vacancy and at least 60 days prior to the expiration of a LUAC member's term.
  - m. Attach a copy of the LUAC's response to the staff report for any referred matters.
13. Removal of a LUAC member:
- a. A LUAC member serves at the pleasure of the Planning Commission, and may be removed by a majority vote of the Planning Commission at a regular meeting.
14. Planning Commission Responsibilities. The Commission will:
- a. Act promptly to fill LUAC vacancies.
  - b. Consider LUAC recommendations when acting on projects before it.
  - c. Consider addition, dissolution, or consolidation of LUACs and realignment of LUAC boundaries and make appropriate recommendations to the Board of Supervisors.
  - d. Appoint a Commissioner as its Primary Liaison, and one as an Alternate Liaison to each LUAC.
  - e. Conduct a periodic review of each LUAC, including regular review of evaluation cards and comments received.
  - f. The Liaison will:
    - 1) Attend the first two meetings of a newly formed LUAC, and thereafter attend at least one meeting per year.
    - 2) Provide a communication channel between the LUAC and the Planning Commission.
    - 3) Fulfill other responsibilities as may be described elsewhere in these Procedures.



**EXHIBIT A****GUIDELINES FOR REVIEW OF MATTERS REFERRED TO LAND USE ADVISORY COMMITTEES BY THE APPROPRIATE AUTHORITY.**

The Land Use Advisory Committee (LUAC) shall review and make recommendations on land use issues only as specifically set out by the following guidelines:

1. The applicable LUAC shall review projects that require the following:
  - a) Development requiring CEQA review (Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report (EIR)).
  - b) Lot Line Adjustments involving conflicts (e.g.; modifications to Scenic Easements or Building Envelopes, Williamson Act, the Coastal Zone, etc.).
  - c) Variances
  - d) Design Approvals for projects subject to review by the Zoning Administrator or Planning Commission.
2. The LUAC shall review any discretionary permit application for which the local area plan, land use plan, or master plan requires review by a local citizens' committee.
3. The LUAC shall review any discretionary permit application, and any land use matter that in the opinion of the Board of Supervisors, the Planning Commission or Director of Planning, raises significant land use issues that necessitate review prior to a public hearing by the Appropriate Authority.
4. The Director of Planning shall inform the PC of a Board of Supervisors' referral.
5. The LUAC shall focus recommendations on site design and local considerations.

**EXHIBIT B**

<b>PLANNING AREA</b>	<b>AREA PLAN</b>	<b>LUAC</b>
Big Sur	Big Sur Land Use Plan	South Coast LUAC
		Big Sur LUAC
Cachagua	Cachagua Area Plan	Cachagua LUAC
Carmel	Carmel Area Land Use Plan	Carmel Unincorporated /Highlands LUAC
Carmel Valley	Carmel Valley Master Plan	Carmel Valley LUAC
Central Salinas Valley	Central Salinas Valley Area Plan	Chualar Neighborhood Design Review Committee
	Chualar Community Plan	
Coast	NONE	N/A
Del Monte Forest	Del Monte Forest Land Use Plan	Del Monte Forest LUAC
Fort Ord	Fort Ord Master Plan	N/A
Greater Monterey Peninsula	Greater Monterey Peninsula Area Plan	Greater Monterey Peninsula LUAC
Greater Salinas	Greater Salinas Area Plan	Spreckels Neighborhood Design Review Committee
	Boronda Community Plan	
North County, Coastal	North County Land Use Plan	North County – Coastal LUAC
	Moss Landing Community Plan	
North County, Inland	North County Area Plan	North County – Non-Coastal LUAC
	Castroville Community Plan	Castroville Citizen Advisory Committee
	Pajaro Community Plan	
South County	South County Area Plan	South County LUAC
Toro	Toro Area Plan	Toro LUAC
Ag Lands	All	Agricultural Advisory Committee
AWCP	AWCP	Toro LUAC if Project meets criteria listed in Exhibit A
		Agricultural Advisory Committee

PASSED AND ADOPTED on this 18th day of November, 2008, upon motion of Supervisor Calcagno, seconded by Supervisor Potter, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Salinas, Mettee-McCutchon, Potter

NOES: None

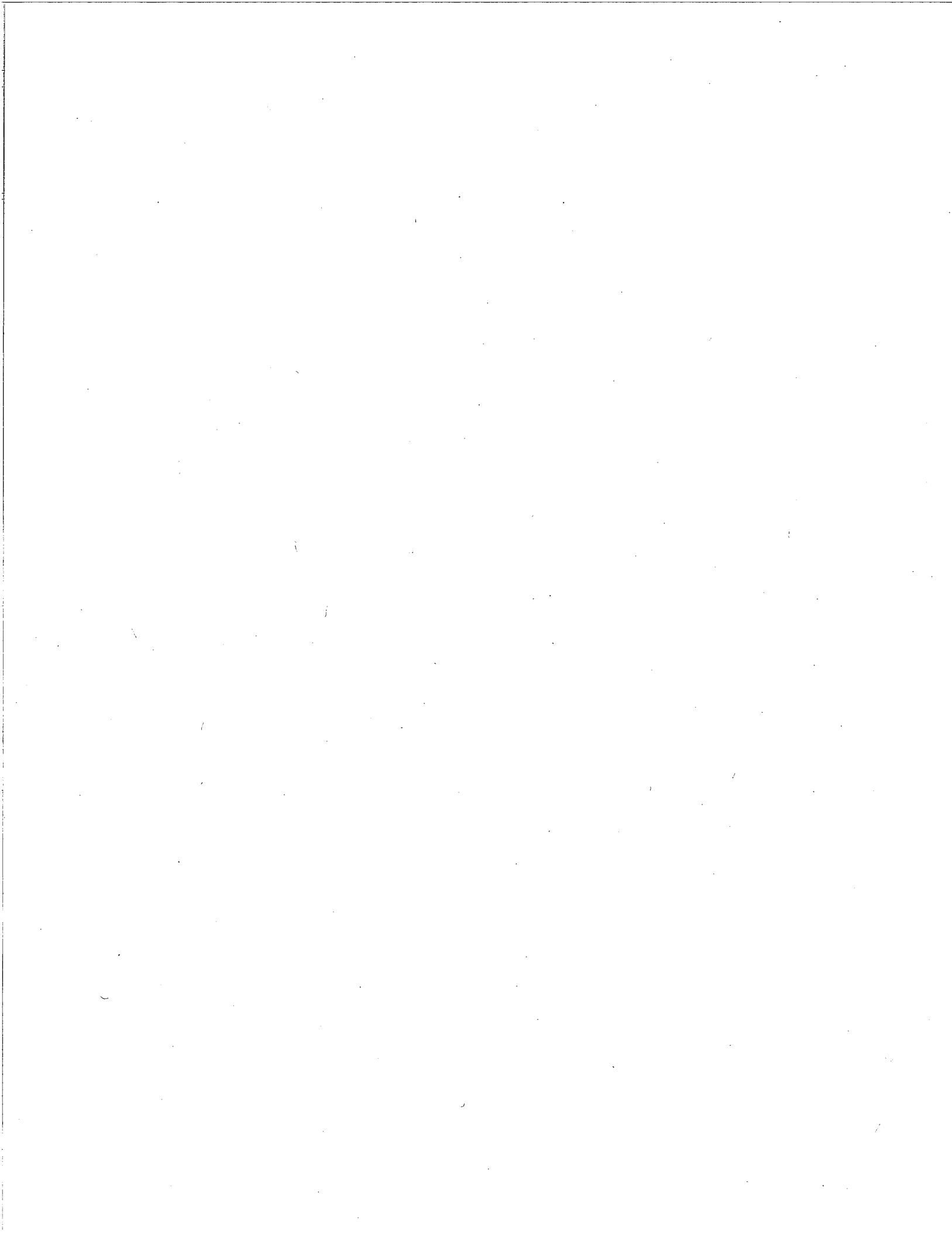
ABSENT: None

I, Denise Pennell, Interim Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 74 for the meeting on November 18, 2008.

Dated: November 19, 2008

Denise Pennell, Interim Clerk of the Board of Supervisors  
County of Monterey, State of California

By DP Deputy



**EXHIBIT C  
LIAISON APPOINTMENTS  
JUNE 2006**

<b>PLANNING AREA</b>	<b>AREA PLAN</b>	<b>Advisory Committee</b>	<b>Primary Planning Commissioner</b>	<b>Secondary Planning Commissioner</b>
Big Sur	Big Sur Coast Land Use Plan	Big Sur LUAC	Vandevere	Diehl
Cachagua	Cachagua Area Plan	Cachagua LUAC	Vandevere	Diehl
Carmel Unincorporated/Highlands	Carmel Area LUP	Carmel/Highlands LUAC	Diehl	Vandevere
GMP-Carmel Valley	Carmel Valley Master Plan	Carmel Valley LUAC	Vandevere	Diehl
Chualar Canyon	Central Salinas Valley Area Plan	Chualar Canyon NDR	Brown	Errea
Coast	N/A	N/A	N/A	N/A
Del Monte Forest	Del Monte Forest Land Use Plan	Del Monte Forest LUAC	Diehl	Vandevere
Fort Ord	Fort Ord Master Plan	N/A		
Greater Monterey Peninsula	Greater Monterey Peninsula Area Plan	Greater Monterey Peninsula LUAC	Vandevere	Diehl
North County - Coastal	North County Coastal Land Use Plan	North County Coastal LUAC	Padilla	Sanchez
North County Non-coastal	North County Area Plan	North County Non-coastal LUAC	Rochester	Salazar
South Coast	Big Sur Coast Land Use Plan	South Coast LUAC	Diehl	Vandevere
South County	South County Area Plan	South County LUAC	Brown	Errea
Spreckles	Greater Salinas Area Plan	Spreckles NDR	Isakson	Brown
Toro	Toro Area Plan	Toro LUAC	Isakson	Wilmot
Winery Corridor	Agricultural Winery Corridor Plan	Toro LUAC / AAC		



Exhibit D

2008 RMA - PD COMMITTEE ASSIGNMENT

AGENCY/COMMITTEE ASSIGNMENT

STAFF ASSIGNED

**Hearing Officers/Dept. Rep**

Planning Commission (Secretary)	Mike Novo
Subdivision Committee (Secretary)	Jacqueline Onciano
Zoning Administrator	Mike Novo

**Advisory Committees Liaisons**

Agricultural Advisory Committee (AAC)	Steve Mason
Historic Resource Review Board (HRRB)	Craig Spencer

**Land Use Advisory Committees (LUAC) Liaisons**

**Coastal**

• Big Sur/South Coast	Joe Sidor
• Carmel Unincorporated/Highlands	John Ford
• Del Monte Forest	Craig Spencer
• North County	Liz Gonzales

**Inland – Valley**

• Chualar Neighborhood	Nadia Amador/Lucy Bernal
• Spreckels Neighborhood Design Review Committee	Melody Gillette
• North County Non-Coastal	Brittany Nicholson
• Bradley-Parkfield/South County	Mike Novo

**Inland – Peninsula**

• Carmel Valley	David Mack
• Cachagua	Eric Snider
• Greater Monterey Peninsula	Ramon Montano
• Toro	Elisa Manuguerra

**Community Plans**

• Boronda	Carl Holm
• Butterfly Village	Bob Schubert
• Castroville (CAC)	Anna Quenga
• Chular	Nadia Amador
• Fort Ord	Luis Osorio
• Pajaro	
• San Lucas	

Airport Land Use Commission	Mike Novo
Association of Monterey Bay Area Governments (AMBAG)	Mike Novo
Big Sur Multi Agency Advisory Council	Carl Holm/Laura Lawrence
General Plan Implementation	Carl Holm
LAFCO (City Annexations)	Bob Schubert

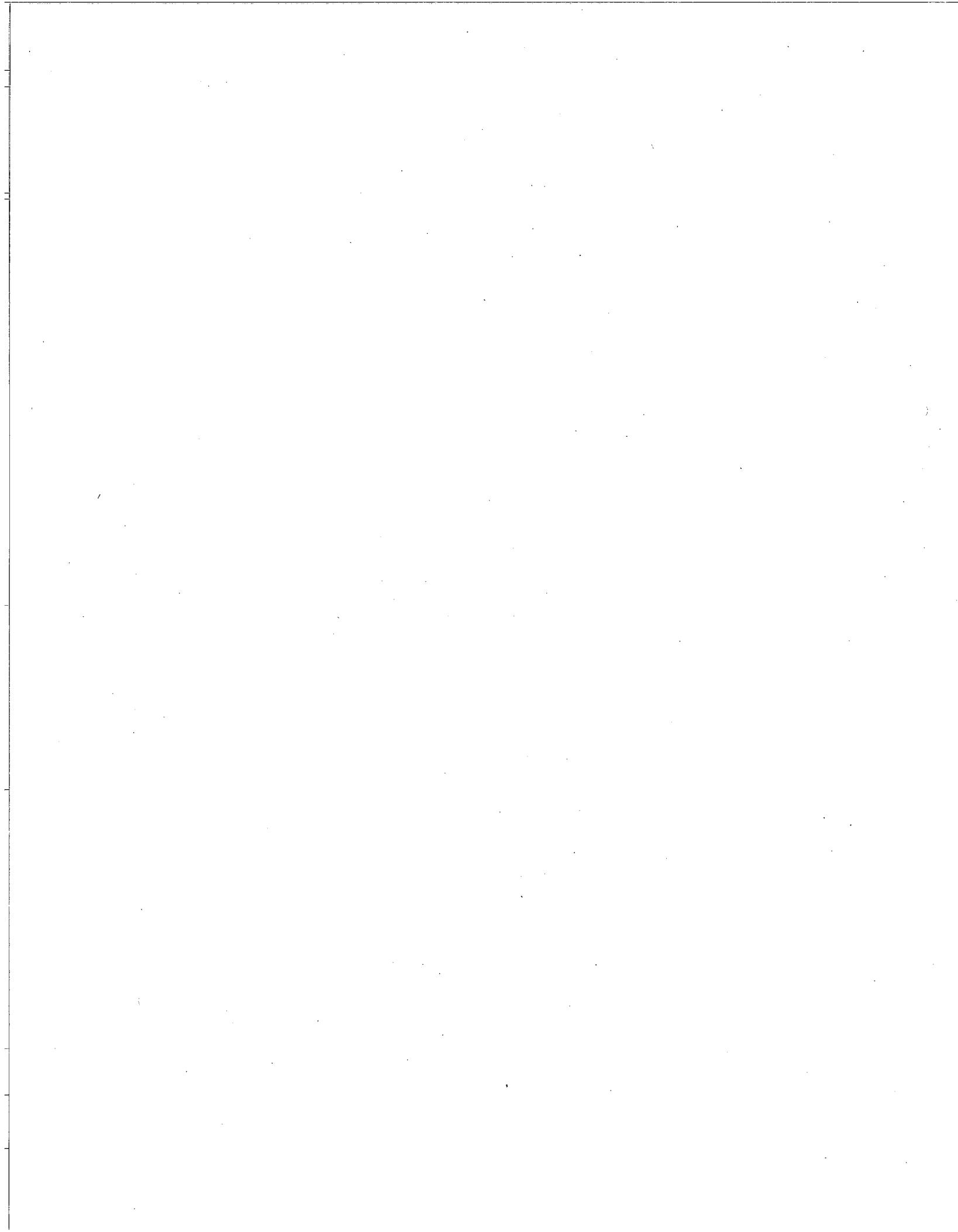




Exhibit E

<b>LUAC ASSIGNED LIAISONS</b>	
<b>LUAC</b>	<b>LIAISON</b>
<b>Big Sur LUAC</b>	<b>Mary Trotter, Chair</b>
<b>Cachagua LUAC</b>	<b>None</b>
<b>Carmel Uninc Highlands LUAC</b>	<b>Jack Meheen</b>
<b>Carmel Valley LUAC</b>	<b>Janet Brennan, Chair</b>
<b>Chualar Canyon NDR</b>	<b>None</b>
<b>Del Monte Forest LUAC</b>	<b>Paul De Lay, Chair</b>
<b>Greater Monterey Peninsula LUAC</b>	<b>Philomene Smith, Chair</b>
<b>North County Coastal LUAC</b>	<b>Pete Nowak, Chair</b>
<b>North County Non-coastal LUAC</b>	<b>Madeleine Clark, Chair</b>
<b>South Coast LUAC</b>	<b>Jerry Provost, Chair</b>
<b>South County LUAC</b>	<b>Debbie Robertson, Chair</b>
<b>Spreckles NDR</b>	<b>None</b>
<b>Toro LUAC</b>	<b>Kerry Varney &amp; Mike Weaver</b>