

MONTEREY COUNTY PLANNING COMMISSION

Meeting: December 10, 2014	Agenda Item No.: 9
Project Description: Consider and recommend to the Board of Supervisors amend the Land Use Advisory Committee Procedures to: 1) establish a Land Use Advisory Committee (LUAC) for the non-coastal Castroville Community Area; 2) include the newly established Land Use Advisory Committee (LUAC) on the list of current LUACs in Exhibit B of the Guidelines; 3) amend the boundaries of the North County Non-Coastal LUAC to exclude the non-coastal Castroville Community Area; 4) clarify referral and review guidelines for projects subject to LUAC review; and 5) consider the merger of the North County Non-Coastal and North County-Coastal Land Use Advisory Committees and provide staff with direction on how to proceed.	
Project Location: N/A	APN: N/A
Planning File Number: REF140091	Owner: N/A Applicant: N/A Agent: N/A
Planning Area: N/A	Flagged and staked: N/A
Zoning Designation: N/A	
CEQA Action: Exempt pursuant to Sections 15061(b)(3) and 15378(b)(5) of the CEQA Guidelines	
Department: RMA-Planning	

RECOMMENDATION:

Staff recommends the Planning Commission adopt a resolution (**Exhibit B and Exhibit G**) to:

- 1) Find the activity exempt from CEQA pursuant to Sections 15061(b)(3) and 15378 of the CEQA Guidelines and
- 2) Recommend the Board of Supervisors amend the Land Use Advisory Committee Procedures (“Guidelines”) to:
 - a. Establish a Land Use Advisory Committee for the non-coastal Castroville Community Area;
 - b. Include the newly established Land Use Advisory Committee (LUAC) on the list of current LUACs in Exhibit B of the Guidelines;
 - c. Amend the boundaries of the North County Non-Coastal LUAC to exclude the non-coastal Castroville Community Area;
 - d. Clarify referral and review guidelines for projects subject to LUAC review; and
- 3) Consider the merger of the North County Non-Coastal and North County-Coastal Land Use Advisory Committees and provide staff with direction on how to proceed.

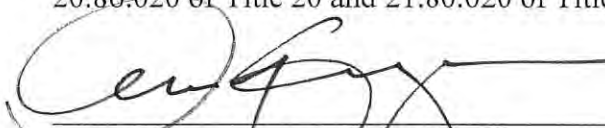
PROJECT OVERVIEW:

On October 3, 2014, RMA-Planning staff received a referral from the Board of Supervisors relative to the establishment of a Land Use Advisory Committee (LUAC) for the Castroville Community Area and how it would impact department resources and priorities (Referral No. 2014.06). The referral was completed and the results of the analysis were submitted to the County CAO’s Office. RMA-Planning staff was then tasked to proceed with processing the establishment of the LUAC.

As a result of the analysis directed by the Board, staff also identified a decrease in the amount of projects referred to the North County Non-Coastal and North County Coastal LUACs. Therefore, staff recommends that the Planning Commission consider and discuss the potential consolidation of the North County Non-Coastal and North County-Coastal LUACs and provide staff with direction on how to proceed.

A more detailed discussion can be found in **Exhibit A**.

Note: The Planning Commission's recommendation to the Board of Supervisors is not considered a final discretionary decision and therefore is not appealable pursuant to Sections 20.86.020 of Title 20 and 21.80.020 of Title 21.



Anna V. Quenga, Associate Planner
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November 20, 2014

cc: Front Counter Copy; Planning Commission; Jacqueline Onciano, RMA Services Manager; Anna V. Quenga, Project Planner; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); North County Non-Coastal LUAC (Members); North County-Coastal LUAC (Members); Planning File REF140091.

- Attachments:
- Exhibit A Project Discussion
 - Exhibit B Draft Resolution for the Castroville Community Plan LUAC
 - 1. Proposed Amendments to Exhibit A of the Monterey County Land Use Advisory Committee Procedures ("Guidelines")
 - 2. Proposed Amendments to Exhibit B of the Monterey County Land Use Advisory Committee Procedures
 - Exhibit C Proposed LUAC Boundary Map for the Castroville Land Use Advisory Committee
 - Exhibit D Proposed Amended North County Non-Coastal LUAC Boundary Map
 - Exhibit E Board of Supervisors Resolution No. 08-3388
 - Exhibit F RMA-Planning Staff response to Board of Supervisor's Referral No. 2014.06
 - Exhibit G Draft Resolution for the consolidation of the North County Non-Coastal and North County-Coastal LUACs

This report was reviewed by Jacqueline R. Onciano, Planning Services Manager.



EXHIBIT A DISCUSSION

As outlined below, projects in the non-coastal Castroville Community Area that require review by a citizen's advisory committee are currently reviewed by the North County Non-Coastal Land Use Advisory Committee (LUAC). Supervisor Calcagno requested that RMA-Planning staff analyze impacts on department priorities and resources resulting from the establishment of a LUAC for the Castroville. Staff responded to the referral (see **Exhibit F**) and was then directed to proceed in establishing a Castroville Land Use Advisory Committee as outlined within the Land Use Advisory Committee Procedures ("Guidelines") (see **Exhibit E**). Staff recommends creating a Castroville LUAC because there is value for a localized and specific review of projects in Castroville as the rural nature of North County is vastly different from the urban development of Castroville.

As an indirect result of the analysis directed by the Board, staff identified a decrease in the amount of projects referred to the North County Non-Coastal and North County Coastal LUACs. In addition, the Planning Commission requested to discuss the potential consolidation of both LUACs. Since the establishment and consolidation of LUACs relate, staff recommends the Planning Commission also consider and provide staff with direction as it relates to the consolidation of the North County LUACs.

Castroville Community Plan Land Use Advisory Committee

On April 10, 2007, the Board of Supervisors adopted the Castroville Community Plan (CCP) for the non-coastal Community Area. The 2010 Monterey County General Plan designates the inland Castroville area as a Community Area. Key Policy 2.3 of the CCP states that an advisory committee shall monitor and comment on development proposals that have the potential to affect the community. In addition, the CCP Implementation Plan specifically requires review by an advisory committee to determine compliance with the CCP, adopted Design Guidelines, and Development Standards for certain projects. Consistent with the requirements of the CCP, an advisory body was created: the Castroville/Pajaro Redevelopment Citizen's Advisory Committee (CAC). The CAC's primary function was to serve as an advisory body to the Board of Directors of the Monterey County Redevelopment Agency in policy matters related to the implementation of the Castroville/Pajaro Redevelopment Plan. The CAC's secondary function was to review projects in the capacity of a LUAC. Due to the dissolution of the Redevelopment Agency, the CAC has been disbanded.

Given that the adopted CCP area lies within the boundaries for the North County Non-Coastal LUAC, the North County Non-Coastal LUAC has the capacity to review projects in lieu of the CAC. Although geographically this may make sense, the regulations between the two areas vary considerably. For instance, the North County planning area is rural in nature and the policies and regulations of the North County Area Plan reflect this. Conversely, development in Castroville is urban, resulting in the "unique urban design vision" of CCP that is supporting and enhancing of the existing defined urban design pattern of the community. Section 1(b) of the Land Use Advisory Committee Procedures states that a LUAC is to "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." Based on these differences in development regulations and the outlined purpose of a LUAC, staff recommends that a Castroville Land Use Advisory Committee be established.

Modifications to the LUAC Procedures as a result of establishing a Castroville LUAC
“Exhibit B” of the Land Use Advisory Committee Procedures includes a list of the current LUACs. The list indicates that projects within the Castroville Community Plan area are subject to review by the Castroville Citizens Advisory Committee or the North County Non-Coastal LUAC. Therefore, staff recommends this exhibit be modified to separate the Castroville Community Plan area from North County Inland area and list the established Castroville LUAC as a separate LUAC (see proposed amendment in ~~strikeout~~ and underline attached as **Exhibit B.2**). The LUAC boundary maps have also been modified to reflect this change; the adopted Castroville Community Plan area has been excluded from the North County Non-Coastal boundary map (**Exhibit D**) and a new map illustrating the Castroville LUAC boundaries (**Exhibit C**) has been created.

In order to clarify review guidelines for projects subject to LUAC review, staff recommends the Planning Commission consider modification of Item 2 of “Exhibit A” of the Land Use Advisory Committee Procedures. This section states LUACs shall review any discretionary permit for which any local area plan, land use plan, or master plan requires review by a local citizen’s committee. In addition to those governing plans, staff proposes to include “specific plan” and “community plan.” (See proposed amendment in ~~strikeout~~ and underline attached as **Exhibit B.1**)

Environmental Review

The establishment of the Castroville LUAC and the revisions to Exhibits A and B of the Land Use Advisory Committee Procedures is an organizational, administrative activity that will not result in direct or indirect physical changes to the environment. Therefore, the activity is not considered a project and is not subject to CEQA as defined in Sections 15061(b)(3) and 15378(b)(5) of the CEQA Guidelines.

Recommendation

Pursuant to Section 3(b) of the Land Use Advisory Committee Procedures (**Exhibit E**), the Planning Commission may recommend to the Board of Supervisors to establish a LUAC for a more specific geographic area within a Planning Area. Therefore, consistent with these guidelines and based on the supporting evidence in the Planning Commission draft resolution (**Exhibit B**); staff recommends the Planning Commission recommend the Board of Supervisor’s establish the Castroville Community Plan Land Use Advisory Committee and make the proposed changes to the Land Use Advisory Committee Procedures (“Guidelines”).

Consolidation of the North County Land Use Advisory Committees

As previously stated, both North County LUACs have experienced a decline in review activity. From January 2013 until present, there were only a total of eight (8) North County Non-Coastal LUAC meetings and seven (7) North County-Coastal LUAC meetings. As a result of this decline, and in an effort to reduce County costs and improve efficiency for staff and LUAC members, staff proposes the Planning Commission discuss and consider the consolidation of the LUACs in the North Monterey County area and provide staff with direction on how to proceed.

Potential Issues

Although the neighborhood character and resource constraints of North County Non-Coastal and North County Coastal areas are similar, regulations for inland areas differ from the coastal zone. Therefore, consolidation would require initial cross training of LUAC members by RMA-Planning.

Consolidation would also have the potential for confusion for LUAC members reviewing projects and members of the public who attend the LUAC meetings as certain projects presented could be similar but different regulations would apply.

Process required for consolidating LUACs

Based on the requirements of the Land Use Advisory Committee Procedures (**Exhibit E**), the following is a list of required tasks in order to consolidate the two LUACs.

Required Activity	Responsible Department	Time Required	Funding
Create a new boundary map for the consolidated North County boundary area	RMA	1 hour	General Fund
Revise the North County Non-Coastal LUAC boundary map to eliminate the CCP boundary area	RMA	1 hour	General Fund
Amend Board of Supervisors Resolution No. 08-383 to list the consolidated North County LUACs as the appropriate LUAC to review projects for the North County Non-Coastal and North County Coastal areas	RMA-Planning	8 hours	General Fund
Appoint one Planning Commissioner as the consolidated North County LUAC Primary Liaison and one Alternate Liaison	Planning Commission	N/A	General Fund
Seek names and qualifications of nominees for LUAC members from the public residing within the consolidated North County area boundaries ¹	Planning Commission	4 hours	General Fund
List vacancies on public website	RMA-Planning	1 hour	General Fund
Post notice for vacancies in public locations	RMA-Planning	1.5 hours	General Fund
Publish notices for vacancies within a local newspaper	RMA-Planning	1 staff hour	General Fund

Once the LUACs have been formally consolidated by the Board of Supervisors, RMA-Planning staff will provide the LUAC members with cross training, identify a new LUAC meeting place, and assign a RMA-Planning staff liaison.

Presenting Consolidation to the North County LUACs

On Tuesday, December 2, 2014, staff attended the North County-Coastal meeting and presented the concept of consolidating the North County LUACs. Four of the five members were present and no comments were received. However, the committee requested to have the item placed on the December 16th LUAC agenda to allow discussion of the matter with all the committee members present. On Wednesday, December 3, 2014, the proposed merger will be presented to the North County Non-Coastal LUAC.

Environmental Review

The consolidation of the North County Non-Coastal and North County Coastal LUACs is an organizational, administrative activity that will not result in direct or indirect physical changes to the environment. Therefore, the activity is not considered a project and is not subject to CEQA as defined in Sections 15061(b)(3) and 15378(b)(5) of the CEQA Guidelines.

¹ There are currently three members on the North County Non-Coastal LUAC and five members on the North County Coastal LUAC. Should the existing members request to serve under the consolidated LUAC, the total amount of LUAC members would be consistent with the membership limitation outlined in the Land Use Advisory Committee Procedures.

Recommendation

Pursuant to Section 3(b) of the Land Use Advisory Committee Procedures (**Exhibit E**), the Planning Commission may recommend to the Board of Supervisors to consolidate LUACs from two or more different planning areas. Therefore, consistent with these guidelines and based on the supporting evidence in the Planning Commission draft resolution (**Exhibit G**); staff recommends the Planning Commission consider consolidation of the North County Non-Coastal and North County-Coastal Land Use Advisory Committees and provide staff on how to proceed.

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

COUNTY OF MONTEREY (REF140091)

RESOLUTION NO. ----

Resolution by the Monterey County Planning
Commission:

- 1) Finding the activity exempt from CEQA per Sections 15061(b)(3) and 15378(b)(5); and
- 2) Approving a resolution recommending the Board of Supervisors amend the Land Use Advisory Committee Procedures (“Guidelines”) to:
 - a. Establish a Land Use Advisory Committee (LUAC) for the non-coastal Castroville Community Area;
 - b. Include the newly established LUAC on the list of current LUACs in Exhibit B of the Guidelines;
 - c. Amend boundaries of North County Non-Coastal LUAC to exclude the non-coastal Castroville Community Area; and
 - d. Clarify referral and review guidelines for projects subject to LUAC review.

(REF140091, County of Monterey, County-wide)

The Castroville Community Plan Land Use Advisory Committee referral (REF140091) came on for public hearing before the Monterey County Planning Commission on December 10, 2014. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

WHEREAS, on August 23, 1994, the Monterey County Board of Supervisors adopted 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 reduction in Planning Department resources.

WHEREAS, the Planning Commission held public hearings between May 28 and August 8, 2008 to review amendments to the Land Use Advisory Committee Procedures (“Guidelines”). The proposed changes were intended to provide greater clarity to the roles and duties of the 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 adopted the Land Use Advisory Committee Procedures (“Guidelines”), following recommendation by the Planning Commission.

WHEREAS, on April 10, 2007 the Board of Supervisors adopted the Castroville Community Plan (CCP) for the inland area within the Community Plan boundary. Policy 2.3 of the CCP states that an advisory committee shall monitor and comment on development proposals that have the potential to affect the community. Additionally, the CCP Implementation Plan specifically requires review by an advisory committee to determine compliance with the CCP, adopted Design Guidelines, and Development Standards for certain projects.

WHEREAS, the 2010 Monterey County General Plan, adopted October 26, 2010, designates the inland Castroville area as a Community Area.

WHEREAS, on March 22, 1994, the Board of Directors for the Monterey County Redevelopment Agency created the Castroville/Pajaro Redevelopment Project Citizen Advisory Committee (CAC), adopting bylaws outlining the basic organization and administration procedures for the CAC and requiring the CAC to be an advisory body to the Monterey County Redevelopment Agency on policy and planning matters.

WHEREAS, pursuant to State law, on February 1, 2012, the Redevelopment Agency of the County of Monterey was dissolved by operation of law, resulting in the dissolution of the CAC.

WHEREAS, the Castroville Community Plan area lies within the current boundaries of the North County Non-Coastal LUAC (NC LUAC) and therefore the NC LUAC has the capacity to review projects in lieu of the CAC. However, the North County planning area is rural in nature and the governing policies and regulations reflect such. Conversely, development in Castroville is urban, with regulations that support and enhance the urban design pattern of the community.

WHEREAS, Section 1(b) of the Land Use Advisory Committee Procedures states that the LUAC is to “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.” Therefore, it is more appropriate to create a Castroville Land Use Advisory Committee to review projects within the non-coastal Castroville Community Area.

WHEREAS, on October 3, 2014, RMA-Planning received a referral (Referral No. 2014.06) from the Board of Supervisors relative to the establishment of a Land Use Advisory Committee (LUAC) for the adopted Castroville Community Plan area and how it would impact department resources and priorities. The referral was completed and the results of the analysis were submitted to the County CAO’s Office. RMA-Planning staff was subsequently tasked to proceed with processing the establishment of the LUAC.

WHEREAS, on December 10, 2014, the Planning Commission considered the establishment of a Land Use Advisory Committee for the adopted Castroville Community Area. Based on the outcome of this hearing, the Planning Commission recommends the Board of

Supervisors establish the Castroville Land Use Advisory Committee, consistent with the requirements of the Land Use Advisory Committee Procedures.

WHEREAS, on December 10, 2014, the Planning Commission held a public meeting to consider an amendment to Exhibit B (List of current LUACs) of the Monterey County Land Use Advisory Committee Procedures. The amendment is necessary as it reflects the removal of the Castroville Community Plan area from the purview of the North County Non-Coastal LUAC boundary area into its own separate LUAC.

WHEREAS, on December 10, 2014, the Planning Commission held a public meeting to consider an amendment to Exhibit A – Guidelines for Review of Matters Referred to Land Use Advisory Committees by the Appropriate Authority of the Monterey County Land Use Advisory Committee Procedures. The amendment is intended to provide greater clarity for those projects located in areas governed by specific plans and community plans.

WHEREAS, establishment of a LUAC and adoption of these revisions to the Land Use Advisory Committee Procedures 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.

DECISION

NOW, THEREFORE, be it resolved that the Planning Commission does hereby:

1. Find that the activity is not subject to CEQA pursuant to Sections 15061(b)(3) and 15378 of the CEQA Guidelines; and
2. Approve the resolution recommending the Board of Supervisors amend the Land Use Advisory Committee Procedures (“Guidelines”) to:
 - a. Establish a Land Use Advisory Committee for the non-coastal Castroville Community Area;
 - b. Include the newly established Land Use Advisory Committee (LUAC) on the list of current LUACs in Exhibit B of the Guidelines as shown in the amended Exhibit B;
 - c. Amend boundaries of North County Non-Coastal LUAC to exclude the non-coastal Castroville Community Area as shown on the amended Exhibit B; and
 - d. Clarify referral and review guidelines for projects subject to LUAC review as shown in the amended Exhibit A.

PASSED AND ADOPTED this 10th day of December, 2014 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mike Novo, Planning Commission Secretary

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

EXHIBIT B.1
PROPOSED AMENDMENTS TO EXHIBIT A OF THE MONTEREY
COUNTY LAND USE ADVISORY COMMITTEE 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) Design Approvals for projects subject to review by the Zoning Administrator or Planning Commission.
 - b) Development requiring CEQA review (non-exempt project).
 - c) Variances.
 - d) Lot Line Adjustments involving conflicts (e.g.; modifications to Scenic Easements or Building Envelopes, Williamson Act, the Coastal Zone, etc.).
 - e) Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report (EIR).
2. The LUAC shall review any discretionary permit application for which the local area plan, land use plan, ~~or master plan,~~ specific plan, or community 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. The Director of Planning shall inform the Planning Commission of a Board of Supervisors' referral.
4. The LUAC shall focus recommendations on site design and local considerations.

EXHIBIT B.2
PROPOSED AMENDMENTS TO EXHIBIT B OF THE MONTEREY
COUNTY LAND USE ADVISORY COMMITTEE PROCEDURES

EXHIBIT B

PLANNING AREA	AREA PLAN	LUAC
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
<u>Adopted Castroville Community Plan area</u>	<u>Castroville Community</u>	<u>Castroville LUAC</u>
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
	Gastroville Community Plan	Gastroville Citizen Advisory Committee
	Pajaro Community Plan	
South County	South County Area Plan	Bradley-Parkfield 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

EXHIBIT C
PROPOSED LUAC BOUNDARY MAP FOR THE
CASTROVILLE LAND USE ADVISORY COMMITTEE

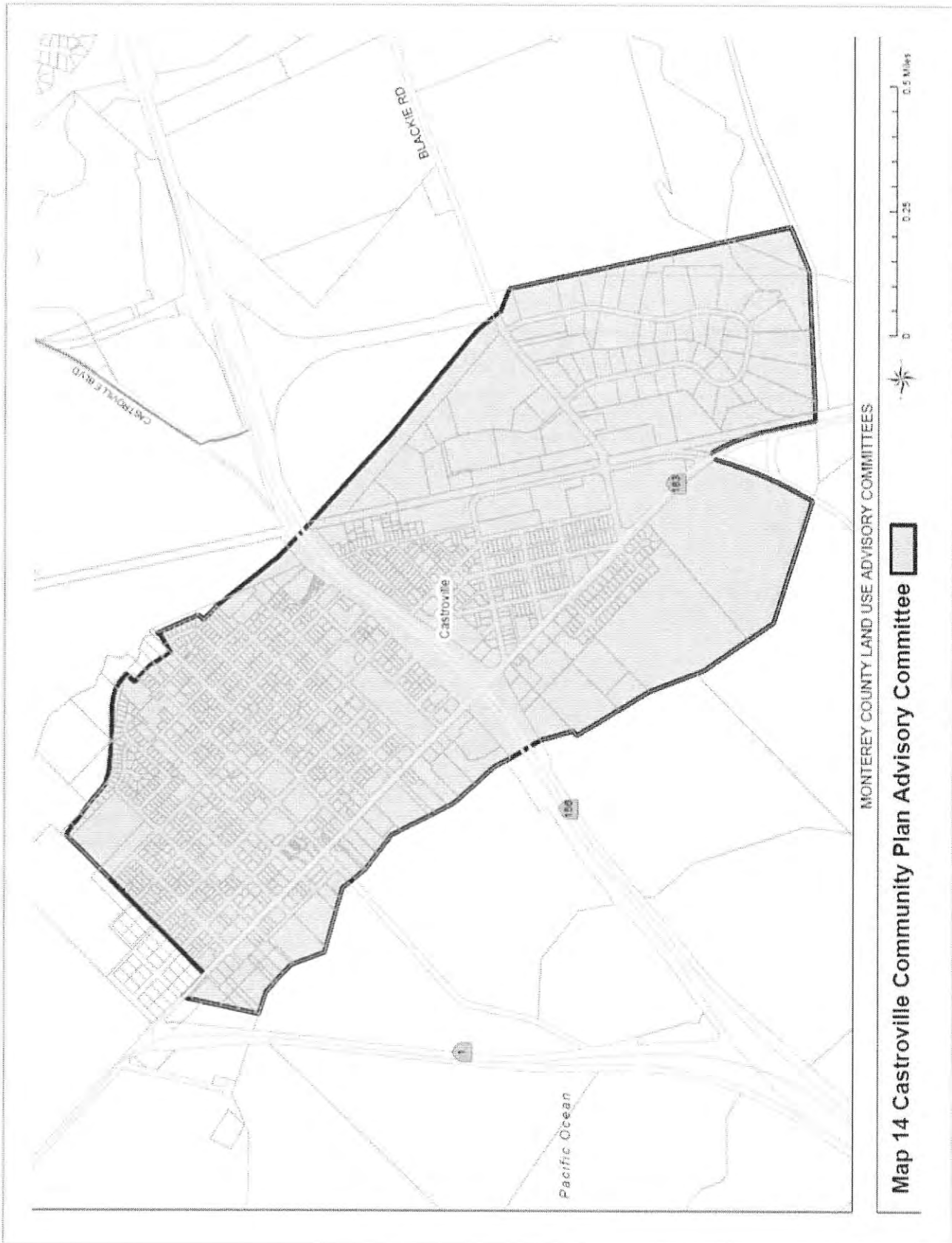


EXHIBIT D PROPOSED AMENDED NORTH COUNTY NON-COASTAL LUAC BOUNDARY MAP

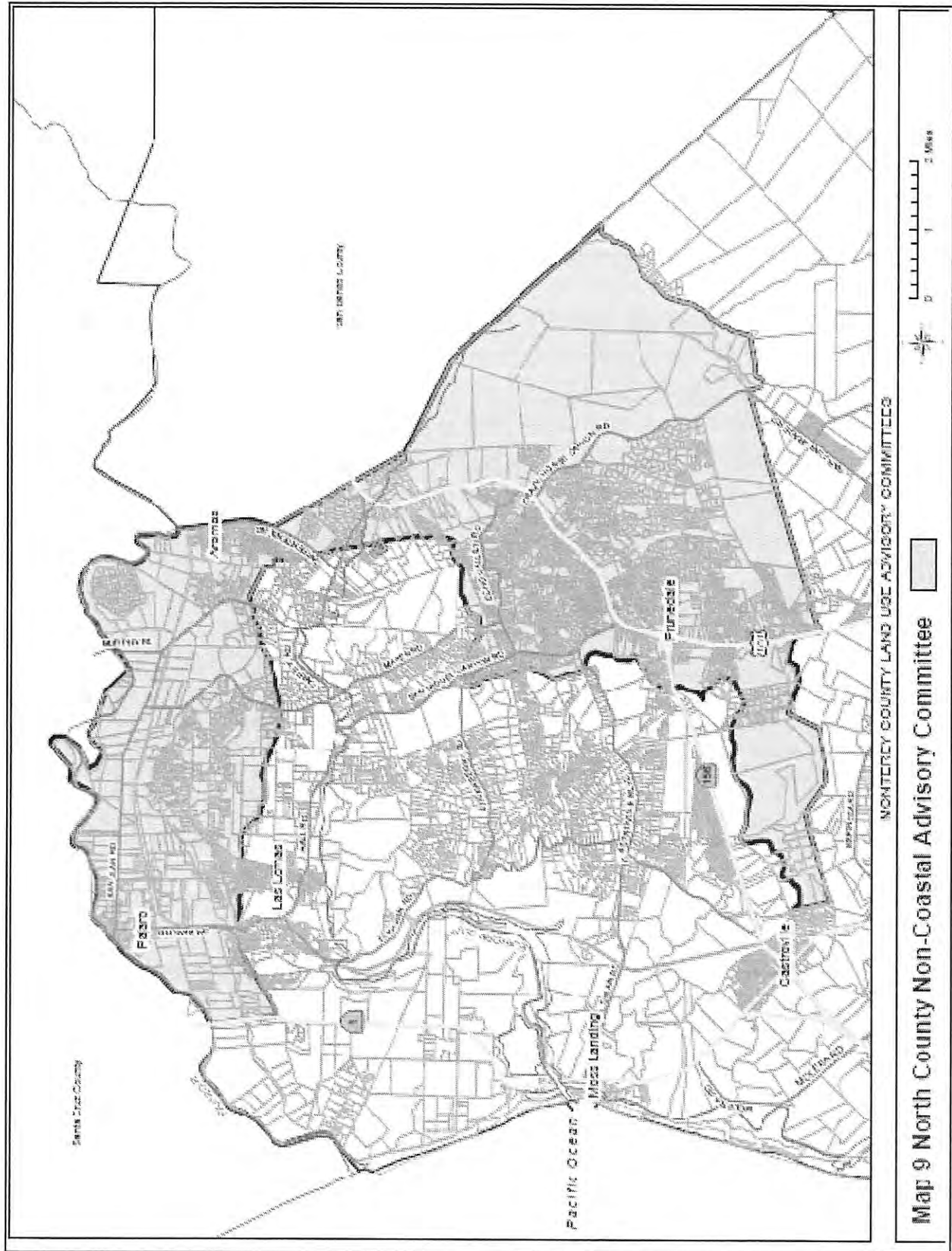


EXHIBIT E
BOARD OF SUPERVISORS RESOLUTION NO. 08-3388

S-5

**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

PLANNING AREA	AREA PLAN	LUAC
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.

S-5

Dated: November 19, 2008

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

By



Deputy

EXHIBIT F
RMA-PLANNING STAFF RESPONSE TO BOARD OF SUPERVISOR'S
REFERRAL NO. 2014.06

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY

Benny J. Young, Director
Carl P. Holm, AICP, Deputy Director

Michael A. Rodriguez, C.B.O., Chief Building Official
Michael Novo, AICP, Director of Planning
Robert K. Murdoch, P.E., Director of Public Works



168 W. Alisal Street, 2nd Floor
Salinas, CA 93901
<http://www.co.monterey.ca.us/rma>

MEMORANDUM

Date: October 17, 2014

To: Lew Bauman, County Administrative Officer

From: Mike Novo, ^{M.N.} Director of RMA-Planning, for Carl Holm, Acting RMA Director

Subject: Referral No. 2014.06 – Establishment of a Land Use Advisory Committee for the Castroville Community Plan Area

cc: Jacqueline R. Onciano, RMA Services Manager & Anna V. Quenga, Associate Planner

On October 10, 2014 RMA-Planning staff replied to Board of Supervisors Referral No. 2014.06 stating that a formal response would be forthcoming, no later than October 17, 2014. The following is an analysis of impacts on RMA priorities and resources resulting from the establishment of a Land Use Advisory Committee (LUAC) for the Castroville Community Plan area.

Need/Requirement for a LUAC in the Castroville Community Plan area.

Key Policy 2.3 of the Castroville Community Plan (CCP) states that a Castroville Advisory Committee (CAC) shall monitor and comment on development proposals that have the potential to affect the community. In addition, the Implementation Plan of the CCP specifically requires review by a CAC to determine compliance with the CCP, Design Guidelines, and Development Standards for certain projects. Consistent with the requirements of the CCP, an advisory body was created: the Castroville/Pajaro Redevelopment Citizen's Advisory Committee (CAC). However, the CAC's duties included more than just project consistency review, as its main purpose was to serve as an advisory body to the Board of Directors of the Monterey County Redevelopment Agency in policy matters related to the implementation of the Castroville/Pajaro Redevelopment Plan. Due to the dissolution of the Redevelopment Agency, the Castroville/Pajaro Redevelopment Plan is no longer in effect, subsequently terminating the CAC.

Summary of Options.

The Board of Supervisors has two options that should be considered: 1) maintain the North County Non-Coastal LUAC to act as the advisory committee for the Castroville Community Plan (CCP) area, or 2) re-establish a Committee to fulfill the duties of a LUAC for the Castroville

Community Plan area. For consistency purposes, staff will refer to the re-established body as the "Castroville Community Plan Land Use Advisory Committee" (CCP LUAC).

Recommendation.

Staff recommends the Board of Supervisors direct staff to proceed with Option 2 and create the CCP LUAC. That direction can be provided when we return to the Board of Supervisors with amendments to the LUAC procedures.

The adopted community plan area lies within the current boundaries of the North Monterey County Non-Coastal LUAC (NC LUAC) and, therefore, the NC LUAC has the capacity to review projects in lieu of a CAC. However, based on the rural nature of North County, the urban development of Castroville and the vast differences between the North County Area Plan requirements and the CCP requirements, it would be best for Castroville to have an entirely separate LUAC.

This option would require about 40 hours of staff time and some Planning Commission time to create the new LUAC and about 30 additional hours per year to operate the LUAC.

Discussion

The following is a summary of actions and impacts that would result from the Board of Supervisors choosing option 2 followed by two tables outlining actions required to establish and maintain a CCP LUAC and actions required to maintain the CCP LUAC.

Roles and Responsibility for the Establishment and Operation of the CCP LUAC.

RMA-Planning staff maintains a majority of the responsibility relative to processing development applications as well as most of the duties outlined in the LUAC Guidelines. Therefore, most impacts from creating a CCP LUAC will be to RMA-Planning staff and resources. Each LUAC has a staff liaison assigned to attend the meeting, and involves preparation and delivery of agenda packets for each meeting, typically twice per month. The cost per year of creating this as a LUAC, separate from the North County LUAC, would be nominal as the costs would otherwise be borne by providing the information to the NC LUAC. The addition of a staff liaison to this new LUAC would require additional staff time, so we estimate a loss of about 30 hours per year of lost productivity related to the other duties of that planner.

Actions Required.

Establishment of the CCP LUAC would be consistent with the requirements of the Castroville Community Plan and the Monterey County LUAC Procedures ("Guidelines"), Board of Supervisors Resolution No. 08-338 (*Attachment B*). As evidence to this statement, a Comparison Analysis Table (*Attachment A*) illustrates consistency between the duties of the CAC outlined in the CCP and the duties of the LUAC as outlined in the Guidelines.

Exhibit B of Resolution No. 08-338 contains the most current list of LUACs and other related committees, including the Castroville Citizen Advisory Committee (CAC). However, pursuant to the Castroville/Pajaro Redevelopment Citizens Advisory Committee bylaws, which outline the basic organization and administration procedures for the CAC, the CAC was required to be an advisory body to the Monterey County Redevelopment Agency. Therefore, any re-establishment of a CAC should include clarification in the Board resolution that the committee would serve as the LUAC for the community, and that NC LUAC would no longer have Castroville within its jurisdiction boundaries.

Based on the LUAC Guidelines and the requirements of the CCP, the following is a list of required duties for the establishment of a LUAC. This list outlines the responsible department, the approximate timeline and expense to complete the activity, and where the projected funds would come from:

Table 1. Actions required to establish a LUAC for Castroville

Required Activity	Responsible Department	Time Required	Funding
Create a new boundary map for the CCP boundary area	RMA	1 hour	General Fund
Revise the North County Non-Coastal LUAC boundary map to eliminate the CCP boundary area	RMA	1 hour	General Fund
Amend Board of Supervisors Resolution No. 08-383 to add language that the re-established CAC would be a County body and not function as an advisory committee to the Board of Directors of the Redevelopment Agency	RMA-Planning and County Counsel	8 hours	General Fund
Appoint one Planning Commissioner as the CAC's Primary Liaison and one Alternate Liaison	Planning Commission	N/A	General Fund
Seek names and qualifications of nominees for LUAC members from the public residing within the Castroville Community Plan area boundaries ¹	Planning Commission	No staff hours	General Fund
List vacancies on public website	RMA-Planning	1 hour	General Fund
Post notice for vacancies in public locations	RMA-Planning	1.5 hours	General Fund
Publish notices for vacancies within a local newspaper	RMA-Planning	1 hour	General Fund
Receive and review qualifications of nominees and forward to Planning Commission	RMA-Planning	4 hours	General Fund
Provide LUAC members with initial training material and orientation. Training to cover: Brown Act, and how it pertains to their committee's operations, LUAC procedures and Guidelines for Review of Applications.	RMA-Planning and County Counsel	20 hours	General Fund
Furnish the LUAC with a copy of the Castroville Community Plan, General Plan, Title 21, and any additional pertinent County Codes/Policies	RMA-Planning	1 hour	General Fund

¹ Staff has obtained contact information of the previous CAC members. If the Planning Commission began inquiries off of this list, the time required to solicit members for the re-established CAC may be reduced.

Once the CAC has been re-established, the following duties would occur:

Table 2. Actions required to maintain a LUAC for Castroville

Required Activity	Responsible Department	Time Required	Funding
Appoint a planner to attend all LUAC meetings as a staff liaison.	RMA-Planning	2.5 hours/month	General Fund
Primary Liaison to attend the first two meetings of the newly formed LUAC	Planning Commission	No staff hours	No cost
Maintain membership records and term expiration dates.	RMA-Planning	1.5 hours	General Fund

Attachment A – Comparison Analysis Table

<p>Guidelines for Review of Matters Referred to LUACs by the Appropriate Authority – Exhibit A of Board of Supervisors Resolution 08-338</p>	<p>Castroville Advisory Committee review required pursuant to the Castroville Community Plan</p>
<p>Development requiring CEQA review (ND, MND, or EIR)</p>	<p>Page 247. Private Development within the Merritt Street Corridor Opportunity Area and Infill Sites Diagram. Non-exempt project also go before CAC as part of public hearing process.</p> <p>Page 248. Private Development within the Cypress Residential, North Entrance, New Industrial and Commuter Train Station Opportunity Areas Diagram. Non-exempt project also go before CAC as part of public hearing process.</p>
<p>LLA involving conflicts</p>	<p>Policy 2.3 of the CCP states that the CAC shall monitor and comment on development proposals that have the potential to affect the community.</p>
<p>Variances</p>	<p>Policy 2.3 of the CCP states that the CAC shall monitor and comment on development proposals that have the potential to affect the community.</p>
<p>DAs subject to review by the ZA or PC</p>	<p>Page B-4 Design Approval applications that are considered by either the Zoning Administrator or the Planning Commission will also be reviewed by the Castroville Citizen's Advisory Committee.</p>
<p>Discretionary permit application for which the local area plan, land use plan, or master plan requires review by a local citizens' committee.</p>	<p>Page 247. Private Development within the Merritt Street Corridor Opportunity Area and Infill Sites Diagram. CAC to make recommendations to ZA/PC for UP, AP, DA, CD.</p> <p>Page 248. Private Development within the Cypress Residential, North Entrance, New Industrial and Commuter Train Station Opportunity Areas Diagram, CAC to make recommendations to ZA/PC for UP, AP, DA, CD.</p> <p>Page 249. Implementation matrix also states CAC review required for GDP in Cypress, North Entrance, New Industrial, and commuter train station. Review site plan, phasing plan, floor plans, elevations and conceptual landscape plans. Segregated</p>

approach for GDP.

Page 256 of the Implementation Plan (Downtown Merritt Street Opportunity Area) Development applications (Use Permit and Subdivisions) shall be reviewed by the CAC to determine compliance with the Community Plan, Design Guidelines, and Development Standards.

Page 260 of the Implementation Plan (Cypress Residential Opportunity Area) Development applications (Use Permit and Subdivisions) shall be reviewed by the CAC to determine compliance with the Community Plan, Design Guidelines, and Development Standards.

Page 268 of the Implementation Plan (Tottino Subarea A) Development applications (Use Permit and Subdivisions) shall be reviewed by the CAC to determine compliance with the Community Plan, Design Guidelines, and Development Standards.

Page 270 of the Implementation Plan (Train Station Subarea B) Development applications (Use Permit and Subdivisions) shall be reviewed by the CAC to determine compliance with the Community Plan, Design Guidelines, and Development Standards.

Page 271 of the Implementation Plan (CHISPA Subarea C) Development applications (Use Permit and Subdivisions) shall be reviewed by the CAC to determine compliance with the Community Plan, Design Guidelines, and Development Standards.

Page 272 of the Implementation Plan (North Entrance Opportunity Area) Development applications (Use Permit and Subdivisions) shall be reviewed by the CAC to determine compliance with the Community Plan, Design Guidelines, and Development Standards.

	<p>Page 276 of the Implementation Plan (New Industrial Opportunity Area) Development applications (Use Permit and Subdivisions) shall be reviewed by the CAC to determine compliance with the Community Plan, Design Guidelines, and Development Standards.</p> <p>Page 278 of the Implementation Plan (Infill Development) infill development that requires a Use Permit shall be evaluated by the CAC for consistency with the provisions of this plan including the Design Guidelines and Development Standards.</p>
<p>Discretionary permit application, and any land use matter that in the opinion of the BOS, PC or Director of Planning, raises significant land use issues that necessitate review prior to a public hearing by the appropriate authority.</p>	<p>Policy 2.3 of the CCP states that the CAC shall monitor and comment on development proposals that have the potential to affect the community.</p> <p>Page 65. Projects in the Merritt Street Corridor Opportunity Area will be reviewed by the CAC as advisory to the County of Monterey Resource Management Agency (Housing and Redevelopment Office and RMA-Planning) related to determining consistency with the goals, objectives, development requirements and compliance with the Development Standards and Design Guidelines of this Community Plan</p>

**EXHIBIT G
DRAFT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

COUNTY OF MONTEREY (REF140091)

RESOLUTION NO. ----

Resolution by the Monterey County Planning
Commission:

- 1) Finding the activity exempt from CEQA per Sections 15061(b)(3) and 15378(b)(5); and
- 2) Consider the consolidation of the North County Non-coastal and North County-Coastal Land Use Advisory Committees and provide staff with direction on how to proceed. (REF140091, County of Monterey, North County)

The North Monterey County Land Use Advisory Committees (LUAC) referral (REF140091) came on for public hearing before the Monterey County Planning Commission on December 10, 2014. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

WHEREAS, on August 23, 1994, the Monterey County Board of Supervisors adopted 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 reduction in Planning Department resources.

WHEREAS, the Planning Commission held public hearings between May 28 and August 8, 2008 to review amendments to the Land Use Advisory Committee Procedures (“Guidelines”). The proposed changes were intended to provide greater clarity to the roles and duties of the 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 adopted the Land Use Advisory Committee Procedures (“Guidelines”), following recommendation by the Planning Commission.

WHEREAS, there has been a decrease in the amount of projects brought before North County Non-Coastal and North County-Coastal LUACs and consolidation of the two would result in the reduction of County costs and improving efficiency for staff and LUAC members.

WHEREAS, on December 10, 2014, the Planning Commission considered the consolidation of the North County Non-coastal and Coastal LUACs and provided staff with direction on how to proceed.

WHEREAS, consolidation of LUACs 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.

DECISION

NOW, THEREFORE, be it resolved that the Planning Commission does hereby:

1. Find that the activity is not subject to CEQA pursuant to Sections 15061(b)(3) and 15378 of the CEQA Guidelines; and
2. Approve the resolution to consider consolidation of the North County Non-coastal and North County-Coastal LUACs and provide staff with direction on how to proceed.

PASSED AND ADOPTED this 10th day of December, 2014 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mike Novo, Planning Commission Secretary

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.