

The Conservation and Open Space Element guides the County in the long-term conservation and preservation of open space lands and natural resources while protecting private property rights. The County's intent is not to alter existing regional, State or Federal laws and regulations, but rather to enable greater cooperation among public agencies and the public to share management responsibilities in accomplishing the shared goal of conserving and protecting the resources of the region.

This Element incorporates the state-mandated requirements for the Open Space and Conservation Elements and also addresses scenic resources, cultural and historic resources, and energy and mineral resources. Policies regarding natural environmental hazards, such as flooding, are addressed in the Safety Element, and recreational policies are addressed within the Public Services Element.

Among the more prominent features within Monterey County are the Santa Lucia and Gabilan Mountain Ranges, the Salinas and Carmel Valleys, and about 100 miles of coastline. Of special note are such features as the Elkhorn Slough (North County), sandy beaches of Monterey and Carmel Bays, and the rocky shores/cliffs of the Monterey Peninsula and the Big Sur coast.

Granite and metamorphic rocks form the Gabilan and Santa Lucia mountains, characterized by steep slopes and complex drainage patterns. The Salinas Valley, although underlain by granite, contains several thousand feet of sediment that have a greater seismic hazard but are the source of productive agricultural soils. Although the County contains useful minerals, the tremendous complex geology caused by extensive faulting and deformation makes investigation difficult and inconclusive.

Plants representative of almost all parts of California (except for the highest mountains and driest deserts) are found in Monterey County. Monterey is the biological center of California; many plant species that find either their northern or southern limits can be found in Monterey County. In addition, a high number of plant species are native only to Monterey County.

The County's coast offers a wide range of habitats, including sandy beaches, rocky shoreline, kelp beds, estuaries, wetlands, and sub-marine canyons. An abundance of sea life and coastal marine life off of the Monterey County coast is directly related to the variety and quality of habitat. Although a few broad policies are provided in this General Plan, most policies addressing coastal resources are included separately as part of the Local Coastal Program.

The County has recognized the need to discover and identify places of historical and cultural significance and to preserve the physical evidence of its historic past. A countywide historic preservation ordinance is implemented by the Parks Department's Historical Coordinator and Historic Resources Review Board. Policies of this ordinance stress incentives to preserve sites which have proven historical or cultural significance as part of the County's Historic Preservation Plan.

Monterey County, along with the Counties of Santa Cruz and San Benito, lies within the North Central Coast Air Basin. Air quality within this basin is monitored by the Monterey Bay Unified Air Pollution Control District (MBUAPCD). The District maintains three air

quality monitoring stations (Salinas, Monterey, and mid-Carmel Valley) in Monterey County. The District sets limits on the quantities of air pollution which may be emitted and has permit authority over new or major modifications to existing stationary sources of air pollution. Control of mobile sources is exercised at the state (California Air Resources Board) and federal (Environmental Protection Agency) levels for the Monterey Bay area.

GOALS AND POLICIES CONSERVATION AND OPEN SPACE

SCENIC RESOURCES

GOAL OS-1

RETAIN THE CHARACTER AND NATURAL BEAUTY OF MONTEREY COUNTY BY PRESERVING, CONSERVING, AND MAINTAINING UNIQUE PHYSICAL FEATURES, NATURAL RESOURCES, AND AGRICULTURAL OPERATIONS.

Policies

- OS-1.1 Voluntary restrictions to the development potential of property located in designated visually sensitive areas shall be encouraged.
- OS-1.2 Development in designated visually sensitive areas shall be subordinate to the natural features of the area.
- OS-1.3 To preserve the County's scenic qualities, ridgeline development shall not be allowed. An exception to this policy may be made only after publicly noticed hearing and provided the following findings can be made:
- a. The ridgeline development will not create a substantially adverse visual impact when viewed from a common public viewing area; and,
 - b. That the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives; or,
 - c. There is no feasible alternative to the ridgeline development.
- Pursuant to *Policy OS-1.6*, in areas subject to specific plans, the ridgeline policies and regulations of the applicable specific plan shall govern.
- OS-1.4 Criteria shall be developed to guide the design and construction of ridgeline development where such development has been proposed pursuant to *Policy OS-1.3*.
- OS-1.5 New subdivisions shall avoid lot configurations which create building sites that will constitute ridgeline development. Siting of new development visible from private viewing areas may be taken into consideration during the subdivision process.
- OS-1.6 In areas subject to specific plans, the ridgeline policies and regulations of the applicable specific plan shall govern. Each specific plan shall address viewshed issues, including ridgeline development as part of the plan, including but not limited to provisions for setbacks, landscaping, height limits, or open space buffers.

- OS-1.7 A voluntary, transfer of development rights program to direct development away from areas with unique visual or natural features, critical habitat, or prime agricultural soils shall be established.
- OS-1.8 Programs to encourage clustering development in rural and agricultural areas to maximize access to infrastructure, protect prime agricultural land, and reduce impacts to designated visually sensitive and critical habitat areas shall be established.
- OS-1.9 Development that protects and enhances the County's scenic qualities shall be encouraged. All routine and ongoing agricultural activities are exempt from the viewshed policies of this plan, except as noted in *Policy OS-1.12*.
- OS-1.10 Recognizing the value of trails in Monterey County, policies to establish a trails program, including bike paths (Class 1), walking and equestrian facilities used by the general public, shall be addressed in each Area Plan within the following parameters:
- a. Public lands shall be used as the primary source for establishing non-motorized trails. Cooperation between public agencies and the public in the creation of trails is encouraged.
 - b. Dedication of public trails or trail easements on private property shall be voluntary except as may be required by State Law.
 - c. Crop protection and food safety of agricultural crops shall be a primary factor in disallowing trails.
 - d. Potential new trails on private land or public land are subject to appropriate design including location, screening, safety, reducing potential for trespass onto private property, protection of the public health and safety, and protection of agricultural products.
 - e. The location and design of trails on public or private land shall be done in consultation with affected public agencies, landowners, and other interested parties.
 - f. New commercial development and residential subdivisions shall mitigate significant adverse disruption of views from common viewing points on public trails through a variety of strategies including but not limited to the use of appropriate materials, scale, lighting and siting of development. This policy shall not apply to existing residential development or to any agricultural activity or operation.
 - g. The design and development of the Monterey Bay Sanctuary/Scenic Trail is exempt from this policy.
- OS-1.11 Maintain GIS mapping for all lands containing visually sensitive resources and corridors. Mapped information shall be reanalyzed and updated at least every five (5) years, as necessary.

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- OS-1.12 The significant disruption of views from designated scenic routes shall be mitigated through use of appropriate materials, scale, lighting and siting of development. Routine and On-going Agricultural activities shall be exempt from this policy, except:
1. large-scale agricultural processing facilities, or
 2. facilities governed by the Agricultural Winery Corridor Plan

MINERAL RESOURCES

GOAL OS-2

PROVIDE FOR THE CONSERVATION, UTILIZATION, AND DEVELOPMENT OF THE COUNTY'S MINERAL RESOURCES.

Policies

- OS-2.1 Potentially significant mineral deposits and existing mining operations identified through the State Division of Mines and Geology, including idle and reserve properties, shall be protected from on-site and off-site land uses that would be incompatible with mineral extraction activities.
- OS-2.2 Mineral extraction operations shall be in keeping with sound conservation practices consistent with the Surface Mining and Reclamation Act (SMARA) and other applicable standards and adequate financial security shall be required to insure reclamation of the extraction site to a condition consistent with the surrounding natural landscape and environmental setting.
- OS-2.3 Efforts to conserve raw mineral resources through recycling shall be supported.
- OS-2.4 Lands containing known valuable mineral deposits shall be mapped in the County GIS system. Mapped information shall be updated as needed.
- OS-2.5 The County shall inventory, assess, and characterize the location and condition of identified pre-SMARA abandoned gold, mercury and coal mines and implement such measures as may be necessary to ensure that such mines do not contribute to a significant risk to public health or safety or non-compliance with water quality standards and criteria.

SOILS

GOAL OS-3

PREVENT SOIL EROSION TO CONSERVE SOILS AND ENHANCE WATER QUALITY

Policies

- OS-3.1 Best Management Practices (BMPs) to prevent and repair erosion damage shall be established and enforced.
- OS-3.2 Existing special district, state, and federal soil conservation and restoration programs shall be supported. Voluntary restoration projects initiated by landholders, or stakeholder groups including all affected landowners, shall be encouraged.
- OS-3.3 Criteria for studies to evaluate and address through appropriate designs and BMPs geologic and hydrologic constraints and hazards conditions such as slope and soil instability, moderate and high erosion hazards, and drainage, water quality and stream stability problems created by increased stormwater runoff shall be established for new development and changes in land use designations.
- OS-3.4 Those areas where slopes pose severe constraints for development shall be mapped in the County's GIS. The information shall be updated at least every five (5) years.
- OS-3.5 The County shall prohibit development on slopes greater than 30%. It is the general policy of the County to require dedication of scenic easement on a slope of 30% or greater. Upon application, an exception to allow development on slopes of 30% or greater may be granted at a noticed public hearing by the approving authority for discretionary permits or by the Planning Commission for building and grading permits. The exception may be granted if one or both of the following findings are made, based upon substantial evidence:
- A) there is no alternative which would allow development to occur on slopes of less than 30%; or,
 - B) the proposed development better achieves the resource protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans and Land Use Plans, and all applicable master plans.
- A permit process will be established as follows:
1. A discretionary permit process for development on slopes greater than 25-percent (25%) or that contain geologic hazards and constraints shown on the County's GIS Geologic (*Policy S-1.2*) or Hydrologic (*Policy PS-2.7*) Hazard Databases shall be established. The process shall be designed to:
 - a. evaluate possible building site alternatives that better meet the goals and policies of the general plan.
 - b. identify development and design techniques for erosion control, slope stabilization, visual mitigation, drainage, and construction techniques.

- c. minimize development in areas where potentially unstable slopes, soil and geologic conditions, or sewage disposal pose substantial risk to public health or safety.
- 2. The County shall develop and implement an Agricultural Permit process for the conversion, for agricultural purposes, of previously uncultivated lands on slopes in excess of 25-percent (25%). An Agricultural Permit shall recognize unique grading criteria for agricultural purposes and the process shall include criteria when a discretionary permit is required. Projects that are subject to a State Agricultural Waiver Program, Agricultural Registration Program, or other similar program that regulates irrigation of agricultural land on steep slopes or projects where only a small portion of the affected area has slopes in conflict with this policy shall be allowed with a ministerial permit that requires compliance with the criteria developed for the following resource areas:
 - a. Water Quality/Water Supply
 - b. Biological Resources
 - c. Cultural Resources
 - d. Erosion Control
 - e. Drainage
 - f. Flood Hazards
- 3. A ministerial permit process shall be developed and implemented for proposed development, including for purposes of this policy conversion of previously uncultivated lands, on slopes between 15- and 24-percent (15-24%), and 10- to 15-percent (10-15%) on highly erodible soils.
- 4. The permit processes shall be designed to require that an erosion control plan be developed and implemented that addresses slope stabilization, and drainage and flood hazards.
- 5. All Routine and Ongoing Agricultural Activities, except for conversion of previously uncultivated lands as described in this policy above, are exempt from the above permit requirements.

OS-3.6 Except in Community Areas where Community Plans or Specific Plans are adopted (*Policy LU-10.4*), areas designated as Medium Density Residential or High Density Residential, or in areas designated as commercial or industrial where residential use may be allowed, a formula based on slope shall be established to calculate the maximum possible residential density for individual parcels.

- a. Those portions of parcels with cross-slope of between zero and 19.9-percent shall be assigned one (1) building site per each one (1) acre.
- b. Those portions of parcels with a cross-slope of between 20 and 29.9-percent shall be assigned one (1) building site per each two (2) acres.
- c. Those portions of parcels with a cross-slope of 30-percent or greater shall be assigned zero building sites.
- d. The density for a particular parcel shall be computed by determining the cross-slope of the various portions of the parcel applying the assigned

densities listed above according to the percent of cross-slope and by adding the densities derived from this process. The maximum density derived by the procedure shall be used as one of the factors in final determination of the actual density that shall be allowed on a parcel.

Clustering is encouraged as a technique to avoid development on slopes over 25-percent (25%). Where an entire parcel would not be developable because of plan policies, an extremely low density of development or single family home will be allowed, as appropriate.

- OS-3.7 Voluntary preparation and implementation of a coordinated resources management plan shall be encouraged in watersheds of State designated impaired waterways.
- OS-3.8 The County shall cooperate with appropriate regional, state and federal agencies to provide public education/outreach and technical assistance programs on erosion and sediment control, efficient water use, water conservation and re-use, and groundwater management. This cooperative effort shall be centered through the Monterey County Water Resources Agency.
- OS-3.9 The County will develop a Program that will address the potential cumulative hydrologic impacts of the conversion of hillside rangeland areas to cultivated croplands. The Program will be designed to address off-site soil erosion, increased runoff-related stream stability impacts and/or potential violation of adopted water quality standards. The County should convene a committee comprised of county staff, technical experts, and stakeholders to develop the Program, including implementation recommendations.

MARINE AND RIVER RESOURCES

GOAL OS-4

PROTECT AND CONSERVE THE QUALITY OF COASTAL, MARINE, AND RIVER ENVIRONMENTS, AS APPLIED IN AREAS NOT IN THE COASTAL ZONE.

Policies

- OS-4.1 Federal and State designated native marine and fresh water species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant shall be protected. Species designated in Area Plans shall also be protected.
- OS-4.2 Direct and indirect discharges of harmful substances into marine waters, rivers or streams shall not exceed state or federal standards.
- OS-4.3 Estuaries, salt and fresh water marshes, tide pools, wetlands, sloughs, river and stream mouth areas, plus all waterways that drain and have impact on State

designated Areas of Special Biological Significance (ASBS) shall be protected, maintained, and preserved in accordance with state and federal water quality regulations.

- OS-4.4 Development of marine-related industries that will not degrade the ocean environment or upset the natural balance of native plant and animal communities shall be encouraged.
- OS-4.5 Reasonable development of harbor facilities for commercial fishing, research, and recreational boating that are compatible with conservation policies shall be allowed.
- OS-4.6 Oil drilling and related activities along the California coast that can be shown to pose significant or potential hazards to the marine and coastal environments, resources, or air quality shall be opposed.
- OS-4.7 The natural shoreline processes, including bluff erosion, sand transport, and tidal flushing, shall not be adversely altered by dredging, filling, or construction of shoreline structures. Maintenance of properties that have been impacted by shoreline processes shall be encouraged subject to appropriate permits.

BIOLOGICAL (NATURAL) RESOURCES

GOAL OS-5

CONSERVE DESIGNATED CRITICAL HABITATS FOR LISTED PLANT AND ANIMAL SPECIES DESIGNATED AS FEDERAL OR STATE THREATENED OR ENDANGERED SPECIES AND CRITICAL HABITATS DESIGNATED IN AREA PLANS.

Policies

- OS-5.1 The extent and acreages of the designated critical habitat of Federal and State listed threatened or endangered plants or wildlife species shall be inventoried to the extent feasible and mapped in GIS. Conservation of these threatened and endangered plants shall be promoted.
- OS-5.2 The extent and acreages of the potentially suitable habitat for special status plant and wildlife species shall be inventoried to the extent feasible and mapped in GIS. Conservation of special status species shall be promoted as provided in the Area Plans.
- OS-5.3 Development shall be carefully planned to provide for the conservation and maintenance of designated critical habitat of plant and animal species listed by federal agencies as threatened or endangered.

- OS-5.4 Development shall avoid impacts to State and federally listed plant and animal species and designated critical habitat for federally listed species. Measures may include but are not limited to:
- a. clustering lots for development to avoid designated critical habitat areas,
 - b. dedications of permanent conservation easements; or
 - c. other appropriate means.
- Where new development cannot avoid critical habitat, consultation with United States Fish and Wildlife Services (USFWS) may be required and impacts may be mitigated by expanding the resource elsewhere on-site or within close proximity off-site. Final mitigation requirements would be determined by USFWS.
- OS-5.5 Landowners and developers shall be encouraged to preserve the integrity of existing terrain and native vegetation in visually sensitive areas such as hillsides, ridges, and watersheds. Routine and On-going Agriculture shall be exempt from this policy.
- OS-5.6 Native and native compatible species, especially drought resistant species, shall be utilized in fulfilling landscaping requirements.
- OS-5.7 Proposals for harvesting commercially valuable timber or as a part of a Timberland Conversion Project (as defined by the California Department of Forestry) shall:
- a. include filing of a Timber Harvest Plan that provides for selective, sustained yield harvesting and reforestation, and erosion control;
 - b. consider opportunities for concurrent and subsequent use of publicly owned timber land for public recreation;
 - c. require approval by the California Department of Forestry;
 - e. complete environmental review by the County and other appropriate agencies; and
 - f. comply with the resource protection goals and policies of this General Plan
- OS-5.8 Small-scale milling operations may be allowed subject to compatibility with resource protection policies and the peace of adjacent residences.
- OS-5.9 Tree removal that requires a permit shall be established by Area Plans.
- OS-5.10 Regulations for tree removal, including Timberland Conversion, shall be established and maintained by ordinance implementing Area Plan policies that address the following:
- a. Criteria when a permit is required including:
 1. number of trees,
 2. minimum size of tree,
 3. Post Timberland conversion land-use

- b. How size is measured for each protected species of tree, and what constitutes a landmark tree depending on the rate of growth for that species.
- c. Hazardous trees
- d. Pest and disease abatement
- e. Replacement criteria.
- f. Ensure minimal removal

OS-5.11 Conservation of large, continuous expanses of native trees and vegetation shall be promoted as the most suitable habitat for maintaining abundant and diverse wildlife.

OS-5.12 The California Department of Fish and Game shall be consulted and appropriate measures shall be taken to protect Areas of Special Biological Significance (ASBS) for State and federally listed species.

OS-5.13 Efforts to obtain and preserve natural areas of particular biologic, scientific, or educational interest and restrict incompatible uses from encroaching upon them shall be encouraged.

OS-5.14 Policies and procedures that encourage exclusion and control or eradication of invasive exotic plants and pests shall be established. Sale of such items within Monterey County shall be discouraged.

OS-5.15 A fee waiver program for environmental restoration projects shall be established.

OS-5.16 Any development project that could potentially disturb a special status species or its critical habitat identified by the County requiring analysis or identified for protection under an adopted Area Plan shall be required to conduct a biological survey of the site. Based on the findings of this report, additional focused surveys for certain species may be required. This report, and any mitigation measures recommended in the report, shall be used as a basis for CEQA documentation for the project except if the County, in the exercise of its independent judgment, requires additional analysis. If sensitive biological resources are found on the site, the project biologist shall recommend measures necessary to reduce impacts to a less than significant level. All feasible measures shall be incorporated as conditions of approval in any permit issued. An ordinance establishing minimum standards for a biological report shall be enacted.

OS-5.17 The County shall prepare, adopt, and implement a program that allows projects to mitigate the loss of critical habitat. The program may include ratios, payment of fees, or some other mechanisms in consultation with responsible state and/or federal regulatory agencies. Until such time as the program has been established, projects shall mitigate the loss of critical habitat on an individual basis in consultation with responsible state and/or federal regulatory agencies. A

Community Plan or Rural Center Plan that includes a mitigation program shall not be subject to this policy.

OS-5.18 Prior to disturbing any federal or state jurisdictional areas, all applicable federal and state permitting requirements shall be met, including all mitigation measures for development of jurisdictional areas and associated riparian habitats.

OS-5.18 The County shall expand the inventory of listed species suitable and critical habitat required by Policy OS 5.1 and OS-5.2 to include an updated vegetation land cover map, identification of suitable habitat for CEQA-defined special status species (as defined in this document), sensitive natural communities, and riparian habitat in Monterey County. The inventory shall include wetlands inventory as feasible based on existing data sources and aerial interpretation. This inventory should be updated at a minimum of ten-year intervals. The inventory can exclude areas that are not under the control of Monterey County (e.g., cities, state and federal lands).

(MM BIO-1.1)

OS-5.19 The County shall, in concert with the USFWS, CDFG, cities in the Salinas Valley, and stakeholders develop a conservation plan for the Salinas Valley to provide for the preservation of adequate habitat to sustain the San Joaquin kit fox population. The general focus area of the plan shall be the Salinas Valley south of the community of Chualar. The Conservation Plan, at a minimum, shall be adopted by Monterey County and shall be applied to all discretionary approvals (and their associated CEQA documents) with potential to affect the San Joaquin kit fox within the conservation plan area. The County shall complete the conservation plan within 4 years of General Plan adoption. The conservation plan funding program shall be developed and shall include a mitigation fee program for which development projects will be assessed a fee based on a proportional basis of impact to the San Joaquin kit fox. The compensation plan shall be developed and implemented in coordination with the appropriate state or federal agency and may provide mechanisms to mitigate impacts of an individual project through one or more of the following means: identifying an agency-approved mitigation bank or other compensation site (on- or off-site); and/or preserving habitat; monitoring the compensation site; and funding the management of the compensation site.

(MM BIO-1.2)

OS-5.20 The County shall require that any development project that could potentially impact a CEQA-defined special status species or sensitive natural community shall be required to conduct a biological survey of the site. If CEQA-defined special-status species or sensitive natural communities are found on the site, the project biologist shall recommend measures necessary to avoid, minimize, and/or

compensate for identified impacts to CEQA-defined special-status species and sensitive natural communities. An ordinance establishing minimum standards for a biological report shall be enacted. This policy shall only apply to the following:

- Development in Focused Growth Areas (Community Areas, Rural Centers and Housing Overlays)
- Development requiring a discretionary permit
- Large scale wineries in the AWCP.

(MM BIO-1.3)

OS-5.21 The County shall update the County General Plan by no later than January 1, 2030 and shall consider the potential to expand focused growth areas established by the 2007 General Plan and/or the designation of new focused growth areas. The purpose of such expanded/new focused growth areas would be to reduce the loss of CEQA-defined special status species and their habitat due to continued urban growth after 2030. The new/expanded growth areas shall be designed to accommodate at least 80% of the projected residential and commercial growth in the unincorporated County from 2030 to buildout. This update will also address expansion of agricultural operations and potential impacts to CEQA-defined special-status species.

(MM BIO-1.4)

OS-5.22 The County shall complete the preparation of a NCCP for all incorporated areas in Monterey County by no later than January 1, 2030 to address all state and federal listed species and all CEQA-defined special-status species with potential to be listed up to buildout of the County. The County shall invite the participation of the incorporated cities, the federal land agencies, Caltrans and other stakeholders. The NCCP shall also cover preservation of sensitive natural communities, riparian habitat, and wetlands, and wildlife movement corridors and include mechanisms including on and off-site mitigation ratios and fee programs for mitigating impacts.

(MM BIO-1.5)

OS-5.23 The county shall develop and adopt a county-wide Stream Setback Ordinance to establish minimum standards for the avoidance and setbacks for new development relative to streams. The ordinance shall identify standardized inventory methodologies and mapping requirements. A stream classification system shall be identified to distinguish between different stream types (based on hydrology, vegetation, and slope, etc.) and thus allow application of standard setbacks to different stream types. The ordinance shall identify specific setbacks relative to the following rivers and creeks so they can be implemented in the Area Plans: Salinas, Carmel River, Arroyo Seco, Pajaro River, Nacimiento, San Antonio, Gabilan Creek, and Toro Creek. The ordinance may identify specific setbacks for other creeks or may apply generic setbacks based on the stream classification developed for the ordinance. The purpose of the ordinance will be to preserve riparian habitat and reduce sediment and other water quality impacts

of new development. The Stream Setback Ordinance shall apply to all discretionary development within the County and to conversion of previously uncultivated agricultural land (as defined in the General Policy Glossary) on normal soil slopes over 15% or on highly erodible soils on slopes over 10%.

(MM BIO-2.1)

OS-5.24 The County shall prepare, adopt and implement a program that allows project to mitigate the loss of oak woodlands. The program would include ratios for replacement, payment of fees to mitigate the loss or direct replacement for the loss of oak woodlands and monitoring for compliance. The program would identify criteria for suitable donor sites. Mitigation for the loss of oak tree woodlands may be either on-site or off-site. The program would allow payment to either a local fund established by the County. Until such time as the County program is implemented, payment of a fee may be made to the State Oak Woodlands Conservation Program. Replacement of oak woodlands shall be on a minimum 1:1 ratio.

(MM BIO-2.2)

OS-5.25 The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat. The County shall consider the need for wildlife movement in designing and expanding major roadways and public infrastructure projects to provide movement opportunities for terrestrial wildlife and to ensure that existing stream channels and riparian corridors continue to provide for wildlife movement and access.

(MM BIO3.1)

OS-5.26 Vegetation removed in the course of development will be removed only during the nonbreeding season (generally September 16 to January 31). Occupied nests of migratory birds, including raptors, will be avoided during this period. The county shall consult, or require the developer to consult, with a qualified biologist prior to any site preparation or construction work in order to (1) determine whether work is proposed during nesting season for migratory birds, (2) determine whether site vegetation is suitable to nesting migratory birds, (3) identify any regulatory requirements for setbacks or other avoidance measures for migratory birds which could nest on the site, and (4) establish project-specific requirements for setbacks, lock-out periods, or other methods of avoidance of nesting birds. The county shall require the development to follow the recommendations of the biologist.

(MM BIO3.2)

ARCHAEOLOGICAL RESOURCES

GOAL OS-6

ENCOURAGE THE CONSERVATION AND IDENTIFICATION OF THE COUNTY'S ARCHAEOLOGICAL RESOURCES.

Policies

- OS-6.1 Important representative and unique archaeological sites and features shall be identified and protected for all parcels with undisturbed natural conditions (i.e., ungraded properties) consistent with State Historic Preservation Office guidelines and definitions employed on a state-wide basis including Phase I, II, and III studies.
- OS-6.2 Information on the location and significance of the County's archaeological resources shall be compiled and used in the environment and development review process. The County shall rely on and participate in the state-wide inventory work of the Native American Heritage Commission and the State Office of Historic Preservation. All Phase I, II, and III studies and records of Native Californian consultation shall be filed with appropriate state agencies and local tribes as well as local data source compilations maintained by the County. The County shall work with local tribes to update County GIS maps showing high, moderate and low archaeological sensitivity areas.
- OS-6.3 New development proposed within moderate or high sensitivity zones, or within 150 feet of a known recorded archaeological and/or cultural site, shall complete a Phase I survey including use of the regional State Office of Historic Preservation Clearinghouse or the Native American Heritage Commission's list of sacred and traditional sites. Routine and Ongoing Agricultural Activities shall be exempted from this policy in so far as allowed by State or federal law.
- OS-6.4 Development proposed in low sensitivity zones are not required to have an archaeological survey unless there is specific additional information that suggests archaeological resources are present.
- OS-6.5 Policies and procedures shall be established that encourage development to avoid impacts to sensitive archaeological sites including:
- a. designing or clustering development to avoid archaeological site deposits, historic sites and resources, and Native Californian cultural sites;
 - b. dedicating permanent conservation easements shall be required where subdivisions and other developments can be planned to provide for such protective easements.
- OS-6.6 Efforts by historical, educational or other organizations to improve the public's recognition of the County's cultural heritage and the citizen's responsibilities for archaeological or cultural resource preservation shall be encouraged. The County shall adopt a uniform set of guidelines to define Phase I, II, and III significance assessment and data recovery programs. Similar guidelines shall be created to set

standards for requirements for consultation with Native Californian descendents to determine procedures for determining the presence or absence of sacred or traditional sites. These guidelines shall address monitoring requirements and participation in cultural resource data recovery programs.

PALEONTOLOGICAL RESOURCES

GOAL OS-7

ENCOURAGE THE CONSERVATION AND IDENTIFICATION OF THE COUNTY'S PALEONTOLOGICAL RESOURCES.

Policies

- OS-7.1 Important representative and unique paleontological sites and features shall be identified and protected. Developers shall be required to complete Phase I (reconnaissance level) paleontological reviews in any formation known to yield important elements of the fossil record. If significant fossil deposits are found during grading activities, data recovery shall be required to obtain a sample of materials from such deposits prior to their systematic destruction.
- OS-7.2 Information on the location and significance of the County's paleontological resources shall be compiled and used in the environment and development review process. This compilation process shall involve consulting with knowledgeable academic professionals.
- OS-7.3 Development proposed within high and moderate sensitivity zones and known fossil bearing formations shall require a paleontological field inspection prior to approval. Routine and Ongoing Agricultural Activities are exempted from this policy in so far as allowed by State or federal law.
- OS-7.4 Development proposed in low sensitivity zones are not required to have a paleontological survey unless there is specific additional information that suggests paleontological resources are present.
- OS-7.5 Policies and procedures shall be established that encourage development to avoid impacts to sensitive paleontological sites including:
- a. designing or clustering development to avoid paleontological deposits;
 - b. dedicating permanent conservation easements shall be required where subdivisions and other developments can be planned to provide for such protective easements.

NATIVE CALIFORNIAN CULTURAL SITES, SACRED PLACES,

AND BURIAL SITES

GOAL OS-8

ENCOURAGE THE CONSERVATION AND IDENTIFICATION OF THE COUNTY'S NATIVE CALIFORNIAN CULTURAL SITES, SACRED PLACES, AND BURIAL SITES.

- OS-8.1 Unique burial sites shall be identified and protected. All Native Californian cemeteries, burials, shrine sites, and sacred place locations shall be preserved in place to the greatest extent possible and as permitted by law. In cases where such sites and locations cannot be retained in place without modification, governing requirements in the Government Code, Health and Safety Code, California Environmental Quality Act and Native American Religious Freedom Act shall be taken into account in consulting with local Native Californian Tribal Group with documented aboriginal ties to the study area and shall, as necessary, involve the assistance and input of the California Native American Heritage Commission. Documentation of descent shall be based on Genealogical Proof Standards.
- OS-8.2 Information on the location and significance of the County's burial sites shall be compiled and used in the environment and development review process. All such data sources shall be recorded with the State Office of Historic Preservation coincident with development review.
- OS-8.3 Development proposed at sites where known burials or human cemeteries are located shall in no case modify, disturb, excavate or develop within such locations until all steps in compliance with CEQA, Native American Heritage Commission, Health and Safety Code and Government Code, and in accordance with any completed MOU with a local tribe have been completed. Routine and Ongoing Agricultural Activities are exempted from this policy in so far as allowed by State or federal law. In the case of any conflict of interpretation, state requirements for the protection of burial sites are applicable and shall be implemented in good faith.
- OS-8.4 Policies and procedures shall be established that encourage development to avoid impacts to burial sites including:
- a. designing or clustering development to avoid archaeological deposits which typically contain human remains and to avoid any known cemeteries or other concentrations of human remains;
 - b. dedicating permanent conservation easements if subdivisions and other developments can be planned to provide for such protective easements;
 - c. In all cases where human remains are identified through CEQA review, archaeological research, ethnohistoric research, inadvertent grading disturbance, or historic record research, the County shall consult with the designated "most likely descendents" as identified by:

1. any Memorandum of Understanding (MOU) adopted pursuant to *Policy OS-8.7*; or
2. in the event no MOU is executed, the Native American Heritage Commission in that portion of the County where the burial remains are identified.

OS-8.5 Efforts by historical, educational or other organizations to improve the public's recognition of the County's cultural heritage and the citizen's responsibilities for burial site preservation shall be encouraged. The County shall establish a Native Californian Advisory Panel that could provide technical assistance to staff in determining how best to address monitoring and site treatment consistent with the policies in this general plan. Decisions about human remains and heritage resources shall be made in consultation with Tribal representatives consistent with procedures established in *Policy OS-8.1*.

OS-8.6 Tribal representatives will be consulted consistent with state preservation law about the location of sacred places, ancestral sites, archaeological remains of village sites, burial and cemetery sites and other significant cultural resources during the preparation of any General Plan amendment, Master Plan, Local Coastal Program, Community Plan, or Specific Plan.

OS-8.7 While all interested Native Americans shall be encouraged to participate in the CEQA data review and evaluation stages of cultural resource policy implementation, the Ohlone/Coastanoan/Esselen Nation (OCEN) is a designated *Most Likely Descendent* group identified by the Native American Heritage Commission of the State of California. An Implementation Plan for this General Plan shall include, but not be limited to:

- a. Designating OCEN as the clearinghouse group for the coordination of data recovery monitoring and the disposition of human remains in Monterey County.
- b. Creating Memorandum of Understanding adopted to implement SB18 consistent with this General Plan.
- c. Establishing a technical advisory committee pursuant to *Policy OS-8.5* and consisting of appropriate tribal representatives and qualified archaeologists.

ENERGY RESOURCES

GOAL OS-9

PROMOTE EFFICIENT ENERGY USE.

Policies

- OS-9.1 The use of solar, wind and other renewable resources for agricultural, residential, commercial, industrial, and public building applications shall be encouraged.
- OS-9.2 Development shall be directed toward cities, Community Areas, and Rural Centers where energy expended for transportation and provision of services can be minimized.
- OS-9.3 Areas of urban concentration shall provide convenient access for employment, commercial, and other activities.
- OS-9.4 Lots shall be oriented to maximize the energy gains from solar and/or wind resources in order to minimize energy losses where possible.
- OS-9.5 Clustered development is favored where such development will conserve energy.
- OS-9.6 Development shall incorporate features that reduce energy used for transportation, including pedestrian and bicycle pathways, access to transit, and roadway design as appropriate.
- OS-9.7 Weatherization of existing buildings is encouraged.
- OS-9.8 Solar heating shall be required as the primary source for heat in all new swimming pools where it is proven most cost-effective.

AIR QUALITY

GOAL OS-10

PROVIDE FOR THE PROTECTION AND ENHANCEMENT OF MONTEREY COUNTY'S AIR QUALITY WITHOUT CONSTRAINING ROUTINE AND ONGOING AGRICULTURAL ACTIVITIES.

Policies

- OS-10.1 Land use policy and development decisions shall be consistent with the natural limitations of the County's air basins.
- OS-10.2 Mass transit, bicycles and pedestrian modes of transportation and other transportation alternatives to automobiles shall be encouraged.
- OS-10.3 Naturally vegetated and forested areas should be conserved for their air purifying functions.

OS-10.4 Industrial and commercial development should be concentrated in areas that are more easily served by public transit.

OS-10.5 Mixed land uses that reduce the need for vehicular travel shall be encouraged.

OS-10.6 The Monterey Bay Unified Air Pollution Control District's air pollution control strategies, air quality monitoring and enforcement activities shall be supported. The County of Monterey will require that future construction operate in accordance with the 2007 MBUAPCD PM₁₀ control measures. The County shall implement MBUAPCD measures to address off-road mobile source and heavy duty equipment emissions as conditions of approval for future development.

(MMAQ-1, AQ-2)

OS-10.7 Use of the best available technology for reducing air pollution emissions shall be encouraged.

OS-10.8 Air quality shall be protected from naturally occurring asbestos by requiring mitigation measures to control dust and emissions during construction, grading, quarrying or surface mining operations. This policy shall not apply to routine and on-going agricultural activities except as required by state and federal law.

OS-10.9 The County of Monterey shall require that future development implement applicable Monterey Bay Unified Air Pollution Control District control measures. Applicants for discretionary projects shall work with the Monterey Bay Unified Air Pollution Control District to incorporate feasible measures that assure that health-based standards for diesel particulate emissions are met.

OS-10.10 In the design of future development within Community Areas and Rural Centers, the following sustainable land use strategies should be considered to reduce energy consumption, minimize greenhouse gas emissions, and foster healthier environments for people:

- Take an integrated approach to siting, design, and operation of buildings and infrastructure
- Incorporate multiple-uses for infrastructure (e.g., recreational fields designed to capture stormwater and reduce urban runoff)
- Design development to take advantage of solar-orientation
- Recycle brownfield sites
- Employ individual and systematic water conservation measures (e.g., native vegetation, bioswales, graywater reuse, high efficiency appliances)
- Promote Transit Oriented Development (TOD) to increase mobility and reduce auto dependency
- Provide preferential carpool/vanpool parking spaces
- Implement a parking surcharge for single occupant vehicles
- Provide for shuttle/mini bus service

- Provide bicycle storage/parking facilities and shower/locker facilities
- Provide onsite child care centers
- Provide transit design features within the development
- Develop park-and-ride lots
- Employ a transportation/rideshare coordinator
- Implement a rideshare program
- Provide incentives to employees to rideshare or take public transportation
- Implement compressed work schedules
- Implement telecommuting program

- Provide bicycle paths within major subdivisions that link to an external network
- Provide pedestrian facilities within major subdivisions

- Development of new sensitive land uses (schools, hospitals, facilities for the elderly) should not be located any closer than 500 feet of a freeway carrying more than 100,000 vehicles per day.

Future development should be designed to maximize energy efficiency and accommodate energy infrastructure (i.e., transmission lines, power plants and pipelines, and fueling stations), including the potential for distributed renewable generation.

(MM AQ-3, AQ-4, AQ-7)

OS-10.11 Within 24 months of the adoption of the General Plan, Monterey County will develop a Greenhouse Gas (GHG) Reduction Plan with a target to reduce emissions by 2020 to the 1990 level by 28 percent relative to estimated “business as usual” 2020 emissions. At a minimum, the Plan shall:

- a. Establish an inventory of current (2006) GHG emissions in the County of Monterey including but not limited to residential, commercial, industrial and agricultural emissions; and
- b. Include an inventory of emissions as of 1990 Forecast GHG emissions for 2020 for County operations;
- c. Forecast GHG emissions for areas within the jurisdictional control of the County for “business as usual” conditions;
- d. Identify methods to reduce GHG emissions;
- e. Quantify the reductions in GHG emissions from the identified methods;
- f. Requirements for monitoring and reporting of GHG emissions;
- g. Establish a schedule of actions for implementation;
- h. Identify funding sources for implementation; and

- i. Identify a reduction goal for the 2030 Planning Horizon.

During preparation of the Greenhouse Gas Reduction Plan, the County shall also evaluate potential options for changes in County policies regarding land use and circulation as necessary to further achieve the 2020 and 2030 reduction goals and measures to promote urban forestry and public awareness concerning climate change.

(MM CC-1a, CC-5)

OS-10.12 Within 24 months of the adoption of the General Plan, the County shall adopt a Green Building Ordinance to require green building practices and materials for new civic buildings and new private residential, commercial, and industrial buildings that will include, but are not limited to, the following:

- All new County government projects and major renovations shall meet, at a minimum, LEED-Silver standards or an equivalent rating system
- All new commercial buildings shall be certified under the LEED rating system for commercial buildings or an equivalent rating system.
- All new residential projects of 6 units or more shall meet the GreenPoint Rating System for residential buildings, or an equivalent alternate rating system.
- The County shall require consideration of solar building orientation, solar roofs, cool pavements, and planting of shade trees in development review of new commercial and industrial projects and new residential projects of 6 units or more.
- Prioritized parking within new commercial and retail areas for electric vehicles, hybrid vehicles, and alternative fuel vehicles shall be provided for new commercial and institutional developments.
- New commercial and industrial projects greater than 25,000 square feet shall be required to provide on-site renewable energy generation as part of their development proposal. This requirement can be met through a solar roof or other means.

(MM C-2)

OS-10.13 The County shall use Geographic Information Systems (GIS) to map and assess local renewable resources, the electric and gas transmission and distribution system, community growth areas anticipated to require new energy services, and other data useful to deployment of renewable technologies. The County shall adopt an Alternative Energy Promotion ordinance that will:

- identify possible sites for production of energy using local renewable resources such as solar, wind, small hydro, and, biogas;

- consider the potential need for exemption from other General Plan policies concerning visual resources, ridgeline protection, biological resources;
- evaluate potential land use, environmental, economic, and other constraints affecting renewable energy development; and
- adopt measures to protect both renewable energy resources, such as utility easement, right-of-way, and land set-asides as well as visual and biological resources.

The County shall also complete the following:

- Evaluate the feasibility of Community Choice Aggregation (CCA) for the County. CCA allows cities and counties, or groups of them, to aggregate the electric loads of customers within their jurisdictions for purposes of procuring electrical services. CCA allows the community to choose what resources will serve their loads and can significantly increase renewable energy.
- If CCA is ultimately not pursued, the County shall evaluate the feasibility of purchasing renewable energy certificates to reduce the County's contribution to GHG emissions related to County electricity use.
- The County shall develop a ministerial permit process for approval of small-scale wind and solar energy systems for on-site home, small commercial, and farm use.

(MM C-3)

OS-10.13 The County of Monterey shall require that construction contracts be given to those contractors who show evidence of the use of soot traps, ultra-low sulfur fuels, and other diesel engine emissions upgrades that reduce PM₁₀ emissions to less than 50% of the statewide PM₁₀ emissions average for comparable equipment.

(MM AQ-6)

OS-10.14 Within 12 months of adoption of the General Plan, the County shall quantify the current and projected (2020) GHG emissions associated with County operations and adopt a GHG Reduction Plan for County Operations. The goal of the plan shall be to reduce GHG emissions associated with County Operations by at least 28% relative to BAU 2020 conditions. Potential elements of the County Operations GHG Reduction Plan shall include, but are not limited to, the following measures:

- an energy tracking and management system;
- energy-efficient lighting;
- lights-out-at-night policy;
- occupancy sensors;

- heating, cooling and ventilation system retrofits;
- ENERGY STAR appliances; green or reflective roofing;
- improved water pumping energy efficiency;
- central irrigation control system;
- energy-efficient vending machines;
- preference for recycled materials in purchasing;
- use of low or zero-emission vehicles and equipment
- recycling of construction materials in new county construction;
- solar roofs; and
- conversion of fleets (as feasible) to:
 - Electric vehicles,
 - Ultra Low-Emission vehicles,
 - Methanol fleet vehicles,
 - Liquid propane gas fleet vehicles, or
 - Compressed natural gas fleet vehicles

(MM AQ-5, CC-5)

The Public Services Element addresses critical infrastructure and service issues including water supply and conservation, water quality, parks, wastewater collection and disposal, solid waste management, and key social services such as schools, libraries and medical care. Police and fire protection services are addressed in the Safety Element.

The geographic location and configuration create a variety of climatic conditions within the County. The adjoining ocean creates a Mediterranean climate characterized by year-round moderate temperatures, short winter rainy seasons, and cool dry summers. Areas further inland experience more extreme temperatures with less precipitation. While allowing predictably dry weather for tourism throughout much of the year, rainfall patterns require reservoir and groundwater storage to meet year-round commercial and domestic water needs.

Monterey County is underlain with aquifers that provide a high quality water source essential for agriculture as well as every other type of land use. Groundwater is the principal source of water in the County, accounting for more than 80% of the total water use. Wells that are used to obtain groundwater are operated by many different entities (cities, special assessment districts, investor-owned utilities, mutual water companies and individual property owners), making ground water resource management difficult. Increases in groundwater pumping practices have resulted in localized overdrafting and have caused salt water intrusion in the Pajaro and Salinas River groundwater basins.

There are five water basins within Monterey County: Pajaro Valley, Prunedale, Salinas Valley, Marina-Fort Ord, Carmel, and El Toro. Most of these areas include sub-basins that help further define and localize water issues. *Figure 11* illustrates the boundary lines of the three (3) agencies involved with water management in Monterey County.

Water is necessary for domestic, industrial and agricultural use, recreational uses, as well as sustaining fish and wildlife habitats. Five aquatic areas within Monterey County have been designated by the state as Areas of Special Biological Significance (ASBS) and therefore require special protection (Pacific Grove Marine Gardens Fish Refuge and Hopkins Marine Life Refuge, Point Lobos Ecological Preserve, Carmel Bay, Julia Pfeiffer Burns Underwater Park, and the ocean area surrounding the mouth of Salmon Creek).

Water quality problems are predominately related to waste emissions from point and non-point sources and geologic limitations. Typical point sources are domestic and industrial wastewater sites. Non-point sources are more difficult to address and may include animal husbandry operations, natural mineralization, automobile emissions, and urban runoff. Three principal problems affect the County's groundwater basins (salt water intrusion, nitrate pollution, natural reactions). Suspected sources of nitrate pollution include wastewater discharges, agriculture return water, and septic system over loading.

Two means of sewage disposal consist of septic disposal systems and wastewater treatment plant systems. The septic type of system is used primarily in the rural areas where there is low density residential development. Since groundwater quality is critical for continued operation within the County, higher density development and urban areas generally are required to include wastewater treatment plants to handle the higher sewage loads. Monterey

County's Health Department reviews and monitors sewage capabilities in conjunction with the Regional Water Quality Control Board (Region 3-Central Coast).

Almost 14% of the County's land area is devoted to parks and recreation facilities operated by various governmental agencies (State Parks, National Parks, National Forests, Federal Bureau of Land Management, Local Park Agencies/Districts). The County parks system makes up about 10% of the County's total park acreage.

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Figure 11 - Water Management Agencies to be inserted
(8.5" x 11")

GOALS AND POLICIES PUBLIC SERVICES

ADEQUATE PUBLIC SERVICES AND FACILITIES (APFS)

GOAL PS-1

ENSURE THAT ADEQUATE PUBLIC FACILITIES AND SERVICES (APFS) AND THE INFRASTRUCTURE TO SUPPORT NEW DEVELOPMENT ARE PROVIDED OVER THE LIFE OF THIS PLAN

Policies

- PS-1.1 Adequate Public Facility and Services (APFS) requirements shall:
- a. Ensure that APFS needed to support new development are available to meet or exceed the level of service of “Infrastructure and Service Standards” (*Table PS-1, next page*) concurrent with the impacts of such development;
 - b. Encourage development in infill areas where APFS are available, while acknowledging the rights of property owner’s to economically viable use of existing legal lots of record throughout the county; and
 - c. Seek to achieve acceptable level of service (LOS) standards through improvements funded by fair share impact fees and planned capital improvements (CIFP).
- PS-1.2 The Adequate Public Facilities and Services (APFS) standards established in *Table PS-1*, “Infrastructure and Service Standards” shall be used to determine APFS appropriate for new discretionary development.
- PS-1.3 No discretionary application for new development shall be approved unless the County finds that APFS for that use exist or will be provided concurrent with the new development.
- PS-1.4 New development shall pay its fair share of the cost of providing APFS to serve the development.
- PS-1.5 Improvements shall be installed concurrently with each phase of new development in accordance with an infrastructure phasing plan. An infrastructure phasing plan, if needed, shall be approved in concept at the time of project approval.
- PS-1.6 Only those developments that have or can provide adequate concurrent public services and facilities shall be approved.

Table PS-1
Infrastructure and Service Standards
For Creation of New Residential and Commercial Lots
(This table does not apply to existing legal lots of record.)

<i>Major Land Groups</i>	<i>Maximum Emergency Response Time for Fire, Sheriff, and Ambulance</i>	<i>Road Intersection Level of Service, Improvements</i>	<i>Water</i>	<i>Sanitation</i>	<i>Solid Waste</i>	<i>Park Schools⁶</i>	<i>Stormwater and drainage</i>
Rural Standards							
Public Lands	45 min. ¹	LOS D ⁴	Individual Wells Permitted in Areas with Proven Long Term Water Supply ^{2,5}	Septic on Lots 1 acre or greater ²	Property Owner Responsible	N/A	No Net Increase in harmful Run-off from parcel
Agriculture Lands	45 min. ¹	LOS D ⁴	Individual Wells Permitted in Areas with Proven Long Term Water Supply ^{2,5}	Septic on Lots 1 acre or greater ²	Property Owner Responsible	Consult with local school district	No Net Increase in harmful Run-off from parcel
Rural Lands	45 min. ¹	LOS D ⁴	Individual Wells Permitted in Areas with Proven Long Term Water Supply ^{2,5}	Septic on Lots 1 acre or greater ²	Property Owner Responsible	Consult with local school district	No Net Increase in harmful Run-off from parcel
Rural Center (limited array of public services)	12 min. ¹ Structural Coverage	LOS D ⁴	Public System; Individual Wells Allowed in limited situations ^{2,5}	Public System; Septic on Lots 1-acre or greater ²	On-site Garbage and Recycling Pick Up	Neighborhood Parks/ Consult with local school district	Drainage Plan Required
Urban Standards (Full array of public facilities, including schools, libraries, parks, childcare, emergency service stations, community centers, transit, storm drainage, curbs, and sidewalks)							
Community Areas (full array of services, school, childcare, libraries)	5-8 min. Structural Coverage	LOS D - curb, gutters, sidewalks ³	Public System	Public System ²	On-site Garbage and Recycling Pick Up	Neighborhood Parks/ Consult with local school district	Drainage Plan Required

Table PS-1 Notes:

- ¹ If response time exceeds 45 minutes for fire and/or ambulance service, minor subdivision development (including secondary structures) is permissible according to the underlying land use designation and zoning district; however, the applicant shall be notified of the emergency service limitations. It is recognized that sheriff responses will vary since sheriff services are delivered by both community-based offices as well as patrol officers that travel throughout a beat area. Emergency water supply is required for all new development, per *Policy S-4.14*.
- ² Construction of new on-site septic systems is not permitted for development within existing service area of a regional or subregional wastewater collection and treatment system. Annexation to existing service areas is preferred to construction of new on-site septic systems.
- ³ Level of service standards should be flexible within Community Areas so as not to hinder infill development and transit friendly and walkable community design.
- ⁴ Level of service standards should be flexible for rural roads directly serving Community Areas and Rural Centers (see *Policy C-1.1*) so as not to hinder efforts to achieve the County's regional housing allocation. Therefore, Community Area development may proceed even if the operating level of service is lower than LOS D on adjacent rural roads. Community Area development will be required to participate in any applicable regional or local road impact fee program once adopted.
- ⁵ The minimum lot size shall be 2.5 acres if an individual well is proposed as the water source and sewage disposal is by means of a septic system.
- ⁶ Standards for parks and schools do not apply to commercial or industrial uses

Table PS-2

Decision Matrix for Processing Application for Well Permits on existing lots of record.		
Characteristics of Property	Water Connection Existing or Available from the Water System	Not within a Water System or a Water Connection Unavailable
Greater than or equal to 2.5 Acres connected to a Public Sewage System or Septic System	Processes Water Well Permit	Processes Water Well Permit
Less than 2.5 Acres and connected to a Public Sewage System	Processes Water Well Permit	Processes Water Well Permit
Less than 2.5 Acres and on a Septic System	Does not Process Water Well Permit	Processes Water Well Permit

WATER QUALITY AND SUPPLY

GOAL PS-2

ASSURE AN ADEQUATE AND SAFE WATER SUPPLY TO MEET THE COUNTY'S CURRENT AND LONG-TERM NEEDS.

Policies

- PS-2.1 Coordination among and consolidation with those public water service providers drawing from a common water table to prevent overdrawing the water table is encouraged.
- PS-2.2 The ~~Water Resources Agency~~ **County of Monterey** shall assure adequate monitoring of wells in those areas experiencing rapid growth provided adequate funding mechanisms for monitoring are established.
- PS-2.3 New development shall be required to connect to existing water service providers where feasible. Connection to public utilities is preferable to other providers.
- PS-2.4 Regulations for installing any new domestic well located in consolidated materials (e.g.; hard rock areas) shall be enacted by the County.
- PS-2.5 Regulations shall be considered for water quality testing for new individual wells on a single lot of record to identify:
- a. Water quality testing parameters for a one-time required water quality test for individual wells at the time of well construction.
 - b. A process that allows the required one-time water quality test results to be available to future owners of the well.
 - c. Regulations pursuant to this policy shall not establish criteria that will prevent the use of the well in the development of the property.
 - d. Agricultural wells shall be exempt from the regulation.
- PS-2.6 A Hydrologic Resources Constraints and Hazards Database shall be developed and maintained in the County Geographic Information System (GIS). The GIS shall be used to identify areas containing hazards and constraints (see *Policy S-1.2*) that could potentially impact the type or level of development allowed in these areas (*Policy OS-3.5*). Maps maintained as part of the GIS include:
- a. Impaired water bodies on the State Water Resources Control Board 303d list.
 - b. Important Groundwater Recharge Areas
 - c. 100-year Flood Hazards
 - d. Hard rock areas with constrained groundwater
 - e. Areas of septic tank leachfield unsuitability

- PS-2.7 As part of an overall conservation strategy and to improve water quality, Area Plans may include incentive programs that encourage owners to voluntarily take cultivated lands on slopes with highly erosive soils out of production.
- PS-2.8 The County shall require that all projects be designed to maintain or increase the site's pre-development absorption of rainfall (minimize runoff), and to recharge groundwater where appropriate. Implementation would include standards that could regulate impervious surfaces, vary by project type, land use, soils and area characteristics, and provide for water impoundments (retention/detention structures), protecting and planting vegetation, use of permeable paving materials, bioswales, water gardens, and cisterns, and other measures to increase runoff retention, protect water quality, and enhance groundwater recharge. .
- PS-2.9 Protect and manage groundwater as a valuable and limited shared resource. The County shall use discretionary permits to manage construction of impervious surfaces in important groundwater recharge areas. Potential recharge area protection measures at sites in important groundwater recharge areas include, but are not limited to the following:
- a. Restrict coverage by impervious materials.
 - b. Limit building or parking footprints.
 - c. Require construction of detention/retention facilities on large-scale development project sites overlying important groundwater recharge areas as identified by Monterey County Water Resource Agency.
 - d. Recognize detention/retention facilities on small sites may not be practical, or feasible, and may be difficult to maintain and manage.

LONG-TERM WATER SUPPLY

GOAL PS-3

ENSURE THAT NEW DEVELOPMENT IS ASSURED A LONG-TERM SUSTAINABLE WATER SUPPLY

Policies

- PS-3.1 No new development, except for the first single family dwelling and non-habitable accessory uses on an existing lot of record, for which a discretionary permit is required shall be approved without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity, to serve the development.
- PS-3.2 In determining whether there is a long-term sustainable water supply, credit may be given for a significant reduction in the historic water use on site. For the purpose of calculating water supply, up to 50% of the average annual water

use of 10 of the previous 20 years may be credited toward the net demand of the project.

- PS-3.3 Specific criteria for proof of a long term sustainable water supply for new residential or commercial subdivisions shall be developed. Criteria shall include but are not limited to:
- a. Water quality.
 - b. Production capability.
 - c. Recovery rates.
 - d. Effect on wells in the immediate vicinity.
 - e. Existing groundwater conditions.
 - f. Technical, managerial and financial capability of the water purveyor of the water system.
 - g. Cumulative impacts and planned growth in the area
 - h. Status and surety of planned new water supply projects including design, financing mechanism, and environmental review of the project.
 - i. Effects on instream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead.

(MM BIO-2.3)

- PS-3.4 Specific criteria shall be developed for use in the evaluation and approval of adequacy of all new wells. Criteria shall assess both water quality and quantity including, but not limited to:
- a. Water quality.
 - b. Production capability.
 - c. Recovery rates.
 - d. Effect on wells in the immediate vicinity as required by the Monterey County Water Resource Agency.
 - e. Existing groundwater conditions.
 - f. Technical, managerial, and financial capability of the water purveyor of a water system.
 - g. Effects on instream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead.

(MM BIO-2.3)

- PS-3.5 The County shall require that pump tests or hydrogeologic studies be conducted for new high-capacity wells, including high-capacity urban and agricultural production wells, where there may be a potential to affect existing adjacent domestic or water system wells adversely as determined by the Monterey County Water Resource Agency. In the case of new high-capacity wells for which pump tests or hydrogeologic studies show the potential for significant adverse well interference, the County shall require that the well be relocated or otherwise mitigated to avoid significant well interference.

- PS-3.6 The County and all applicable water management agencies shall not allow the drilling or operation of any new wells in known areas of saltwater intrusion as identified by Monterey County Water Resource Agency until such time as a program has been approved and funded which will minimize or avoid expansion of salt water intrusion into useable groundwater supplies in that area. This policy shall not apply to deepening or replacement of existing wells.
- PS-3.7 A determination of a long term sustainable water supply:
- a. shall not be based on hauled water.
 - b. should be determined on a basin-by-basin basis.
- PS-3.8 The County shall coordinate and collaborate with all agencies responsible for the management of existing and new water resources.
- PS-3.9 A program to eliminate overdraft of water basins shall be developed as part of the Capital Implementation and Financing Plan (CIFP) for this Plan using a variety of strategies, which may include but is not limited to:
- a. Water banking;
 - b. Groundwater and aquifer recharge and recovery;
 - c. Desalination;
 - d. Pipelines to new supplies; and
 - e. A variety of conjunctive use techniques.
- The CIFP shall be reviewed every five (5) years in order to evaluate the effectiveness of meeting the strategies noted in this policy. Areas identified to be at or near overdraft shall be a high priority for funding.
- PS-3.10 Systems that use grey water and cisterns for multi-family residential and commercial landscaping shall be encouraged, subject to a discretionary permit.
- PS-3.11 A tentative subdivision map and/or vesting tentative subdivision map application for either a standard or minor subdivision shall not be approved until:
- a. The applicant provides evidence of an assured long-term water supply in terms of yield and quality for all lots which are to be created through subdivision. A recommendation on the water supply shall be made to the decision making body by the Director of Health Services and the General Manager of the Monterey County Water Resources Agency, or their respective designees.
 - b. The applicant provides proof that the water supply to serve the lots meets both the water quality and quantity standards as set forth in Title 22 of the California Code of Regulations and County water systems and well regulations (Chapters 15.04 and 15.08 of the Monterey County Code, as may be periodically amended), subject to the review and recommendation by the Director of Health Services to the decision making body.
- PS-3.12 Maximize agricultural water conservation measures to improve water use efficiency and reduce overall water demand. The County shall establish an

ordinance identifying conservation measures that reduce agricultural water demand.

PS-3.13 Maximize urban water conservation measures to improve water use efficiency and reduce overall water demand. The County shall establish an ordinance identifying conservation measures that reduce potable water demand.

PS-3.14 Maximize the use of recycled water as a potable water offset to manage water demands and meet regulatory requirements for wastewater discharge, by employing strategies including, but not limited to, the following:

- a. Increase the use of treated water where the quality of recycled water is maintained, meets all applicable regulatory standards, is appropriate for the intended use, and re-use will not significantly impact beneficial uses of other water resources.
- b. Work with the agricultural community to develop new uses for tertiary recycled water and increase the use of tertiary recycled water for irrigation of lands currently being irrigated by groundwater pumping.
- c. Work with urban water providers to emphasize use of tertiary recycled water for irrigation of parks, playfields, schools, golf courses, and other landscape areas to reduce potable water demand.
- d. Work with urban water providers to convert existing potable water customers to tertiary recycled water as infrastructure and water supply become available.

PS-3.15 To ensure accuracy and consistency in the evaluation of water supply availability, Monterey County Health Department, in coordination with the MCWRA, shall develop guidelines and procedures for conducting water supply assessments and determining water availability. Adequate availability and provision of water supply, treatment, and conveyance facilities shall be assured to the satisfaction of the County prior to approval of final subdivision maps or any changes in the 2007 General Plan Land Use or Zoning designations.

PS-3.16 The County will participate in the Water for Monterey County Coalition, or similar regional group, for the purpose of identifying and supporting a variety of new water supply projects, water management programs, and multiple agency agreements that will provide additional domestic water supplies for the Monterey Peninsula and Seaside basin, while continuing to protect the Salinas and Pajaro River groundwater basins from saltwater intrusion. The County's general objective, while recognizing that timeframes will be dependent upon the dynamics of the regional group, will be to complete the cooperative planning of these water supply alternatives within five years of adoption of the General Plan and to implement the selected alternatives within five years after that time.

(MM WR-1)

PS-3.17 The County will pursue expansion of the SVWP by initiating investigations of the capacity for the Salinas River water storage and distribution system to be further expanded. This shall also include investigations of expanded conjunctive use, use of recycled water for groundwater recharge and seawater intrusion barrier, and changes in operations of the reservoirs. The County's overall objective is to have an expansion planned and in service by 2030.

(MM WR-2)

PS-3.18 The County will convene and coordinate a working group made up of the Salinas Valley cities, the MCWRA, and other affected entities for the purpose of identifying new water supply projects, water management programs, and multiple agency agreements that will provide additional domestic water supplies for the Salinas Valley. These may include, but not be limited to, expanded conjunctive use programs, further improvements to the upriver reservoirs, additional pipelines to provide more efficient distribution, and expanded use of recycled water to reinforce the hydraulic barrier against seawater intrusion. The County's objective will be to complete the cooperative planning of these water supply alternatives by 2020 and have projects online by 2030.

(MM WR-2)

WASTEWATER TREATMENT

GOAL PS-4

ENSURE ADEQUATE TREATMENT AND DISPOSAL OF WASTEWATER

Policies

- PS-4.1 Adequate wastewater treatment facilities shall be assured concurrent with new development.
- PS-4.2 Developers shall construct or contribute their fair share to the funding of new or expanded wastewater treatment facilities needed to serve their development.
- PS-4.3 All available public and private financing sources and techniques to fund wastewater treatment facilities shall be pursued.
- PS-4.4 Groundwater recharge through the use of reclaimed wastewater, not including primary treated wastewater, in accordance with federal, state, and local laws, regulations and ordinances shall be encouraged.
- PS-4.5 New development proposed in the service area of existing wastewater collection, treatment and disposal facilities should seek service from those

facilities unless it is clearly demonstrated that the connection to the existing facility is not feasible.

- PS-4.6 New independent wastewater treatment facilities should not be allowed unless it is clearly demonstrated that connection to a regional facility is not feasible.
- PS-4.7 Specific criteria for new wastewater treatment facilities and proof of the adequacy of existing facilities to service new development shall be developed as part of the implementation of this Plan. Criteria may include but are not limited to:
- a. Service area.
 - b. Demand for service.
 - c. Wet weather storage.
 - d. Recycling of treated wastewater.
 - e. Existing groundwater conditions.
 - f. Effect of recharge on existing groundwater.
 - g. Technical, managerial and financial capability of the wastewater treatment provider.
- PS-4.8 Specific criteria for septic disposal systems to serve individual uses where connection to a wastewater treatment facility is not feasible shall be developed as part of the implementation of this Plan. Criteria may include but are not limited to (consistent with *Table PS-1*):
- a. Minimum lot size.
 - b. Location of wells.
 - c. Soils testing.
 - d. Areas for backup and repair of leaching systems.
 - e. Existing groundwater conditions.
 - f. Effect of recharge on existing groundwater.
 - g. Consideration of alternatives systems (e.g. mound system, enhanced treatment systems)
- PS-4.9 The adequate provision of new or expanded wastewater treatment facilities that meet Regional Water Quality Control Board waste discharge requirements shall be assured to the satisfaction of the County and Regional Water Quality Control Board prior to the approval of new residential subdivision maps or zone changes.
- PS-4.10 Prior to approval of any new alternative wastewater systems subsequent to adoption of the 2007 General Plan, the County shall develop an alternative wastewater system management program, consistent with the regulations pursuant to AB885 and required Regional Water Quality Control Board requirements, to administer and monitor the use of alternative wastewater systems, pursuant to State law and regulations. Repairs to existing systems are exempt from this requirement

- PS-4.11 All new wastewater treatment facilities or expansion/major remodel of existing facilities shall be encouraged to use or upgrade to tertiary treatment standards to minimize any health threat to waters of the federal, state and County. This policy shall not apply to on-site septic systems.
- PS-4.12 The County Health Department, Environmental Health Division, shall develop On-site Wastewater Management Plans (OWMP) for areas with high concentrations of development that are served primarily by individual sewage systems such as North County and Carmel Valley. Wastewater treatment and disposal for community areas and rural centers shall be through the consolidation of services into Regional or Sub-regional facilities. Subdivisions shall be required to consolidate wastewater collection, treatment and disposal systems of services, connecting to existing systems where feasible. The County shall not allow the use of package plants when connection to a regional facility is feasible.

RECYCLING

GOAL PS-5

MAXIMIZE THE AMOUNT OF SOLID WASTE THAT IS DIVERTED FROM LOCAL LANDFILLS THROUGH RECYCLING, COMPOSTING AND SOURCE REDUCTION.

Policies

- PS-5.1 Programs to reduce the amount of waste generated in the County to the maximum extent feasible and in accordance with state law and regulations adopted by the California Integrated Waste Management Board shall be supported, including programs such as:
- a. increased recycling,
 - b. establishment of yard waste collection services for businesses and residents in all Community Areas and Rural Centers, and
 - c. encouraging the participation of residents and businesses in other waste diversion programs.
- PS-5.2 The designation, development and maintenance of efficient, environmentally-compliant and cost-effective disposal sites shall be supported.
- PS-5.3 Programs to facilitate recycling/diversion of waste materials at new construction sites, demolition projects, and remodeling projects shall be implemented.

PS-5.4 The maximum use of solid waste source reduction, reuse, recycling, composting, and environmentally-safe transformation of wastes, consistent with the protection of the public's health and safety, shall be promoted.

PS-5.5 The County shall promote waste diversion and recycling and waste energy recovery as follows:

- The County shall adopt a 75% waste diversion goal.
- The County shall support the extension of the types of recycling services offered (e.g., to include food and green waste recycling).
- The County shall support waste conversion and methane recovery in local landfills to generate electricity.
- The County shall support and require the installation of anaerobic digesters for winery facilities and wastewater treatment facilities under County jurisdiction.

(MM CC-4)

PS-5.6 The County will review its Solid Waste Management Plan on a 5-year basis and institute policies and programs as necessary to exceed the wastestream reduction requirements of the California Integrated Waste Management Act. The County will adopt requirements for wineries to undertake individual or joint composting program to reduce the volume of their wastestream. Specific mitigation measures to reduce the impacts of future solid waste facilities are infeasible because the characteristics of those future facilities are unknown.

(MM PS-2)

SOLID WASTE

GOAL PS-6

ENSURE THE DISPOSAL OF SOLID WASTE IN A SAFE AND EFFICIENT MANNER.

Policies

PS-6.1 Efficient, cost-effective solid waste disposal sites and diversion programs shall be a requirement for future waste disposal contracts with the County.

PS-6.2 All new and expanded solid waste facilities shall be located in areas where potential environmental impacts can be mitigated and where the facilities can be rendered compatible with surrounding land uses.

- PS-6.3 New solid waste facilities or that expansion portion of an existing facility shall include a sufficient buffer zone in compliance with the County's buffer zone ordinance within the project area to protect it from encroachment of development and incompatible land uses.
- PS-6.4 To protect public health and safety, the County shall adopt an ordinance to establish buffer zones within the vicinity of active and closed landfills. Within the buffer zones, development shall be limited, as appropriate, to protect the public from potential health hazards from landfills. These buffer zones shall serve to protect landfill capacity in the County as well as protecting the public health.
- PS-6.5 New development projects shall provide for handling of waste in a manner that conforms to State-mandated diversion and recycling goals. Site development plans shall include adequate solid waste recycling collections area.

EDUCATIONAL FACILITIES

GOAL PS-7

PROMOTE A RANGE OF EDUCATIONAL OPPORTUNITIES WITHIN EXISTING AND FUTURE POPULATION CENTERS.

Policies

- PS-7.1 The need to reserve sites for future schools in or near areas of development shall be considered and addressed, in consultation with the affected districts, in the County's planning and development review processes.
- PS-7.2 School siting shall be encouraged in locations that establish schools as focal points in a community. New school sites should be located so that they are served by adequate infrastructure including vehicle, pedestrian and bicycle access.
- PS-7.3 The cost-effective use of multi-purpose school facilities during off-school hours for community meeting space and recreation space shall be encouraged.
- PS-7.4 The incorporation of joint-use opportunities in the planning and design of new school facilities and the remodeling of existing facilities shall be encouraged.
- PS-7.5 Collaboration between education and business to ensure future employees enter the workplace with the needed qualifications shall be promoted.
- PS-7.6 The development and coordination of partnerships among the business community and educational institutions shall be encouraged.

- PS-7.7 Programs to provide meaningful work experience to qualified high school and college students shall be encouraged.
- PS-7.8 New development shall assist in land acquisition and financial support for school facilities as required by state law. Where school districts have adopted appropriate resolutions, written confirmation from the school district that applicable fees and contributions have been paid or are ensured to the satisfaction of the district shall be required prior to the issuance of building permits. The County shall, as a condition of approval of development projects, require the project applicant to pay the fees required by statute (Government Code section 65996, as it may be periodically amended) to mitigate the impact of the proposed development on school facilities.

HEALTH AND MEDICAL SERVICES

GOAL PS-8

PROMOTE THE AVAILABILITY OF HEALTH AND MEDICAL SERVICES, PARTICULARLY IN RURAL AREAS.

Policies

- PS-8.1 Programs that provide a full range of health care from local and regional health care programs for Monterey County residents, including preventive care, primary care, hospitals, and long-term care services shall be promoted.
- PS-8.2 Programs to promote access to health care and support the establishment of needed health care services in areas with high population concentrations such as cities and Community Areas and Rural Centers shall be supported. Where services do not exist, transportation programs to address the unmet transportation needs of residents shall be coordinated with the Transportation Agency of Monterey County.
- PS-8.3 Programs for the routine inspection of food, milk and dairy operations, water systems, sewage disposal, public housing, institutions, labor camps, swimming pools, recreation facilities, locations of hazardous substances, occupational health issues and noise hazards shall be established or maintained.
- PS-8.4 Public health nurse services at levels that meet the health needs of the County's rural residents shall be supported.
- PS-8.5 The Family Practice and Residency Program at Natividad Medical Center shall be supported.
- PS-8.6 Resources for the following public health programs shall be provided:

- a. Communicable disease prevention, surveillance and control;
- b. Periodic community health assessment Immunization;
- c. Maternal health;
- d. Child abuse and neglect;
- e. Well and developmental examinations
- f. Wellness and health promotion
- g. Injury prevention
- h. Nutrition
- i. Prenatal care
- j. Drug and alcohol abuse prevention and treatment
- k. Prevention and early diagnosis of mental illness;
- l. Treatment for acute and chronic mental illness
- m. child health screening;

PS-8.7 Promote compact, mixed use development utilizing the concepts of the walkable community, which are designed to encourage physical activity and fitness by permitting walking and bicycle riding to shopping, work and entertainment venues as an alternative to the use of motor vehicles.

SOCIAL SERVICES

GOAL PS-9

ASSIST RESIDENTS TO PROVIDE THE SUBSISTENCE NEEDS OF THEMSELVES AND THEIR FAMILIES.

Policies

- PS-9.1 Community crisis facilities shall be accessible throughout the County and provide bilingual staffing in appropriate locations.
- PS-9.2 Safe home environments and the reduction of child abuse shall be promoted through public awareness programs and other measures.
- PS-9.3 Make services accessible to seniors and disabled and secure the necessary funding for special transit programs.
- PS-9.4 Meet the needs of the elderly and establish adult day care facilities or other services that maintain older persons in an independent setting.
- PS-9.5 Establish senior citizen multi-use centers in those areas demonstrating need. Such facilities should be geographically accessible in those areas demonstrating need and shall encourage bilingual staffing, where appropriate.
- PS-9.6 Increase the capacity to store and retrieve social services data and provide computer linkage with other related county departments.

LIBRARY SERVICES

GOAL PS-10

INCREASE EDUCATIONAL, INFORMATIONAL AND LEISURE OPPORTUNITIES IN THE COUNTY BY PROVIDING ADEQUATE LIBRARY SERVICES.

Policies

- PS-10.1 Sites for future library facilities in major growth areas shall be reserved.
- PS-10.2 The delivery of library services to all areas and residents of the County shall be encouraged.
- PS-10.3 Cooperation and collaboration among neighboring counties to enhance the quality and delivery of library services shall be supported.
- PS-10.4 Additional funding for library services, including state funds and private contributions, shall be pursued.
- PS-10.5 Expand access to library facilities and services as needed, including to the aged and disabled, and to persons distant from population centers.

PARK AND RECREATION FACILITIES

GOAL PS-11

MAINTAIN AND ENHANCE THE COUNTY'S PARKS AND TRAILS SYSTEM IN ORDER TO PROVIDE RECREATIONAL OPPORTUNITIES, PRESERVE NATURAL SCENIC RESOURCES AND SIGNIFICANT WILDLIFE HABITATS, AND GOOD STEWARDSHIP OF OPEN SPACE RESOURCES.

Policies

- PS-11.1 Priority shall be given to the acquisition of land, development, and maintenance of new parks in areas that are deficient in park services and in rapidly growing areas. Evaluation of this need shall include consideration of the costs for development of facilities as well as on-going management and maintenance. After evaluation of regional needs, locations where park acquisition should be pursued in concert with willing property owners shall be identified.
- PS-11.2 Park acquisition, development, and maintenance guidelines based upon acreage, population, parkland ratios and consideration of natural resource values that will provide adequate park and recreation facilities for existing and future residents

shall be established. Broad public participation in the development of these guidelines shall be assured.

- PS-11.3 In cooperation with other park and public lands agencies, an equitable geographic distribution of neighborhood, community and regional park facilities commensurate with the needs of the surrounding residents shall be established.
- PS-11.4 Park development that includes interpretive and recreational services, including youth camping, shall be encouraged. Maintenance of existing facilities shall be prioritized.
- PS-11.5 The full utilization of park and recreation facilities owned and/or operated by other agencies is encouraged.
- PS-11.6 County funding sources and special operating agreements shall be used to make County parks and recreation facilities available and ensure their on-going maintenance.
- PS-11.7 Accessibility, in terms of affordability, physical access and hours of operation of the County's park and recreation facilities shall be assured to the maximum extent practicable.
- PS-11.8 To join the separated portions of the Lake San Antonio Park, acquisition of the publicly owned lands at the Old Hacienda and the northern Lake San Antonio area shall be sought if Fort Hunter-Liggett is closed.
- PS-11.9 A wide range of mechanisms to acquire and maintain parkland, including a variety of funding sources such as land donations, public conveyances from other agencies and development impact fees shall be utilized.
- PS-11.10 Pursuant to the provisions of the State Subdivision Map Act, residential subdivision projects shall be conditioned to provide and maintain park and recreation land and facilities or pay in-lieu fees in proportion to the extent of need created by the development.
- PS-11.11 Management plans for all County park and recreational areas and facilities, emphasizing protection of environmental resources and best management practices for open space on these lands, shall be prepared and adopted.
- PS-11.12 Parks for more active uses shall be distinguished from parks and open space areas rich in biological resources suitable for more passive enjoyment of those resources. Management Plans shall reflect these differences and specify appropriate management for each use.
- PS-11.13 New park facilities shall not be opened to public use until adequate, long-term facility management is provided.

PS-11.14 Community Area Plans shall identify adequate sites for park and recreation facilities.

HISTORIC PRESERVATION

GOAL PS-12

IDENTIFY, DESIGNATE, PROTECT, PRESERVE, ENHANCE, AND PERPETUATE THOSE STRUCTURES AND AREAS THAT CONTRIBUTE TO THE HISTORICAL HERITAGE OF MONTEREY COUNTY

Policies

- PS-12.1 The historic preservation plan and a historic preservation ordinance shall be updated and implemented to maintain the necessary tools to protect the County's cultural resources.
- PS-12.2 The inventory of cultural resources in unincorporated areas shall be regularly updated.
- PS-12.3 Voluntary applications from property owners to qualify appropriate properties and buildings on the National Register of Historic Places and/or the California Register of Historical Resources shall be encouraged and assisted.
- PS-12.4 Properties and buildings on the National Register of Historic Places and/or the California Register of Historical Resources achieving such status shall be designated with a Historic Resource ("HR") overlay on the zoning map.
- PS-12.5 The Monterey County Historic Resources Review Board shall:
- a. Review and make recommendations on restoration, rehabilitation, alteration and demolition proposals affecting identified historical and cultural resources.
 - b. Work for the continuing education of county residents concerning historic resources;
 - c. Seek financial support from local, state, and federal governments as well as the private sector to protect, preserve, and enhance the County's historic resources;
 - d. Coordinate its activities with all groups concerned with the preservation of historic resources; and
 - e. Review projects that involve historic resources on the National Register of Historic Places, California Register of Historical Resources, or the County's Local Official Register of Historic Resources to assure projects are consistent with good preservation practices.

- PS-12.6 Incentives that will help to preserve historic and cultural resources shall be supported such as:
- a. provisions of the Mills Act (Government Code sections 50280-50290 and Revenue and Taxation Code sections 439-439.4),
 - b. mutual covenants,
 - c. protective covenants,
 - d. purchase options,
 - e. preservation easements,
 - f. building, fire, health and County code modifications; and
 - g. any other methods deemed mutually agreeable between County and landowner.
- PS-12.7 Revenue sources that provide funds for the restoration and enhancement of historic resources shall be identified and pursued.
- PS-12.8 Lending institutions shall be encouraged to reinvest in culturally significant neighborhoods.
- PS-12.9 Zoning, land use plans and regulations shall be reviewed and maintained to ensure consistency with the guidelines and requirements of state and federal historic preservation laws.
- PS-12.10 Historic landscape consisting of resource features important to the setting of a designated historic site such as mature trees and vegetation, walls and fences within historic neighborhoods, districts and heritage corridors for which there is an adopted plan shall be protected.
- PS-12.11 An active involvement in historic and cultural resource management programs and support for the efforts of the Monterey County's historical organizations to preserve the County's historical resources shall be continued.
- PS-12.12 Historical and cultural resources and sites shall be protected through zoning and other regulatory means. New development shall be compatible with existing historical resources to maintain the special values and unique character of the historic properties.
- PS-12.13 Repair or rehabilitation of historic structures may be permitted upon determination that the proposed improvements will not preclude the structure's continued designation as a historic structure or that appropriate mitigation measures have been taken to comply with the Secretary of the Interior's Standards.
- PS-12.14 Historic preservation shall be integrated where possible into County programs administered by the Resource Management Agency.

- PS-12.15 The special character of designated historic districts and neighborhoods shall be retained.
- PS-12.16 Public information programs on the opportunities and programs to preserve historic and cultural resources shall be developed to the extent feasible. The programs shall also identify the restrictions and limitations associated with listing of historic structures.
- PS-12.17 Heritage tourism shall be promoted by highlighting Monterey County's diverse cultural background and the use of historic resources for the enjoyment, education and recreational use of visitors to Monterey County.

PUBLIC UTILITIES

GOAL PS-13

ENSURE THE EFFICIENT DISTRIBUTION OF PUBLIC UTILITIES BY RESERVING SUFFICIENT LAND OR RIGHTS OF WAY TO PROVIDE UTILITIES FOR THE COUNTY'S CURRENT AND FUTURE NEEDS

Policies

- PS-13.1 The County shall, when planning for development, require utility corridor rights-of-way or other easements of sufficient size to accommodate current and future needs.
- PS-13.2 All new utility lines shall be placed underground, unless determined not to be feasible by the Director of the Resource Management Agency.
- PS-13.3 Existing utility lines should be placed underground whenever feasible.

State Planning and Zoning Law (Government Code Section 65302(a)) establishes the requirements for the land use element of the general plan. The Land Use Element guides decision makers, planners and the general public as to the ultimate pattern of development within the unincorporated areas of the county. It designates the general distribution, location and extent of land uses, such as housing, business, industry, open space, agriculture, natural resources, recreation, and public/quasi-public uses. The Land Use Element also discusses the standards of residential density and non-residential intensity for the various land use designations.

The Land Use Element governs how land is to be utilized. Many of the issues and policies contained in other plan elements are linked in some degree to this element. For example, the amount, distribution, and timing of growth expressed within the Land Use Element must correlate with the anticipated road capacity and performance standards established in the Circulation Element. Similarly, the location and density of uses prescribed by this Element are integrally linked to policies for the protection of environmental resources included in the Conservation/Open Space Element. This element must establish the ability to provide adequate land use in order to meet regional housing needs. Housing Elements are mandated by State law to be updated every five years, so the General Plan must set the land use context for continued coordinated implementation of subsequent required updates to the Housing Element over the life of this Plan.

Residents per housing unit are based on the 2004 AMBAG regional forecast regarding population, housing and employment estimate of 3 residents per housing unit

Monterey County's Land Use Element establishes policies to designate the general distribution and intensity of residential, commercial, industrial, agricultural, public facilities, and open space uses of the land in the County. The main vision of this Element is to create a general framework that encourages growth within or near developed/developing areas in order to reduce impacts to agricultural production, natural resources, or public services. Areas where development would be encouraged include incorporated cities and designated community areas where existing services are available (*Figure 4, next page*). These areas would be subject to additional levels of planning consisting of city general plans adopted by cities and community plans or specific plans to be adopted by the Board of Supervisors for the community areas. In addition, the Plan designates rural centers where development has started and that will be allowed to develop in a semi-rural character (*Figure 5, next page*).

Monterey County's General Plan consists of policies that apply countywide and policies unique to a specific region. Countywide policies are applicable to the entire unincorporated area and are included within this Land Use Element. More focused policies that address specific regional or local issues are found in Area Plans. The Land Use Maps and land use designation descriptions in this general plan cover all inland, unincorporated, areas of the county. Due to the size of the County, Land Use Maps are divided by Planning Areas and are included as part of this Land Use Element (*Policy LU-1.11*).

Approximately one percent of Monterey County has been developed with residential (0.7%), commercial (0.03%), and industrial (0.3%) uses. Most of this development is concentrated in the northern one-third of the County. Agriculture is the largest land use representing almost 60% of

the total land area. The second largest land use consists of public and quasi-public uses (about 28%) such as educational, transportation, and military facilities as well as religious, recreational/cultural and community facilities.

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Figure 4-Community Areas to be inserted
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Figure 5-Rural Centers to be inserted
(11" x 17")

GOALS AND POLICIES LAND USE

GENERAL LAND USE

GOAL LU-1

PROMOTE APPROPRIATE AND ORDERLY GROWTH AND DEVELOPMENT WHILE PROTECTING DESIRABLE EXISTING LAND USES.

Policies

- LU-1.1 The type, location, timing, and intensity of growth in the unincorporated area shall be managed.
- LU-1.2 Premature and scattered development shall be discouraged.
- LU-1.3 Balanced development of the County shall be assured by designating adequate land for a range of future land uses.
- LU-1.4 Growth areas shall be designated only where an adequate level of services and facilities such as water, sewerage, fire and police protection, transportation, and schools exists or can be assured concurrent with growth and development. Phasing of development shall be required as necessary in growth areas in order to provide a basis for long-range services and facilities planning.
- LU-1.5 Land uses shall be designated to achieve compatibility with adjacent uses.
- LU-1.6 Standards and procedures to assure proper levels of review of development siting, design, and landscaping shall be developed.
- LU-1.7 Clustering of residential development to those portions of the property which are most suitable for development and where appropriate infrastructure to support that development exists or can be provided shall be strongly encouraged. Lot line adjustments among four lots or fewer, or the re-subdivision of more than four contiguous lots of record that do not increase the total number of lots may be allowed pursuant to this policy without requirement of a general plan amendment.
- LU-1.8 Voluntary reduction or limitation of development potential in the rural and agricultural areas through dedication of scenic or conservation easements, Transfer of Development Rights (TDR), and other appropriate techniques shall be encouraged. The Transfer of Development Credit (TDC) in the Big Sur Land Use Plan is a separate program to address development within the critical viewshed. A TDR Program shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate receiver sites in areas of the unincorporated County with priority for locations within

Community Areas and Rural Centers. The program shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria shall include but are not limited to:

- a. Site Suitability
- b. Infrastructure
- c. Resource Management
- d. Proximity to a City, Community Area, or Rural Center.
- e. Environmental Impacts and Potential Mitigation
- f. Proximity to multiple modes of transportation
- g. Avoidance of impacts to productive farmland.

LU-1.9 Infill of vacant non-agricultural lands in existing developed areas and new development within designated urban service areas are a priority. Infill development shall be compatible with surrounding land use and development.

LU-1.10 Off-site advertising shall be discouraged to enhance public safety and to avoid visual clutter and scenic intrusion. Off site advertising may only be considered in heavy commercial and industrial zoning districts. Such signs shall not abut residential districts.

LU-1.11 Development proposals must be consistent with the General Plan Land Use Map designation of the subject property and the policies of this plan. (*Land Use Maps for each of the following Planning Areas are shown at the end of their respective Area/Master Plan except the Coast Area, which is located at the end of this Element*).

- a. Coast Area, *Figure LU1*
- b. Cachagua (CACH), *Figure LU2*
- c. Carmel Valley Master Plan, (CV), *Figure LU3*
- d. Central Salinas Valley (CSV), *Figure LU4*
- e. Greater Monterey Peninsula (GMP), *Figure LU5*
- f. Fort Ord Master Plan, (FO), *Figure LU6*
- g. Greater Salinas (GS), *Figure LU7*
- h. North County (NC), *Figure LU8*
- i. South County (SC), *Figure LU9*
- j. Toro (T), *Figure LU10*

LU-1.12 Structures in electrical transmission corridors or rights-of-way shall be prohibited.

LU-1.13 All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced of the lighting source, and off-site glare is fully controlled. Criteria to guide the review and approval of exterior lighting shall be developed.

- LU-1.14 Consistent with the provisions of the State Subdivision Map Act, lot line adjustments shall be between four or fewer existing adjoining parcels.
- LU-1.15 Where a lot line adjustment may be configured to result in lots conforming to the policies and standards of this General Plan, that configuration is required. Lot line adjustments that may compromise the location of wells, septic systems or septic envelopes should not be approved.
- LU-1.16 Lot line adjustments between or among lots that do not conform to minimum parcel size standards may be allowed if the resultant lots are consistent with all other General Plan policies, zoning and building ordinances and the lot line adjustment would:
- a. accommodate legally constructed improvements which extend over a property line; or
 - b. facilitate the relocation of existing utilities, infrastructure, or public utility easements; or
 - c. resolve a boundary issue between or among affected owners; or
 - d. produce a superior parcel configuration; or
 - e. reduce the non-conformity of existing legal lots of record; or
 - f. promote resource conservation, including open space and critical viewshed protection, while avoiding the acquisition of private property; or
 - g. better achieve the goals, policies and objectives of the General Plan; or
 - h. facilitate Routine and Ongoing Agricultural activities.
- LU-1.17 The involuntary merger of legal lots of record that may be rendered substandard in size by this General Plan shall not be required unless the merger is required to avoid or remedy an immediate threat to the public's health and safety. Voluntary lot mergers may be allowed.
- LU-1.18 If the standards in this General Plan render a legal lot of record substandard in size, the substandard size of the parcel will not by itself render the parcel a legal nonconforming use. Any proposed expansion, enlargement, extension, or intensification of uses on such a lot shall not be prohibited due to its substandard size unless there are overriding public health impacts. Development of the lot shall comply with all other policies, standards and designated land use requirements of this Plan.
- LU-1.19 Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or waste water intensity. The system shall be a pass-fail system and shall include a mechanism to quantitatively

evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria shall include but are not limited to:

- a. Site Suitability
- b. Infrastructure
- c. Resource Management
- d. Proximity to a City, Community Area, or Rural Center
- e. Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element
- f. Environmental Impacts and Potential Mitigation
- g. Proximity to multiple modes of transportation
- h. Jobs-Housing balance within the community and between the community and surrounding areas
- i. Minimum passing score

Residential development shall incorporate the following minimum requirements for developments in Rural Centers prior to the preparation of an Infrastructure and Financing Study, or outside of a Community Area or Rural Center:

- 1) 35% affordable/workforce housing (25% inclusionary; 10% Work Force) for projects of five or more units to be considered.
- 2) If the project is designed with at least 15% farmworker inclusionary housing, the minimum requirement may be reduced to 30% total.

This Development Evaluation System shall be established within 12 months of adopting this General Plan.

- LU-1.20 Residential development within unincorporated Monterey County shall be limited to area build-out. Area build-out means specific land use/density designations as mapped in the area plans and adopted as part of this General Plan. The Resource Management Agency shall develop a tracking system for build-out by Planning Area and shall present an annual report before the Planning Commission.

RESIDENTIAL

GOAL LU-2

ENCOURAGE RESIDENTIAL DEVELOPMENT OF VARIOUS TYPES AND DENSITIES FOR ALL INCOME LEVELS IN AREAS WHERE SUCH DEVELOPMENT WOULD BE ACCESSIBLE TO MAJOR EMPLOYMENT CENTERS AND WHERE ADEQUATE PUBLIC SERVICES AND FACILITIES EXIST OR MAY BE PROVIDED.

Policies

- LU-2.1 Sufficient sites for housing shall be designated, including rental housing, factory built housing and mobilehomes, to make adequate provision for the existing and projected needs of all economic segments of the community.

- LU-2.2 Residential development shall be limited in areas that are unsuited for more intensive development due to physical hazards and development constraints, the need to protect natural resources, or the lack of public services and facilities.
- LU-2.3 High density residential areas shall be designated closest to urban areas, in community areas, rural centers or existing unincorporated communities.
- LU-2.4 Areas designated for residential use shall be located with convenient access to employment, shopping, recreation, and transportation. Higher density residential areas should be located with convenient access to public transit.
- LU-2.5 Adequate circulation rights-of-way shall be delineated within each residential area.
- LU-2.6 New land use activities or changes in land use designations that may potentially be nuisances and/or hazards shall be discouraged within and in close proximity to residential areas.
- LU-2.7 Open space should be provided in and/or on the fringes of residential areas.
- LU-2.8 The County will designate and establish regulations for an Agricultural Buffer/conservation easement (AB) designation to protect the existing agricultural operation (see *Policy AG-1.2* for buffer criteria).
- LU-2.9 In areas designated for agricultural uses where development of legally subdivided land would promote incompatible residential development, the County shall solicit and encourage the voluntary donation of conservation easements or other development restrictions to the County or to a qualified private nonprofit organization in order to preserve the agricultural use of the land.
- LU-2.10 In areas where Adequate Public Facilities and Services (APFS) exist, one accessory dwelling unit shall be allowed on a residentially designated lot if it meets the following criteria:
- a. adequate water and sewer facilities exist, which may include on site wells and septic;
 - b. the lot is zoned for single family or multi family use;
 - c. the lot contains an existing single family dwelling;
 - d. the increased floor area of an attached second unit does not exceed 30% of the existing living area of the main dwelling unit;
 - e. the total area of floor area for a detached second unit does not exceed 1,200 square feet.
 - f. height, setback, lot coverage and other applicable zoning regulations are met.

In an area governed by a County-adopted Community Plan or Specific Plan, the Community Plan or Specific Plan shall govern the permissibility of accessory dwelling units

- LU-2.11 For purposes of calculating allowable density on parcels, the County shall not include accessory dwelling units, caretaker units, guesthouses, senior citizen units, farm employee or farm worker housing units.

Affordable/Workforce Housing Program

- LU-2.12 The County shall encourage the development of affordable and workforce housing projects through the establishment of an Affordable Housing Overlay Program, based on the following parameters.
- a. The following areas shall be designated as Affordable Housing Overlay (AHO) Districts (*maps are located at the end of this Element*):
 - (1) Mid-Carmel Valley (*Figure AH01*). Approximately 13 acres located east and west of existing mid-valley development, excluding portions of properties located within the floodplain.
 - (2) Highway 68/Monterey Peninsula Airport (*Figure AH02*). Approximately 85 acres located east of Highway 68, excluding areas with native Monterey pine forest.
 - (3) Reservation Road/Highway 68 (*Figure AH03*). A 31-acre parcel located on the south side of Reservation Road shall be developed with a mix of neighborhood commercial uses and residential units that serve a range of income levels.
 - (4) Community Areas prior to the adoption of a Community Plan.
 - (5) Rural Centers prior to the adoption of an Infrastructure and Financing Study.
 - b. Properties must meet the following suitability criteria in order to be eligible for the Affordable Housing Overlay Program:
 - (1) The property is located within an Affordable Housing Overlay (AHO) district;
 - (2) Development within the Affordable Housing Overlay District shall be approved on a project-by-project basis and achieve the following levels of affordability (plus or minus 1%):
 - 10% Very Low
 - 15% Low
 - 15% Moderate
 - 20% Workforce I, and
 - 40% Workforce II.

Individual projects may increase the percentage of Very Low, Low and Moderate income categories by reducing the percentage of

Workforce I or Workforce II income levels. Up to 25% of the Work Force II housing may be market-rate if necessary to achieve the higher levels of affordability of the development or to accommodate at least 15% farmworker housing. This exception shall be based on one or more of the following criteria:

- i) the specific project characteristics and location relative to housing needs in the local area;
 - ii) special economic factors, such as land cost or infrastructure upgrades, affecting the cost of development within the local area;
- (3) CEQA analysis for the project does not disclose any significant unavoidable adverse impacts for which findings of overriding considerations cannot be made;
 - (4) Mixed Use development that combines residential with commercial uses would be encouraged to tie in with surrounding commercial and residential land uses. A mix of housing types shall be provided on sites in excess of 5 acres, i.e., at least two product types, such as for rent apartments, for rent townhomes, ownership townhomes, ownership single family homes. On sites of less than 5 acres, a single housing type may be allowed. The mix of housing types and designs shall be sensitive to neighboring uses.
- c. If a property meets all of the suitability criteria in (b) above, the property owner may voluntarily choose to develop an Affordable Housing Overlay project, rather than a use otherwise allowed by the underlying land use designation.
 - d. The minimum density for an Affordable Housing Overlay project shall be 6 units per acre, up to a maximum of 30 units per acre. An average density of 10 units per acre or higher shall be provided. The maximum lot size for detached single-family affordable units shall be 5,000 square feet.
 - e. To encourage voluntary participation in the Affordable Housing Overlay process, the County shall provide incentives for Affordable Housing Overlay projects such as:
 - (1) Density bonuses;
 - (2) Streamlined permitting process, including assigning experienced staff to such projects, hiring outside contract planners, plan checkers and building inspectors (at the cost of the developer)
 - (3) Waiver or deferral of planning and building permit fees (but not fees for the purpose of financing infrastructure);
 - (4) Priority allocation of resource capacity such as water and sewer over other projects not yet approved.

- (5) Modified development standards and grant funding assistance.
- f. Within Community Areas, affordable housing projects meeting the provisions of this policy may proceed prior to adoption of a Community Plan and needed regional infrastructure as long as all project related infrastructure improvements are made concurrent with the development.
- g. Within Rural Centers, affordable housing projects meeting the provisions of this policy may proceed prior to preparation of an Infrastructure and Financing Study as long as all project related infrastructure improvements are made concurrent with the development.
- h. Where infrastructure deficiencies or other conditions exist, Affordable Housing Overlay projects shall be included within redevelopment areas. Use the tax increment from the project area to finance off-site infrastructure and level of service improvements and to subsidize the Very Low and Low income units within the Affordable Housing Overlay project.
- i. The Board of Supervisors shall review the 25% exemption cap (*paragraph b.2 above*) every two years to assure that this Affordable Housing Overlay policy achieves its intended goal of encouraging developers to voluntarily produce Affordable Housing Overlay projects.

LU-2.13 Monterey County shall establish a program for retaining affordable housing units. For-sale housing units with affordability restrictions developed within redevelopment project areas (Boronda, Castroville, Fort Ord, and Pajaro), Community Areas and Rural Centers prior to the adoption of their Plans, as well as any project developed under the Affordable Housing Overlay Program shall comply with State Redevelopment law. Rental units shall be deed restricted in perpetuity countywide. For-sale units with affordability restrictions in all other areas shall have the option of conforming to State Redevelopment Law criteria or conform to the following guidelines:

- a) Affordable housing units shall be offered to the County of Monterey who shall have a First Right of Refusal.
- b) Units developed under this option shall be subject to a 30-year Program.
- c) Within the first 15 years of this Program:
 - 1 Units must be resold to a qualified buyer at the same income level at which the unit was first sold.
 - 2 The 30-year restriction shall restart from the date of sale if the unit is sold.
- d) Between year 16 and 30 of this Program, sale of units may be sold at market value but shall be subject to an Equity Sharing Program that increases based on the length of ownership.
- e) Units retained by the same owner for more than 30 years shall not be subject to this Program.

- LU-2.14 The County shall assure consistent application of an Affordable Housing Ordinance that requires 25% of new housing units be affordable to very low, low, moderate, and workforce income households. The Affordable Housing Ordinance shall include the following minimum requirements:
- 1 6% of the units affordable to very low-income households
 - 2 6% of the units affordable to low-income households
 - 3 8% of the units affordable to moderate-income households
 - 4 5% of the units affordable workforce I income households

City Centered Growth

- LU-2.15 Work with AMBAG and cities to direct the majority of urban growth including higher density housing development into cities and their spheres of influence with an emphasis on redevelopment and infill.
- LU-2.16 *Urban Reserve (UR)*. An Urban Reserve overlay shall be applied in areas where an incorporated City may expand (annex) or provide the necessary infrastructure to a proposed project. Growth limits identified in a City's adopted general plan and determined to be consistent with the County's adopted General Plan may be included as part of the Urban Reserve area. Expansion of an Urban Reserve shall be subject to *Policy LU-2.17*. Development in an Urban Reserve area shall be determined by the County's underlying land use designation. The County shall consult with the pertinent City regarding projects located within their Urban Reserve.
- LU-2.17 In coordination with the cities, sufficient land shall be designated to locate new housing as close to employment centers as feasible, and to minimize conflicts, competition, and consumptive land use patterns.
- LU-2.18 In cooperation with the cities and LAFCO:
- a. Spheres of influence to represent the probable 20-year growth area around each city shall be designated as an Urban Reserve (UR) overlay within this general plan.
 - b. Any city annexation request or request for a change in the city's boundaries or sphere of influence may be supported if it is found to be consistent with County General Plan policies, including:
 1. Directing City growth away from the highest quality farmlands.
 2. Providing adequate buffers (see *Policy AG-1.2*) along developing agricultural-urban interfaces.
 3. Mitigating impacts to County infrastructure.Requests inconsistent with County General Plan policies may be opposed.
- LU-2.19 The County shall critically review development proposals and general plan amendments within the cities to assure that the impacts of growth in the cities on the County's infrastructure are adequately quantified and fully mitigated.

LU-2.20 The County shall refer amendments to the General Plan and zoning changes that would result in the creation of new residential, industrial, or commercial areas to the nearest cities for review and comment.

Community Areas

LU-2.21 The County shall establish and emphasize Community Areas as the preferred location and the priority for additional development in the County to support a mix of land use types at an urban level. Community Areas are planned population centers where new development in the unincorporated area shall be actively supported as the County's primary planning priority.

LU-2.22 The following areas are designated as Community Areas (*maps are located at the end of this Element*):

- a. Boronda (*Figure CA1*)
- b. Castroville (*Figure CA2*). To the extent that the Castroville Community Area is located in the coastal zone, that portion of the Community Area shall require an amendment to the Local Coastal Program certified by the California Coastal Commission as part of the Community Plan process.
- c. Chualar (*Figure CA3*). Boundaries for the Chualar Community Area are to be developed by a citizen group with recommendation to the Board of Supervisors, but shall not exceed 350 acres over the life of this Plan (20 years). Planning for the Chualar Community Area and any Community Plan ultimately adopted for Chualar shall be consistent with that certain Settlement Agreement between Chualar Area Concerned Citizens, et al and the County of Monterey in Chualar Area Concerned Citizens, et al v. County of Monterey (Monterey County Superior Court Case no. 107519), executed on or about October 16, 2001.
- d. Fort Ord/East Garrison (*Figure CA4*, and *Policy LU-2.24*)
- e. Pajaro (*Figure CA5*).

The maps are descriptive of the Community Area, but may be modified through the Community Plan/Specific Plan process. Establishing Chualar Community Area boundaries and expansion of established Community Area boundaries would require an amendment to this General Plan.

LU-2.23 Community Areas shall be designed to achieve a sustainable, balanced, and integrated community offering:

- A vision for that Community
- Various types and nature of land use designations including:
 - o A diverse range of residential densities and housing types.
 - o A mix of retail commercial businesses and offices.
 - o Industrial development where appropriate.
 - o A variety of recreational opportunities and public amenities integrating enhancement of existing natural resources into the community where possible.

- Adequate public facilities and services including public water and sewer, an extensive road network, public transit, safety and emergency response services, adequate flood control, parks, and schools.
- Opportunities for workers to live near jobs.

LU-2.24 Planning for Community Areas except the East Garrison portion of Fort Ord shall be accomplished through the adoption of Community Plans guided by affected residents and landowners as described in *Policy H-3.5*. Completion of Community Plans for all Community Areas designated in this Plan shall be actively supported as the County's primary planning priority with Pajaro and Chualar being the highest priorities. Community Plans may be initiated by either the County or by party or parties owning property within the Community Area acting at their expense. However, any such planning process will be conducted by the County. Proposed Community Plans may include recommendations for Community Area boundary changes, subject to a General Plan amendment. Upon adoption of a Community Plan, the County shall establish a Community Plan (CP) land use overlay designation for all properties within the Community Area. A Community Plan shall include policies designed to ensure the full implementation of *Policy LU-2.23* as well as provide for housing densities and types consistent with Housing Element policies (see for the period covered by the Housing Element 2002-2008, adopted November 4, 2003, Housing Element *Policies H-3.3, H-3.4, H-4.2, and H-4.3* and Implementation Programs *H-3.b, H-3c*).

LU-2.25 The Specific Plan for *East Garrison I* (part of Fort Ord Community Area) adopted prior to this General Plan has satisfied and shall continue to satisfy the requirements for a Community Plan for that area, and the CP overlay designation shall be applied to those areas. Development agreements and tentative maps are in place and guide development of the East Garrison portion of the Fort Ord Community Area. The General Plan shall, as applicable, be construed in a manner consistent with development as provided for in these specific plans and development agreements. In addition to the above-referenced East Garrison Specific Plan which governs a portion of the Fort Ord Community Area, the Fort Ord Master Plan (adopted as a general plan amendment in November 2001 and included in the Area Plan section of this General Plan) governs the entire Fort Ord Community Area and shall serve as the Community Plan for the Fort Ord Community Area. Any future amendments to the Fort Ord Master Plan must be consistent with the Fort Ord Reuse Plan, as adopted by the Fort Ord Reuse Authority (FORA) in June 1997 and as may be amended by FORA, and shall follow the criteria in *Policies LU-2.23 and LU-2.24* as applicable.

LU-2.26 Prior to the adoption of a Community Plan for a Community Area, interim development shall be limited in scale in accordance with the following criteria may be allowed:

- a. Affordable housing consistent with the density criteria established for Community Areas in the Housing Element as long as such projects do not

impede overall development of the Community Area according to the design goals listed in *Policy LU-2.23*;

- b. One single family home on a lot of record;
- c. Commercial use at a neighborhood serving scale consistent with the underlying land use designation;
- d. Subdivision or lot line adjustment of agricultural parcels for agricultural uses.
- e. Minor subdivisions as long as such projects do not impede overall development of the Community Area according to the design goals listed in *Policy LU-2.23*.
- f. Development in the County's Redevelopment Project Areas consistent with an adopted Redevelopment Plan.

Interim development allowed by this policy may proceed provided the project-related, infrastructure improvements are concurrent with the development and that an adequate means of providing water and waste water disposal exist or are provided.

Rural Centers

LU-2.27 Rural Centers are existing areas containing concentration of development that includes higher intensity uses than typically found in rural areas. Rural Centers with the potential for improved infrastructure could develop into a future Community Area over the life of this general plan. New development other than within Community Areas shall be encouraged to be located within Rural Centers.

LU-2.28 The following areas are designated as Rural Centers (*maps are located at the end of this Element*):

- a. Bradley (*Figure RC1*)
- b. Lockwood (*Figure RC2*)
- c. Pine Canyon (King City) (*Figure RC3*)
- d. Pleyto (*Figure RC4*)
- e. River Road/Pine Canyon (Salinas) (*Figure RC5*)
- f. San Ardo (*Figure RC6*)
- g. San Lucas (*Figure RC7*)

The maps define the boundaries of the Rural Centers but may be modified through the General Plan amendment process. Changing a Rural Center to a Community Area shall be processed as a General Plan Amendment.

LU-2.29 Rural Centers will be allowed to develop over the life of this plan maintaining a village character for the community vision while allowing greater intensity development. Residential development in Rural Centers shall:

- Generally range from one to five units per acre; or
- Be allowed to develop at a density of 10 to 15 units per acre if processed as part of the Affordable/Workforce Housing Incentive

Program provided adequate public services, infrastructure, and access to job-centers are provided concurrent with the development.

- Neighborhood commercial uses may also be developed in support of the residential uses.
- Be planned as functioning small communities/villages that provide a range of housing types and affordability levels appropriate to the location and population

LU-2.30 Development of Rural Centers is a secondary planning priority for the County after the development of Community Plans for Community Areas. Prior to the approval of new development in a Rural Center, a CIFP shall be prepared and a financing mechanism identified and approved to assure that construction of needed project related infrastructure improvements occur concurrent with the development. Capital Improvement and Financing Plans may be initiated by either the County or by party or parties owning property within the Rural Center acting at their expense. However, any such planning process will be conducted by the County. Proposed CIFPs may include recommendations for Rural Center boundary changes, subject to a General Plan amendment. This study shall address existing infrastructure and service deficiencies, increased capacity needed to accommodate new development and ongoing operation and maintenance costs. A priority list for preparing the studies shall be developed. Prior to development of a CIFP, only development that is consistent with the underlying land use may proceed except for:

- a. residential development in accordance with the Development Evaluation System (*Policy LU-2.12 LU-1.19*).
- b. small scale, neighborhood-serving commercial uses.

LU-2.31 In Rural Centers, a mix of small-scale retail and commercial service uses primarily serving local residents, employee housing ancillary to local businesses, low to medium density residential uses and public service facilities serving the local area, and tourist services are encouraged. Uses shall be at a scale and design that blends with the rural character of the area.

LU-2.32 Rural Centers should have a commercial focal point with amenities for pedestrian, bicycle, and other alternative modes of transportation being strongly encouraged and accommodated.

LU-2.33 Expansion of Rural Centers may be considered if in the preparation of a Capital Improvement and Financing Plan (*Policy LU-2.29*), an adjacent parcel(s) is required and the property owner is willing to provide the infrastructure and service improvements needed for build-out of the Rural Center, and the Capital Improvement and Financing Plan identifies a feasible financing mechanism.

Urban Residential

- LU-2.34 The County will establish regulations for and designate three categories of Urban Residential Land:
- a. *Medium Density Residential* (MDR): Medium Density Residential areas are appropriate for a range of residential uses (1-5 units/acre) and housing types, recreational, public and quasi public, and other uses that are incidental and subordinate to the residential use and character of the area. The building intensity standard for this designation site coverage shall not exceed 35%
 - b. *High Density Residential* (HDR): High Density Residential areas are appropriate for a broad range of higher intensity (5-20 units/acre) residential uses and a blend of housing types, recreational, public and quasi public, and other uses that are incidental and subordinate to the residential use and character of the area. The building intensity standard for this designation site coverage shall not exceed 60%.
 - c. *Mixed Use* (MU): Mixed Use development involves residential and non-residential (primarily commercial retail and office) to encourage activity centers and pedestrian orientation. Residential uses can be either separate development on the same site or encouraged to be at least two stories tall in order to allow residential uses above non-residential uses where appropriate, subject to a General Development Plan. Residential density up to 30 units per acre shall be appropriate for the mixed use designation. The mixed use designation shall allow homeless shelters, transitional, and supportive housing types of residential uses as permitted uses. The building intensity standard for this designation site coverage shall not exceed 60%.

Rural Residential

- LU-2.35 The County will establish regulations for and designate three categories of Rural Residential Land:
- a. *Low Density Residential* (LDR): Low Density Residential areas are appropriate for residential (1-5 acres/unit) recreational, public and quasi public and limited agricultural activities that are incidental and subordinate to the residential use. The building intensity standard for this designation site coverage shall not exceed 35% on lots less than 20,000 square feet; 25% on lots of 20,000 square feet or more.
 - b. *Rural Density Residential* (RDR): Rural Density Residential areas are appropriate for residential (5-40 acres/unit), recreational, public and quasi public and a broad range of agricultural uses. The building intensity standard for this designation site coverage shall not exceed 25%.
 - c. *Resource Conservation* (RC): The Resource Conservation designation is applied in primarily rural residential or agricultural areas with sensitive resources and areas planned for resource enhancement. Only very low intensity uses and supporting facilities may be permitted within this designation. Resource Conservation lands are envisioned to create important open space amenities for the entire community, and in some

cases provide drainage and flood control facilities in conjunction with open space. A range of passive to active activities are allowed including park and recreation facilities as well as timber operations that can be accomplished without significant structural development and also complement, protect and enhance the resources. This policy does not apply in the Coastal Zone. The building intensity standard for this designation site coverage shall not exceed 25%.

- LU-2.36 General retail and service businesses shall be discouraged in the Rural Residential Lands, except on small commercial-designated sites located at key crossroads.
- LU-2.37 Bed and breakfast uses are a compatible land use in Rural Residential Lands, provided that the facilities are designed to blend with the rural environment and that all impacts generated by guests and employees are mitigated.
- LU-2.38 The development of regional recreation areas and uses within Rural Residential Lands that neither substantially increases the infrastructure and public service cost for local area residents, nor substantially reduces their level of service may be allowed.

AGRICULTURAL

GOAL LU-3

ESTABLISH LAND USE DESIGNATIONS FOR THE COUNTY'S AGRICULTURAL LANDS

Policies

- LU-3.1 The County will establish regulations for and designate three categories of Agricultural Land:
- a. *Farmlands* (F): Farmlands are typically 40 acre minimum sites and allow a range of uses to conserve and enhance the use of the important farmlands in the County of Monterey while also providing opportunity to establish necessary support and ancillary facilities for those agricultural uses. The building intensity standard for this designation site coverage shall not exceed 5%, except for commercial greenhouse operations, which are permitted coverage of 50%.
 - b. *Permanent Grazing* (PG): Permanent Grazing are typically 40 to 160 acre minimums and a range of land uses to conserve and enhance the productive grazing lands in the County. The building intensity standard for this designation site coverage shall not exceed 5%, except for commercial greenhouse operations, which are permitted coverage of 50%.
 - c. *Rural Grazing* (RG): Rural Grazing are typically a range of 10 to 40 acre minimums to conserve and enhance the use of productive grazing lands in the County of Monterey while also providing the opportunity to establish

support facilities for grazing uses and clustered residential uses. The building intensity standard for this designation site coverage shall not exceed 5%, except for commercial greenhouse operations, which are permitted coverage of 50%.

- LU-3.2 Land use in these designations is guided by the policies of the Agricultural Element of this General Plan.

COMMERCIAL

GOAL LU-4

ENCOURAGE COMMERCIAL DEVELOPMENT IN CLOSE PROXIMITY TO MAJOR RESIDENTIAL AREAS AND TRANSPORTATION ROUTES.

Policies

- LU-4.1 The County will designate and establish regulations for three categories of commercial use:
- a. *Light Commercial (LC)*: Light Commercial accommodates and allows a broad range of light commercial uses such as stores, shops, restaurants, theaters, service stations and general office uses suitable for the convenience of nearby residential areas. The building intensity standard for this designation site coverage shall not exceed 50%.
 - b. *Heavy Commercial (HC)*: Heavy Commercial accommodates a broad range of uses of a heavier commercial character potentially involving needs for warehousing, storage facilities, offices, trade centers, repair facilities, and fabrication shops. The building intensity standard for this designation site coverage shall not exceed 50%.
 - c. *Visitor Accommodations/Professional Office (VPO)*: Visitor Accommodations/Professional Office designates areas necessary to service the needs of visitors to Monterey County, such as hotels, motels and restaurants and professional services such as doctors, attorneys and accountants to Monterey County. The building intensity standard for this designation site coverage shall not exceed 50%.
- LU-4.2 The County shall designate sufficient land for commercial activities to support and serve the projected population while minimizing conflicts between commercial and other uses.
- LU-4.3 Commercial uses shall be developed in a compact manner.
- LU-4.4 Sufficient areas for a variety of commercial centers and a broad range of commercial uses shall be designated.

- LU-4.5 A mix of residential and commercial uses shall be encouraged in commercial areas where good site and project design and utilization of the property are demonstrated. Mixed use of sites and buildings is appropriate.
- LU-4.6 Commercially designated areas may include provisions for professional offices as well as retail and neighborhood serving uses.
- LU-4.7 In areas of anticipated commercial growth and expansion, provisions shall be made to designate adequate access routes, street and road rights-of-way, off street parking, bike paths and pedestrian walkways.
- LU-4.8 Commercial areas shall be designated in locations that offer convenient access.

INDUSTRIAL

GOAL LU-5

ENCOURAGE A FULL RANGE OF INDUSTRIAL DEVELOPMENT THAT IS COMPATIBLE WITH SURROUNDING LAND USES, MAINTAINS THE QUALITY OF THE ENVIRONMENT, IS ECONOMICALLY BENEFICIAL TO THE AREA, AND IS LOCATED IN CLOSE PROXIMITY TO MAJOR TRANSPORTATION ROUTES.

Policies

- LU-5.1 The County will designate and establish regulations for three categories of industrial use:
- a. *Agricultural Industrial* (AI): Agricultural Industrial accommodates a balanced development of agriculturally oriented industrial uses that support existing and future agricultural activity and provide a broad spectrum of agricultural industrial uses that contribute to the enhancement of agriculture as a major industry of Monterey County. **The building intensity standard for this designation site coverage shall not exceed 50%.**
 - b. *Light Industrial* (LI): Light Industrial provides opportunity for those light industrial uses such as warehousing, fabrication shops, contractor's operations, repair facilities and limited commercial uses that create minimal noise, light and dust. **The building intensity standard for this designation site coverage shall not exceed 50%.**
 - c. *Heavy Industrial* (HI): Heavy Industrial locates and protects modern industry. **The building intensity standard for this designation site coverage shall not exceed 50%.**
- LU-5.2 Industrial areas shall be developed in a compact manner and may include administrative and/or research facilities associated with the industrial use.

- LU-5.3 Only those industries that do not violate the County's environmental quality standards will be allowed.
- LU-5.4 Industrial clusters consistent with policies of the Economic Development Element shall be encouraged and supported.
- LU-5.5 Industrial land use locations shall be designated only where adequate transportation facilities and resources exist or will be provided concurrent with establishment of the use.
- LU-5.6 Except where safety factors are involved, industrial land use locations shall be designated only where adequate and convenient access to population centers exists or will be provided concurrent with establishment of the use.
- LU-5.7 Industrially designated areas shall be compatible with surrounding land uses.
- LU-5.8 Industrial land sufficient to meet foreseeable industrial needs shall be designated.
- LU-5.9 The proximity of other compatible land uses having similar levels of utility and service requirements shall be considered when designating industrial areas.

PUBLIC/QUASI-PUBLIC

GOAL LU-6

ENCOURAGE USES ON PUBLIC LANDS THAT ARE COMPATIBLE WITH EXISTING AND PLANNED USES ON ADJACENT LANDS.

Policies

- LU-6.1 The *Public Quasi-Public* (PQP) land use designation accommodates publicly or privately owned uses such as schools, parks, regional parks, public works facilities and hospitals that serve the public at large. The building intensity standard for this designation site coverage shall not exceed 25%.
- LU-6.2 Lands that are owned by a federal, state, or local public agency may be designated as *Public/Quasi Public* (PQP). Regulations for those lands will be established accordingly.
- LU-6.3 The County's planning activities shall be coordinated with the planning efforts undertaken by other public agencies with landholdings in Monterey County.
- LU-6.4 The planning for public lands adjacent to private lands should be undertaken as a joint effort between all of the affected agencies and private property owners.

- LU-6.5 In determining the impact of general plan land use designation amendments for land adjacent to military bases, installations, operating training areas, or underlying designated military aviation routes and airspace, information from the military and other sources shall be considered.

WATER BODIES

GOAL LU-7

ENCOURAGE THE USE OF THE COUNTY'S MAJOR INLAND WATER BODIES FOR MULTIPLE PURPOSES SUCH AS WATER SUPPLY, FLOOD CONTROL, AND HYDROELECTRIC GENERATION.

Policies

- LU-7.1 Priorities for multiple uses of the major water bodies shall be established. Recreation shall be secondary to water supply, flood control and hydroelectric generation.
- LU-7.2 Compatibility between multiple uses of major water bodies and surrounding land uses shall be considered.

OPEN SPACE

GOAL LU-8

ENCOURAGE THE PROVISION OF OPEN SPACE LANDS AS PART OF ALL TYPES OF DEVELOPMENT INCLUDING RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND PUBLIC.

Policies

- LU-8.1 The open space needs of the community and new development shall be reviewed and addressed through the planning process. **The building intensity standard for this designation site coverage shall not exceed 25%.**
- LU-8.2 Clustering, consistent with the other policies of this Plan, shall be considered as a means of maximizing permanent open space within new development.
- LU-8.3 As part of development review and approval, on-site development density credit consistent with the underlying land use designation shall be given for developable lands placed in permanent open space as part of a development. Use of the on-site development density credit will be allowed only if environmental, health and public safety factors permit.

- LU-8.4 Wherever possible, open space lands provided as part of a development should be integrated into an area-wide open space network.
- LU-8.5 Development should consider use of open space buffers on the perimeter and integrated into the development.
- LU-8.6 Creation of private, nonprofit land trusts and conservation organizations to receive development rights on any lands to be preserved and maintained as open space shall be supported.

GENERAL PLAN CONSISTENCY WITH ZONING

GOAL LU-9

MAINTAIN CONSISTENCY BETWEEN THE GENERAL PLAN AND ITS IMPLEMENTING REGULATIONS.

Policies

- LU-9.1 Within three months after adoption of the updated General Plan, the Director of Planning shall bring to the Board of Supervisors for their approval a work program to update the County's land use regulations to ensure their consistency with the General Plan. The work program shall identify the regulations to be updated, the timeframe for the update and identify the resources needed to implement the work program.
- LU-9.2 Within one year from adoption of the General Plan, guidelines necessary for implementation of cultural resource protection shall be adopted. Such guidelines shall include:
- a. Definitions and research protocols for Phase I, II and III cultural resource, native Californian, and paleontological resource inventory and data recovery programs.
 - b. Standards and practices for surveys to address natural resources related to cultural resources (e.g. sacred plants, animals, wetlands and riparian areas).
- LU-9.3 Tentative subdivision maps for both standard and minor subdivisions that were approved prior to the adoption of this general plan may record final maps subject to meeting all conditions of approval and other legal requirements for the filing of final maps. Applications for standard and minor subdivision maps that were deemed complete on or before October 16, 2007 shall be governed by the plans, policies, ordinances and standards in effect at the time the application was deemed complete. Applications for standard and minor subdivision maps that were deemed complete after October 16, 2007 shall be

subject to this General Plan and the ordinances, policies, and standards that are enacted and in effect as a result of this General Plan.

LU-9.4 Lots that were zoned prior to the adoption of this general plan in such a manner as to preclude further subdivision (e.g., “B-6” lots) as a condition of subdivision approval shall continue to be so restricted.

LU-9.5 Except in areas for which a Community Plan or Specific Plan has been adopted, including areas subject to *Policy LU-2.24*, in areas designated as medium or high density residential or in areas designated as commercial or industrial where residential use may be allowed, an applicant wishing to apply for a subdivision under this General Plan must use the following procedures to calculate the maximum density that can be considered under the Plan and thereby prepare an application consistent with or less than the maximum allowable density. In areas for which a Community Plan or Specific Plan has been adopted the provisions of those plans shall apply.

- a. Calculate the maximum density allowable by land use designation by dividing the total number of acres in the proposed development by the maximum density allowed by the land use designation. For example, a 100-acre parcel with a maximum General Plan density of one (1) unit per 2.5 acres would have a General Plan density of 40 sites.
- b. The slope of the property proposed for development shall be determined and the slope-density formula defined in *Policy OS-3.6* shall be applied. For example, a 100-acre parcel might consist of 50-percent (50%) of the land having a slope of over 25-percent (25%) and the other 50-percent (50%) below 19-percent (19%). The maximum density allowable on that parcel as calculated according to slope would be 50 sites.
- c. All of the policies of the Plan must be applied to the property proposed for development. Any decrease in density resulting from application of those policies is to be subtracted from the maximum density allowable under the slope formula.
- d. The maximum density allowable according to the General Plan land use designation (Step A above) and the maximum density allowable according to the Plan policies (Steps B and C above) shall then be compared. Whichever of the two densities is the lesser shall be established as the maximum density allowable under this Plan.

LU-9.6 The County shall develop a specific process for general plan amendments recognizing:

- a. The right of an individual to apply;
- b. The need to collectively review plan amendments in a comprehensive, cumulative and timely manner;
- c. A need for an early assessment of plan amendment requests to determine the suitability of the request and provide early feedback to

applicants before embarking on an extensive, expensive amendment process; and,

- d. The Board shall consider two packages of general plan amendments per year. Projects deemed complete prior to October 16, 2007 shall not be subject to this limit.

LU-9.7 The County shall develop criteria for consistently evaluating amendments. Amendments should be considered if:

- a. There is a demonstrable error or oversight in the adopted plan; or,
- b. There is a clear change of facts or circumstances; or,
- c. The amendment better carries out the overall goals and policies of the general plan and the amendment is in the public interest.

LU-9.8 The County shall periodically review and update various regulations and codes consistent with amendments to the general plan.

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Figure LU1 -Coast LU Map to be inserted
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Figure AHO1 –Mid-Carmel Valley AHO Map to be inserted
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Figure AHO2 – Hwy 68/Airport AHO Map to be inserted
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Figure AHO3 –Reservation/Hwy 68 AHO Map to be inserted
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Figure CA1 – Boronda CA to be inserted
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Figure CA2 -Castroville CA to be inserted
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Figure CA3-Chualar CA to be inserted
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Figure CA4 - Fort Ord CA to be inserted
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Figure CA5 -Pajaro CA to be inserted
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Figure RC1 - Bradley RC to be inserted
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Figure RC2- Lockwood RC to be inserted
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Figure RC3 -Pine Canyon (KC) RC to be inserted
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Figure RC4- Pleyto RC to be inserted
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Figure RC5-River Road RC to be inserted
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Figure RC6 - San Ardo RC to be inserted
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Figure RC7 -San Lucas CA to be inserted
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