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F15c

LCP-3-MCO-0062-2 (HIGHWAY 156)
FEBRUARY 10, 2023 HEARING
EXHIBITS

Table of Contents

Amendment to North County Land Use Plan

Subsection 8 is added to Section 3.1.3 of the North County Land Use Plan to read as follows:

3.1.3 Specific Policies

1. Due to the limited capacity of Highway 1 until the time it is expanded, development of coastal dependent industrial, agricultural, commercial, and recreational uses shall be given priority over non-coastal-dependent development in areas where Highway 1 provides the major transportation access.

2. Salinas Road, San Miguel Canyon Road, Hall Road, and San Juan Road should be designated as major arterial roads serving the North County coastal area. These should be upgraded as necessary to maintain Level of Service C traffic conditions. Wherever feasible, through traffic on these roads should be routed to State highways.

3. New access roads or commercial entrances on Highway 1 shall not be allowed unless it can be demonstrated that use of existing consolidated access points is not feasible or that easements for their use cannot be obtained. Consolidated access points with adequate lanes for acceleration, deceleration, and, if appropriate, left turns shall be required for expansion of roadside commercial uses resulting in significant increases in traffic exiting and reentering State highways and major County roads. New roadside commercial uses on these roads shall be discouraged unless traffic can be regulated to cause no increase in safety hazards to the traveling public.

4. Access to new development at the Highway 156-Castroville Boulevard. intersection should be via Castroville Boulevard only.

5. A program should be undertaken to provide public transit service to Royal Oaks Park, Manzanita Park, the North County State beaches, and Moss Landing when feasible. Service should be at a level that is adequate to attract ridership and provide an alternative to automobile transportation.

6. Bicycle shoulders should be provided and routes signed along Maher Road, Castroville Boulevard, and Dolan Road.

7. The Bicentennial Bicycle Route should be improved by separating the bicycle path from Highway 1 traffic between the Pajaro River and Molera Road.

8. Notwithstanding agricultural, environmentally sensitive habitat area, and wetland provisions of this Land Use Plan, the Highway 156-Castroville Boulevard intersection may be relocated just east of its current location and modified to replace stoplight traffic control with on and off ramps and related connectors,

including repurposing the existing alignment of Castroville Boulevard for bicycle and pedestrian access, provided that:

a) The intersection project is required to meet current and future regional public access needs, particularly with respect to the connection between the Highway 101 corridor and the southern Monterey Bay area;

b) Stable boundaries between the highway corridor and adjacent agricultural resources and sensitive habitat are provided;

c) Modifications represent the least environmentally-damaging feasible alternative available for meeting such needs; and

~~a)~~d) Impacts to coastal resources are mitigated to the maximum extent feasible.

PASSED AND ADOPTED on this 6th day of December 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew, and Adams
NOES: None
ABSENT: None
(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on December 6, 2022.

Revised Date: December 15, 2022
File ID: RES 22-217
Agenda Item No. 12

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

Emmanuel H. Santos

Emmanuel H. Santos, Deputy

ORDINANCE NO. 5388

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, ADDING SECTION 20.144.120.B.6 TO PART 2 OF THE MONTEREY COUNTY COASTAL IMPLEMNEATION PLAN ESTABLISHING REGULATIONS FOR IMPROVEMENTS TO THE INTERSECTION OF HIGHWAY 156 AND CASTROVILLE BOULEVARD

County Counsel Summary

This ordinance adds standards for consideration of improvements to the intersection of Highway 156 and Castroville Boulevard to the Regulations for Development in the North County Land Use Plan Area. The ordinance allows for improvements to the Highway 156-Castroville Boulevard intersection despite impacts to agricultural lands and environmentally sensitive habitat areas, provided the proposed improvements meet standards specified in the ordinance.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Purpose and findings.

A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. The purpose of this ordinance is to add a policy to the Regulations for Development in the North County Land Use Plan Area specifying that improvement to the intersection of Highway 156 and Castroville Boulevard can be permitted as long as the siting and design of intersection improvements meet the minimum standards outlined in the ordinance.

C. The County intends to carry out the amendments in a manner fully in conformity with the California Coastal Act.

D. This ordinance amends the Monterey County Coastal Implementation Plan, which is part of the County's Local Coastal Program. Pursuant to the Coastal Act, the County may amend the certified Local Coastal Program provided the County follows certain procedures. The procedures include the following: the County's Planning Commission holds a noticed public hearing and makes a recommendation to the Board of Supervisors on the proposed amendment; the Board of Supervisors holds a noticed public hearing to adopt the ordinance subject to California Coastal Commission certification, and submits the proposed amendment to the Coastal Commission for certification together with materials sufficient for a thorough and complete review; and the Coastal Commission certifies the amendment and confirms the County's action. Accordingly, the ordinance will not go into effect until after the Coastal Commission certifies the amendment and confirms the Board's action.

E. The initiation of the Local Coastal Plan Amendment ("LCPA") is statutorily exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code section 21080.9 and CEQA Guidelines section 15265. Activities and approvals pursuant to the California Coastal Act by any local government necessary for the preparation and adoption of a local coastal program, and shifts the burden of CEQA compliance from the local agency to the California Coastal Commission ("CCC"). Furthermore, CEQA Guidelines section 15251(f) identifies the CCC as a certified regulatory program, which meets the requirements of Public Resources Code section 21080.5 involving the preparation, approval, and certification of local coastal programs. As such, the CCC staff report prepared for the LCP Amendment qualifies as a functional equivalent environmental review document with regard to CEQA. Therefore, the County can exempt the action on the proposed LCPA from CEQA review. CEQA review for the intersection project will be considered separately from this ordinance.

SECTION 2. Subsection 6 is added to Subsection B of Section 20.144.120 of Part 2, Regulations for Development in the North County Land Use Plan Area, of Title 20 (Monterey County Coastal Implementation Plan) of the Monterey County Code to read as follows:

6. Notwithstanding the agricultural, environmentally sensitive habitat area, and wetland provisions of this Title, the Highway 156-Castroville Boulevard intersection may be relocated just east of its current location and modified to replace stoplight traffic control with on and off ramps and related connectors, including repurposing the existing alignment of Castroville Boulevard for bicycle and pedestrian access. Unavoidable inconsistencies with Local Coastal Plan policies protecting coastal resources shall be strictly limited and shall only be allowed if the project complies with all of the following:

a. The intersection project is sited and designed to avoid coastal resource impacts, and to minimize those that are not avoidable, to the maximum extent feasible.

b. The intersection project is sited and designed in a manner that is the minimum necessary to accommodate the safe flow of traffic.

c. The intersection project is sited and designed such that it does not substantially change capacity of Highway 156 or local roads in the vicinity.

d. The intersection project is sited and designed to avoid future encroachments into environmentally sensitive habitat areas and agricultural lands.

1) Impacts to environmentally sensitive habitat areas shall be fully mitigated through a combination of habitat, rehabilitation, enhancement, and preservation, with consideration of factors including the acreage of impacts and the length of time required to establish fully functioning habitat. Preference shall be given to creating new like areas of environmentally sensitive habitat functionally connected to existing environmentally sensitive habitat areas near Highway 156 within the same watershed.

2) Impact to lands zoned Coastal Agricultural Preservation ("CAP"), including direct impacts and any reduction in viability of agricultural lands, shall be mitigated. A minimum of 1:1 acreage shall be restored or permanently protected, along with additional agricultural sustainability enhancements on those properties or through local sustainable agriculture programs as exemplified below. Mitigation shall provide for long-term protection, conservation, or enhancement of productive and potentially productive agricultural lands, with the goal of maintaining the long-term viability and sustainability of agriculture in the North Monterey County coastal zone. Examples of such mitigation, in order of preference, include but are not limited to: restoring agricultural lands, especially those that have been converted to other uses in the past; permanent protection of the most significant agricultural lands threatened by conversion to non-agricultural use (e.g., through conservation easements, retirement of "paper" subdivisions); measures that result in enhanced separation between non-agricultural and agricultural lands at the urban-rural boundary (e.g., development restrictions); and programs to restore and enhance sustainable agricultural uses, ensure compatibility with adjacent sensitive habitats, and provide opportunities for agricultural education. In all cases, such mitigation sites shall be located near Highway 156 or elsewhere in the North Monterey County coastal zone segment, and shall be subject to enforceable protections (e.g., through fee title acquisition, agricultural conservation easements, agricultural deed restrictions) that shall be described in an agricultural mitigation plan. Such agricultural mitigation plan shall be required with specified deadlines as part of any permit approved for such conversion, and the permit shall be conditioned to require that the mitigation measures proposed in the agricultural mitigation plan remain in place in perpetuity.

e. The intersection project is sited and designed to effectively blend with the surrounding rural aesthetic character of the Highway 156 corridor, and all visual impacts are offset through enhancement and/or restoration of visually degraded areas near Highway 156 (e.g., native landscaping, undergrounding utilities, removal of visual obstructions).

f. The intersection project will maximize opportunities for non-automotive modes of transportation (e.g., bicycle, pedestrian) and will meet the goals of the California Department of Transportation's Complete Streets Program and the related provisions of the Transportation Agency of Monterey County's Regional Transportation Plan for the Highway 156 corridor.

g. The intersection project, as compared to the alternatives considered, best meets regional public access needs, while protecting public safety and irreplaceable coastal resources to the maximum extent feasible.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it

would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective on the thirty-first day following its adoption or the day certification by the California Coastal Commission becomes final and effective, whichever occurs later.

PASSED AND ADOPTED this 6th day of December, 2022, by the following vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew, and Adams

NOES: None

ABSENT: None

ABSTAIN: None

Mary L. Adams, Chair
Monterey County Board of Supervisors

ATTEST:

Valerie Ralph,
Clerk of the Board of Supervisors

By: Emmanuel H. Santos
Deputy

APPROVED AS TO FORM BY:

Kelly L. Donlon
Assistant County Counsel

Exhibit 2
LCP-3-MCO-22-0062-2 (Hwy 156)

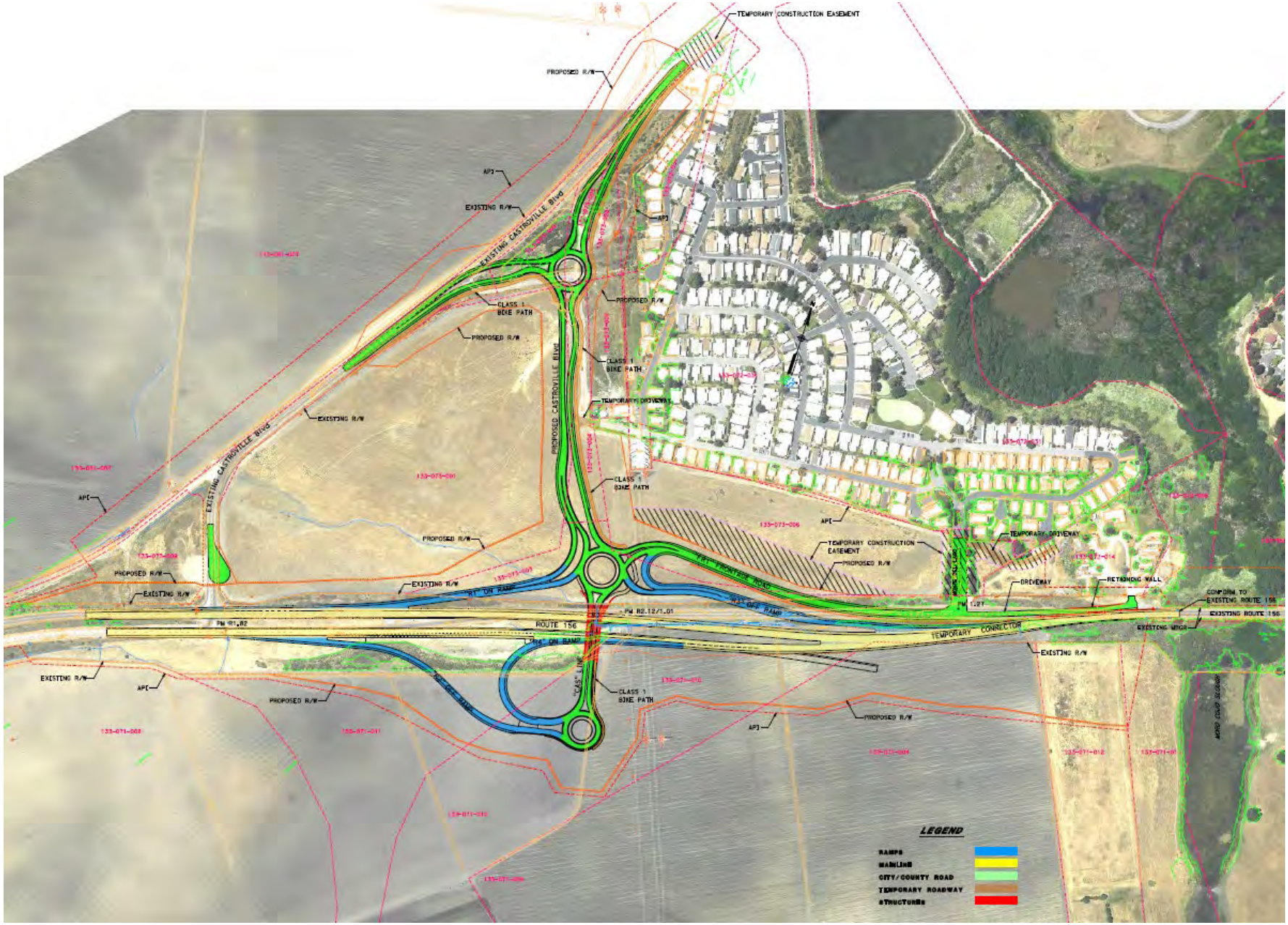

Exhibit 3
LCP-3-MCO-22-0062-2 (Hwy 156)
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