

## REGULATIONS AND DEVELOPMENT APPLICATION PROCESS RELATED TO MARITIME CHAPARRAL

- Regulatory Overview - Locations
- Development Applications and Maritime Chaparral – Policies and Regulations
- Mechanics of Assessing and Addressing Impacts to Maritime Chaparral
- Planner Issues and Needs

## Land Use Planning 101- Police Power Applicable Mandates

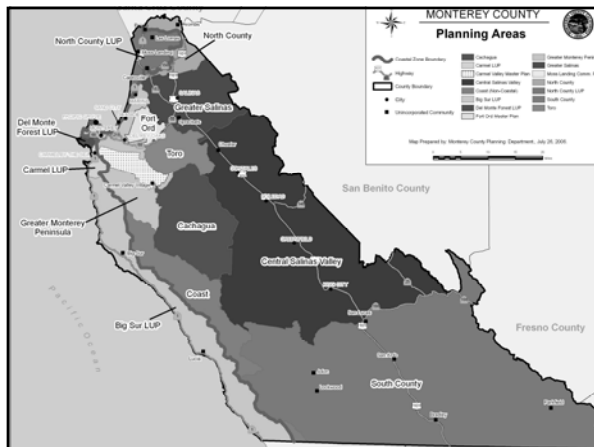
- California Planning Zoning and Development Law
- California Coastal Act
- California Environmental Quality Act
- State and Federal Responsible Agency Mandates

## Monterey County Regulatory Framework

- General Plan (Inland) – Umbrella Area Plans - Policies  
Title 20 – Zoning Ordinance
- Local Coastal Program (Coastal)  
4 Land Use Plans -  
Implementation Plans -
- CEQA – Public Disclosure of Environmental Impacts

## Locations of Maritime Chaparral

- North Monterey County – Inland/Coastal
- Fort Ord – Inland
- Monterey Peninsula – Inland – Toro Carmel Valley
- Del Monte Forest - Coastal - Inland
- Carmel Highlands – Coastal – Inland
- Big Sur - Coastal



## Policy/Regulatory Requirements

- | <b>Coastal</b>   | <b>Inland</b>   |
|--|---|
| <ul style="list-style-type: none"> <li>• Avoid/Prohibit Impacts to Environmentally Sensitive Habitat (ESHA)</li> <li>• Limit Activity in 100 foot buffer of ESHA</li> <li>• Limit Removal of native veg. in 100 foot buffer</li> <li>• Minimize Dev adjacent to ESHA and within buffer</li> <li>• Biological Rpt Required</li> <li>• Req;uire Easements</li> </ul> | <ul style="list-style-type: none"> <li>• Preserve/Conserve</li> <li>• Encourage integrity of existing terrain/veg</li> <li>• Dev. carefully planned</li> <li>• Avoid/Prohibit Removal of ESHA</li> <li>• Ensure Long Term Maint. Of ESHA in 100' buffer</li> <li>• Biological Rpt Required</li> <li>• Req;uire Easements</li> </ul> |

### California Environmental Quality Act – Maritime Chaparral

- Would the project have a substantial adverse effect on candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by CDFG or USFWS?
- Would the project conflict with any local policies or ordinances protecting biological resources...?

### Maritime Chaparral Status

- Central Maritime Chaparral – Sensitive Habitat/Community – Monterey Cnty; CDFG; USFWS
- Certain Species: CNPS List 1B – Rare, Threatened, or Endangered in California and Elsewhere; USFWS – Species of Concern

### Planner Analysis

- Reviews site; reviews area plans, resource maps; adjacent property reports; NDDB
- Requires Preparation of Biological Report
- Analysis of policies and regulations
- Prepares Initial Study –Impacts Mitigations
- Circulates for comment
- Prepares Staff Report with Findings and Evidence and presents at Public Hearing

### Planner Issues and Needs

- What is Maritime Chaparral? Standards – Consistency of Review
- Individual Species v. Habitat – When does it end and when does it begin?
- When is it, and when is it not ESHA?
- Defining Maritime Chaparral and its regulatory status – an accepted standard
- Standard impact analysis and mitigation
- What are impacts in the buffer?
- What is acceptable mitigation?
- Addressing fire protection clearance