

STAFF REPORT

PROJECT INFORMATION

Application:	Implementation of Commercial Regional Land Use Designation, File PLN 180024
Date of Hearing:	January 16, 2019 Planning Commission
Applicant/Owner:	Multiple (see staff report)
Location:	Multiple along U.S. 101 Corridor (see attached maps)
Assessor's Parcel No:	Multiple (see staff report)
General Plan Designation:	Commercial Regional (CR)
Zoning District:	Pending New C-3 Regional Commercial Zoning District
CEQA:	2035 General Plan Update Final Environmental Impact Report, Resolution 2015-58
Project Planner:	Darryl Boyd

BACKGROUND

This memorandum provides an update on the County's efforts to implement the 2035 General Plan Land Use Designation of Commercial Regional (CR). The primary work product is the preparation of zoning code amendments to establish a new C-3 Regional Commercial Zoning District. The C-3 District will be implement the CR Land Use designation and associated General Plan policies. On March 6, 2018, the Board of Supervisors approved a reimbursement agreement with four (4) property owners to fund the County's costs for the implementation work, including consultant contracts. A contract with EMC Planning Group was approved by the Board on March 20, 2018. The reimbursement agreement was fully executed on August 17, 2018. The contract includes a detailed scope of work for the Highway 101 nodes as Phase I.

The Planning Commission previously held a duly noticed public hearing on October 17, 2018. The purpose of the hearing was to receive feedback from the Commission and testimony from the public regarding the project approach and initial concepts. In addition to comments made by the Planning Commission, about thirteen (13) members of the public gave testimony. Their comments are summarized and discussed in the attached memorandum. Most of the public comments were focused on questions or concerns about the Livestock 101 location.

SITES AND OWNERS

The four property owners who are parties to the reimbursement agreement and their respective commercial node sites along the U.S. 101 corridor are listed below. Each site is expected to have its own unique theme and undergo design review in accordance with General Plan Policy LU.5-4. Maps of each of the four sites are attached to the staff report.

1. West side of U.S. 101 at 9644 Betabel Road, approx. 55-acres, APNs 013-150-017, -018 and -025 ("Betabel")
Owner: Thomas and Victoria McDowell Charitable Remainder Unitrust

2. West side of US 101 at 1720 Searle Road/Hwy 129, approx. 40-acres, APN 012-010-021 (“Hwy 129”)
Owners: Johnson Family Trust and Weiler Family Trust UTD
3. East side of Cole Road at 4400 101 Hwy, approx. 160-acres, APNs 011-280-027 through 030 and 034 through 036 (“Livestock 101”)
Owner: Warren Family Trust
4. South side of U.S. 101 at Rocks Road, approx. 90-acres, APN 011-310-006 (“Rocks Ranch”)
Owner: 2004 Bingaman Irrevocable Trust #1 UTA

PROJECT DESCRIPTION

The four property owners entered into a reimbursement agreement with the County to fund equally the preparation of a new C-3 Regional Commercial Zoning District to implement the intent and provisions of the 2035 General Plan Land Use Diagram designation of Commercial Regional and associated policies. The subject properties, with the specific site boundaries to be determined, will be proposed for a zoning change to C-3 Regional Commercial Zoning District as part of the project.

GENERAL PLAN

The County’s 2035 General Plan includes the Land Use designation of **Commercial Regional (CR)**. CR nodes are generally located as shown on Figure 3-5 ‘Commercial and Industrial Nodes’. Staff may recommend a change to the Land Use Diagram to include a fourth node located at Livestock 101. This location was not designated as a commercial regional node because of the existing commercial zoning on a portion of the site. It should be noted that the nodes as currently shown on the Land Use Diagram are proximate locations and not parcel or property specific. A fundamental work product of this implementation project is to identify and delineate the specific land areas or properties to be designated with the CR designation. This specificity will provide clarity for any future general plan amendment or rezoning requests.

The General Plan states the purpose of the Commercial Regional (CR) designation is “*to provide areas that function as destinations for commercial activity serving the regional population. This designation intends to accommodate the location of such commercial uses at key intersections along Interstate 101 and other major State Routes. Uses could include shopping centers, truck and automobile stations, tourist-serving commercial uses, and hotels/motels.*”

General Plan Land Use Policy **LU-5.3 New Commercial Regional Nodes** states; “*The County shall encourage new Commercial Regional (CR) nodes to be located at or near existing or future highway interchanges, major intersections, and along existing or future transit facilities. Facilities should be located consistent with Figure 3-5 (and exclude the intersection of U.S. Highway 101 and State Route 156). In order to respect the scenic character of the county, new development at these commercial nodes shall be subject to design review before the County Planning Commission. Further, development within these commercial nodes is encouraged to contribute to the preservation of scenic areas along the designated scenic corridors within the*

County. The County shall also encourage additional access to new regional commercial centers through bicycle and pedestrian connections from residential uses as appropriate to the context.”

General Plan Land Use Policy **LU-5.4 New Commercial Nodes Vision** states: *“The County shall encourage developers to reflect a cohesive vision for node development in site plans submitted as a part of applications for discretionary approval that recognizes the importance of the County’s scenic resources and local character and quality of life attributes.”*

General Plan Land Use Policy **LU-5.5 Strip Commercial** states: *“The County shall discourage the creation of new strip commercial developments (e.g., non-cohesive commercial fronting a major arterial or state highway) in favor of centralized commercial node development that is located in the commercial nodes identified on the Land Use Diagram, and in Policies LU-5.1 to LU-5.3.”*

General Plan Land Use Policy **LU-5.6 Visitor-Oriented Commercial Uses** states: *“The County shall encourage visitor-oriented commercial uses that promote the local history, local economy (e.g., agriculture, wineries, recreation), and market locally-produced agricultural products.”*

ZONING

Implementation of the Commercial Regional General Plan Land Use designation requires amending the Zoning Code (Title 25) to create a new zoning district that is consistent with the General Plan, particularly those policies cited above. The existing C-1 and C-2 Combining Commercial Districts are not consistent with the CR Land Use designation in that they are intended for neighborhood and major thoroughfare locations, respectively. This project includes the creation and future County consideration of a proposed new **C-3 Regional Commercial** Zoning District that, if adopted by the County, would be proposed for application to the four designated regional commercial sites.

ENVIRONMENTAL EVALUATION

At this time, staff is asking the Planning Commission to provide only early input and feedback on the proposed project and scope of work. This agenda item is limited to providing a status report on the project and does not include any decision-making. The Commission’s discussion, input and early feedback is not a discretionary project and is not subject to CEQA. Staff anticipates the 2035 General Plan Final EIR, Resolution No. 2015-58, will be used to provide environmental clearance for the proposed zoning code amendments and associated rezonings. A final CEQA determination will be made prior to any hearing for the proposed code amendments.

STAFF ANALYSIS

This agenda item is to provide a follow up status report in response to the public and Commission comments made at the October 17, 2018 meeting. The purpose is to inform and solicit early input from the Planning Commission on the project scope of work and draft work products prepared to date. EMC, the County’s consultant and staff will make a presentation at the meeting to provide an update on the work completed to date. A memorandum from EMC is

attached that summarizes the comments made at the October meeting and a response or recommendation for each based on subsequent staff and consultant consideration.

After receiving Planning Commission comments, the next steps will be for staff and consultants to complete drafting the zoning code language and prepare CEQA documentation. The appropriate legal documents (ordinances, resolutions and zoning exhibits) will be prepared together with a staff report for Planning Commission and Board consideration at future duly noticed public hearings. The proposed project, including the code amendments and property rezonings, is expected to be presented for formal consideration in the next couple of months.

RECOMMENDATION

Staff recommends the Planning Commission accept the status report and provide comments.

ATTACHMENTS

1. EMC Memorandum with Location Maps for the node sites

C: Property Owners:

1. "Betabel"
McDowell Charitable Trust
P.O. Box 485
Pebble Beach, CA 93953
2. "Hwy 129"
Johnson Family and Weiler Family Trusts
920 Egan Avenue
Pacific Grove, CA 93950
3. "Livestock 101"
Warren Family Trust
4400 Hwy 101
Aromas, CA 95004
4. "Rocks Ranch"
Bingaman Trust #1
P.O. Box 1116
Salinas, CA 93902

Property Owners' Representative

Daniel J. DeVries
P.O. Box 996
San Juan Bautista, CA 95045

EMC Planning Group

Michael Groves
Richard James