

# Exhibit A

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## **DRAFT RESOLUTION**

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

In the matter of the application of:

**REF140023 - UPDATE TO ZONING MAPS AND CLASSIFICATIONS**

**RESOLUTION NO. 25-\_\_\_\_**

Resolution by the Monterey County  
Planning Commission recommending  
that the Monterey County Board of  
Supervisors:

- a) Consider and find adoption of the ordinance consistent within the scope of the previously certified Final Environmental Impact Report (FEIR) for the 2010 General Plan (SCH #2007121001); and
- b) Adopt an ordinance amending Title 21 of the Monterey County Code (inland) to amend Chapter 21.08 and Chapter 21.50 and amend Sections 1-108 of the Sectional District Maps of Section 21.08.060 of Title 21 (Non-coastal Zoning Ordinance). (**Attachment 1**).

**The proposed ordinances amending the Monterey County Code, establishing amendments to the process for updating Sectional District Maps and ensuring consistency with the adopted 2010 County of Monterey General Plan land use designations came before the Planning Commission at a duly noticed public hearing on April 30, 2025. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony and other evidence presented, the Planning Commission forwards the following recommendation to the Board of Supervisors with reference to the following facts:**

#### **I. RECITALS**

1. 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.

2. On October 26, 2010, the Board of Supervisors of Monterey County certified an Environmental Impact Report (“EIR”) prepared for the General Plan (Resolution No. 10-290). The EIR evaluated environmental impacts associated with implementation of the General Plan, including changes in land use designation. This ordinance implements the General Plan by ensuring there is consistency between the land use designations and the zoning districts. Pursuant

to Section 15162 of the Guidelines for Implementation of the California Environmental Quality Act, no subsequent environmental review is required for this ordinance because the effects of changes in land use designation were analyzed in the General Plan EIR, and no substantial changes in project description, substantial changes in circumstances, or new information of substantial importance leading to new significant effects or a substantial increase in the severity of previously identified effects has been identified.

3. On October 26, 2010, pursuant to California Government Code section 65350 *et seq.*, the Board of Supervisors of the County of Monterey adopted a comprehensive update to the County General Plan, referred to as the 2010 County of Monterey General Plan (“General Plan”), for the unincorporated non-coastal area of the General Plan (Board of Supervisors Resolution No. 10-291).

4. Beginning in 2014, the County of Monterey Housing and Community Development Department (“HCD”) scoped the project to implement zoning map updates in the General Plan.

5. On December 10, 2014, the Planning Commission (“Commission”) received a workshop on the update of the zoning maps for consistency with the General Plan policies and land use designations.

6. On October 28, 2015, the Commission received a workshop to consider necessary updates to Title 21 for the codification of new zoning maps pursuant to the General Plan.

7. On November 18, 2015, the Commission received a continued workshop to consider necessary updates to Title 21 for the codification of new zoning maps pursuant to the General Plan.

8. On March 13, 2024, the Commission received a status update on the project and provided direction to staff on the proposed revised project scope.

9. State law requires the Commission to hold a noticed public hearing on proposed amendments to zoning ordinances and to make a written recommendation to the Board of Supervisors.

10. On April 30, 2025, the Commission held a duly noticed public hearing to consider making a recommendation to the Board on the proposed ordinance (**Attachment 1**). At least 20 days before the hearing date, notices of the hearing before the Commission were published in the Monterey County Weekly.

## II. DECISION

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission hereby recommends that the Board of Supervisors:

- a) Consider and find adoption of the ordinance consistent within the scope of the previously certified Final Environmental Impact Report (FEIR) for the 2010 General Plan (SCH #2007121001); and
- b) Adopt an ordinance amending Title 21 of the Monterey County Code (inland) to amend Chapter 21.08 and Chapter 21.50 and amend Sections 1-108 of the Sectional District Maps of Section 21.08.060 of Title 21 (Non-coastal Zoning Ordinance). (**Attachment 1**).

PASSED AND ADOPTED on this 30<sup>th</sup> day of April 2025, by the following vote:

AYES:

NOES:

ABSENT:

By: \_\_\_\_\_  
Melanie Beretti, AICP  
Planning Commission Secretary

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## EXHIBIT A – ATTACHMENT 1

### ORDINANCE NO. \_\_\_\_\_

#### **AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING TITLE 21 (NON-COASTAL ZONING) OF THE MONTEREY COUNTY CODE TO UPDATE TITLE 21 AND THE ZONING MAPS FOR CONSISTENCY WITH THE 2010 GENERAL PLAN**

#### **County Counsel Summary**

*This ordinance amends numerous zoning district regulation sections of Title 21 (non-coastal zoning) of the Monterey County Code to ensure consistency with the 2010 County of Monterey General Plan. This ordinance amends, updates, and corrects the process for establishing and designating zoning districts in the unincorporated inland area of Monterey County. This ordinance clarifies the process for review of development proposals in areas bordering incorporated cities. Finally, this ordinance updates all of the zoning district maps for the unincorporated inland area of Monterey County.*

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

#### **SECTION 1. Findings and Declarations.**

- A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey (“County”) 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. Section 65860(a) of Government Code requires that county zoning ordinances be consistent with the general plan of the county. Further, Section 65860(c) of Government Code requires that in the event the zoning ordinance becomes inconsistent with a general plan, “the zoning ordinance shall be amended within a reasonable time so that it is consistent with the general plan, as amended.”
- C. On October 26, 2010, pursuant to California Government Code section 65350 *et seq.*, the Board of Supervisors of the County of Monterey adopted a comprehensive update to the County General Plan, referred to as the 2010 County of Monterey General Plan (“General Plan”), for the unincorporated non-coastal area of the County (Board of Supervisors Resolution No. 10-291).
- D. The purpose of this ordinance is to implement the General Plan and provide consistency between the County’s non-coastal zoning ordinance and the General Plan. This ordinance ensures consistency between a parcel’s land use designation, as designated by the General Plan, and the parcel’s zoning district. This ordinance clarifies and modernizes the process for updates to the County’s zoning district maps, streamlining the process for such updates and ensuring it is reflective of changes in technology, such as the use of Geographic Information Systems (“GIS”). Finally, this ordinance clarifies the regulations governing the

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review of development proposals within an incorporated city's sphere of influence or in preparation for annexation into an incorporated city.

E. On October 26, 2010, the Board of Supervisors certified an Environmental Impact Report ("EIR") prepared for the General Plan (Resolution No. 10-290). The EIR evaluated environmental impacts associated with implementation of the General Plan, including changes in land use designations. This ordinance implements the General Plan by ensuring consistency between the General Plan's land use designations and the corresponding zoning districts. Pursuant to Section 15162 of the California Environmental Quality Act Guidelines, no subsequent environmental review is required for this ordinance because the effects of changing land use were analyzed in the General Plan EIR and no substantial changes in project description, substantial changes in circumstances, or new information of substantial importance leading to new significant effects or a substantial increase in the severity of previously identified effects has been identified.

**SECTION 2.** Section 21.08.010 of the Monterey County Code is amended to read as follows:

<b>Designation</b>	<b>District Name</b>
HDR	High Density Residential
MDR	Medium Density Residential
LDR	Low Density Residential
RDR	Rural Density Residential
MU	Mixed Use
LC	Light Commercial
HC	Heavy Commercial
VO	Visitor Serving/Office
AI	Agricultural Industrial
LI	Light Industrial
HI	Heavy Industrial
F	Farmlands
RG	Rural Grazing
PG	Permanent Grazing
RC	Resource Conservation
PQP	Public/Quasi-Public
O	Open Space
SP	Specific Plan
CP	Community Plan District

**SECTION 3.** Subsection (C) of Section 21.08.030 of the Monterey County Code is amended to read as follows:

C. Uncertainty of Boundaries. If uncertainty exists as to the boundaries of any zoning district shown on the Sectional District Maps, the following rules shall apply:



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1. Boundaries indicated as approximately following the center lines of alleys, lanes, streets, highways, streams, rivers, drainage channels, other watercourses, railroads, or other identifiable boundary lines shall be construed to follow such center lines.

2. Boundaries indicated as approximately following lot lines, city or county limits, or extraterritorial boundary lines shall be construed as following such lines, limits, or boundaries.

3. Where a public alley, lane, street, or highway is officially abandoned, the zoning regulations applicable to abutting property on each of the center line shall apply up to the center line of such vacated or abandoned alley, lane, street, or highway on each respective side thereof.

4. Should any uncertainty remain as to the location of a zoning district boundary or other feature shown on the Sectional District Maps, the location shall be determined by the Director of Housing and Community Development.

**SECTION 3.** Subsection (D) of Section 21.08.030 of the Monterey County Code is added to read as follows:

D. Absence of Zoning. In the event a parcel of land has no zoning district assigned to it, or the assigned zoning district is from a jurisdiction other than the County of Monterey, regulation of land uses on the parcel shall be governed by the relevant General Plan, Area Plan, or Community Plan land use designation and related policies. The Director of Housing and Community Development shall subsequently determine and assign the most appropriate zoning district to the relevant parcel.

**SECTION 4.** Section 21.08.060 of the Monterey County Code is amended to read as follows:

This Section shall consist of a series of Sectional District Maps which show the Zoning Plan, being parts of this Title under the provisions of Section 21.08.030, and are for example designated SECTIONS 1, 2, 3 ... OF THE ZONING PLAN OF THE COUNTY OF MONTEREY.

**SECTION 5.** Subsection (D) is added to Section 21.50.030 of the Monterey County Code to read as follows:

D. A development proposed within an “UR” District which requires an Administrative Permit, Use Permit, subdivision, change in land use, change in zoning district, or similar discretionary permit shall be reviewed for compliance with any applicable memorandum of understanding or memorandum of agreement between relevant jurisdictions.

**SECTION 6. ZONING DISTRICT MAP.** The following Section District Maps of Section 21.08.060 of the Monterey County Code are hereby amended to ensure consistency between the inland unincorporated areas governed by the 2010 County of Monterey General Plan

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and the various zoning districts, in order to maintain consistency with their respective land use designations.

1. Section 21-1
2. Section 21-2a
3. Section 21-2b
4. Section 21-2c
5. Section 21-2d
6. Section 21-3
7. Section 21-4b
8. Section 21-4c
9. Section 21-4d
10. Section 21-5
11. Section 21-6
12. Section 21-7
13. Section 21-8
14. Section 21-9
15. Section 21-10
16. Section 21-11
17. Section 21-12
18. Section 21-13
19. Section 21-14
20. Section 21-15
21. Section 21-16
22. Section 21-17a
23. Section 21-17b
24. Section 21-17c
25. Section 21-17d
26. Section 21-18
27. Section 21-18a
28. Section 21-18c
29. Section 21-19
30. Section 21-20
31. Section 21-21
32. Section 21-22
33. Section 21-23
34. Section 21-24
35. Section 21-24a
36. Section 21-25
37. Section 21-26
38. Section 21-27
39. Section 21-28
40. Section 21-30
41. Section 21-31
42. Section 21-31b
43. Section 21-32

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44. Section 21-33
45. Section 21-34
46. Section 21-35
47. Section 21-37
48. Section 21-38
49. Section 21-39
50. Section 21-40
51. Section 21-41
52. Section 21-42
53. Section 21-43
54. Section 21-44
55. Section 21-45
56. Section 21-48
57. Section 21-49
58. Section 21-50
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72. Section 21-65
73. Section 21-66
74. Section 21-67
75. Section 21-68
76. Section 21-69
77. Section 21-70
78. Section 21-71
79. Section 21-72
80. Section 21-73
81. Section 21-74
82. Section 21-76
83. Section 21-77
84. Section 21-78
85. Section 21-79
86. Section 21-80
87. Section 21-81
88. Section 21-82
89. Section 21-83

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90. Section 21-84
91. Section 21-85
92. Section 21-86
93. Section 21-87
94. Section 21-88
95. Section 21-89
96. Section 21-90
97. Section 21-91
98. Section 21-92
99. Section 21-93
100. Section 21-94
101. Section 21-95
102. Section 21-96
103. Section 21-97
104. Section 21-98
105. Section 21-99
106. Section 21-100
107. Section 21-101
108. Section 21-102
109. Section 21-103
110. Section 21-104
111. Section 21-105
112. Section 21-106
113. Section 21-107
114. Section 21-108

**SECTION 7. 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 8. EFFECTIVE DATE.** This ordinance shall become effective on the thirty-first day following its adoption.

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PASSED AND ADOPTED this 24<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Christopher M. Lopez, Chair  
Monterey County Board of Supervisors

A T T E S T :

VALERIE RALPH  
Clerk of the Board

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

Kelly L. Donlon  
Chief Assistant County Counsel

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