

ATTACHMENT C
Ordinance Amending MCC Section
21.08.060

South County Housing Corporation
(Camphora Apartments)
PLN100446



ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SECTION 21.08.060 OF TITLE 21 (MONTEREY COUNTY ZONING ORDINANCE) OF THE MONTEREY COUNTY CODE TO REZONE CERTAIN PROPERTY IN THE COUNTY OF MONTEREY

County Counsel Summary

This ordinance amends Section 21-26 of the Sectional District Maps of Section 21.08.060 of Title 21 (non-coastal zoning) of the Monterey County Code to rezone a 4.6 acre parcel to add an "Affordable Housing Overlay" zone. The ordinance rezones the parcel from "F/40" [Farmland, 40 acres per unit] zoning to "F/40"- "AHO" [Farmland, 40 acres per unit- Affordable Housing Overlay] zoning. The parcel (Assessor's Parcel Number: 257-031-005-000) is located at the near terminus of McCoy Road, south of the Soledad area correctional facilities, Central Salinas Valley Planning Area of the unincorporated area of the County of Monterey.

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

SECTION 1. ZONING DISTRICT MAP. Section 21-26 of the Sectional District Maps of Section 21.08.060 of the Monterey County Code is hereby amended to rezone a 4.6 acre parcel located at the near terminus of McCoy Road, south of the Soledad area correctional facilities (Assessor's Parcel Number: 257-031-005-000) from "F/40" to "F/40"- "AHO," as shown on the map attached hereto as Exhibit 1 and incorporated herein by reference.

SECTION 2. FINDINGS. The parcel currently contains legal non-conforming residential uses and structural development. Policy LU-2.11 (relating to Affordable / Workforce Housing Program) of the 2010 Monterey County General Plan provides that if a project proposal meets all of the affordability criteria, 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. The proposed Camphora Apartment Replacement Project will qualify as 100% affordable under County standards. The Affordable Housing Overlay will enable the proposed Camphora Apartment Replacement Project for farmworkers (agricultural employees) and their families to be consistent with the General Plan and zoning, and the use would be legal and conforming to the new F/40-AHO district.

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 has 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.

PASSED AND ADOPTED on this 31st day of July, 2012, by the following vote:

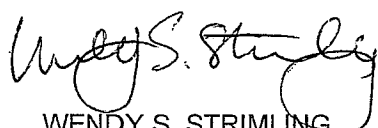
AYES: Supervisors
NOES:
ABSENT:
ABSTAIN:

Chair,
Monterey County Board of Supervisors

A T T E S T:

GAIL T. BORKOWSKI,
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM

WENDY S. STRIMLING
Senior Deputy County Counsel

