

Exhibit A

This page intentionally left blank.

EXHIBIT A
PRELIMINARY DRAFT DOCUMENT SUBJECT TO CHANGE
VERSION 03.15.2024
ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA,
ADDING CHAPTER 20.23 TO TITLE 20 (COASTAL ZONING) OF THE MONTEREY
COUNTY CODE**

County Counsel Summary

This ordinance adds Chapter 20.23 to Title 20 (coastal zoning) of the Monterey County Code to establish a Rural Community Center zoning district in the Big Sur Coastal Land Use Plan Area. The Rural Community Center establishes permissible uses, permit requirements, development standards, and land use regulations governing development within the Rural Community Center Districts in the unincorporated coastal area of Monterey County. This ordinance implements the Big Sur Coast Land Use Plan.

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 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 Big Sur Coast Land Use Plan Section 7.2.1.A requires that the County of Monterey adopt the Rural Community Center District, to be applied to all areas in the Big Sur Coastal Planning Area that have a land use designation of Rural Community Center. This new Coastal Zone Zoning District includes residential development, visitor-serving and recreation support uses, and quasi-public uses.

C. This ordinance adds a “Rural Community Center” District to Title 20 of the Monterey County Code to provide consistency between the County’s coastal zoning ordinance and the Big Sur Coast Land Use Plan.

SECTION 2. RESERVED.

SECTION 3. Chapter 20.23 is added to the Monterey County Code to read as follows:

CHAPTER 20.23

REGULATIONS FOR RURAL COMMUNITY CENTER OR “RCC” DISTRICTS

Sections:

20.23.010 Purpose.

20.23.020 Applicability.

20.23.030 General Development Plan.

EXHIBIT A
PRELIMINARY DRAFT DOCUMENT SUBJECT TO CHANGE
VERSION 03.15.2024

20.23.040 Nonexempt Development.

20.23.050 Principal uses allowed, Coastal Administrative Permit required in each case (Chapter 20.76) unless exempt (Section 20.70.120).

20.23.060 Conditional uses allowed, Coastal Development Permit required in each case (Chapter 21.70).

20.23.070 Site development standards.

20.23.080 Special Regulations.

20.23.010 Purpose.

The purpose of this Chapter is to provide a district to accommodate a mix of uses for both the visiting public and residents and to ensure that these uses have less than significant impacts on Highway 1. This zoning district is also intended to encourage and provide housing opportunities.

20.23.020 Applicability.

The regulations of this Chapter shall apply in all “RCC” Districts.

20.23.030 General Development Plan.

A. A General Development Plan shall be required prior to the establishment of any development in the Rural Community Center district if there is no prior approved General Development Plan and if:

1. The lot is in excess of one acre; or,
2. The development proposed includes more than one use; or,
3. The development includes any form of subdivision (Title 19, Subdivision Ordinance).

B. No new development, change or expansion of use, or physical improvements may be approved unless such development, use or expansion is found to be in conformance with an approved General Development Plan and amendments thereto where such plan is required.

C. General Development Plans and amendments thereto shall be approved by the Planning Commission.

D. The General Development Plan shall be prepared by the developer and submitted for review and approval prior to or concurrent with approval of any required permits for the development. The plans shall address the long range development and operation of the facilities including physical expansion and new development, operational changes, circulation or transportation improvements, alternative development opportunities, environmental considerations, potential mitigation of adverse environmental impacts and conformance to the policies of the Big Sur Coast Land Use Plan.

EXHIBIT A
PRELIMINARY DRAFT DOCUMENT SUBJECT TO CHANGE
VERSION 03.15.2024

E. The requirement of a General Development Plan or an amendment to a General Development Plan may be waived by the Director of Planning and Building Inspection when due to the circumstances of the particular situation there is no potential significant adverse impact from the development and requiring the General Development Plan will not further the purpose of this chapter.

20.23.040 Nonexempt Development.

The following list shall require a Coastal Development Permit regardless of which category of allowed uses it falls into:

- A. Development which will cause a Significant Environmental Impact;
- B. Development within the Critical Viewshed as defined by Section 20.145.020.V (Big Sur);
- C. Development on slopes of thirty (30) percent or greater except as provided for in Section 20.64.230(C)(2) and (3);
- D. Ridgeline Development;
- E. Development within one hundred (100) feet of mapped or field identified environmentally sensitive habitats;
- F. Development with positive archaeological reports;
- G. Land divisions;
- H. Development of new or expanded agricultural operations if fifty (50) percent or more of the parcel has a slope of ten (10) percent or greater; or where the operation is to occur on soils with a high or very high erosion hazard potential, according to the Soil Conservation Service Soil Survey Manual.

20.23.050 Principal uses allowed, Coastal Administrative Permit required in each case (Chapter 20.76) unless exempt (Section 20.70.120).

- A. Change of visitor serving or commercial uses within a structure provided the new use will not change the nature or intensity of the visitor serving or commercial use of the structure;
- B. Water system facilities including wells and storage tanks serving fourteen (14) or fewer service connections, pursuant to Title 15.04, Monterey County Code and replacement of water tanks and wells where no increase in service connections is created. The screening of any tanks and associated structures shall be approved by the Director of Planning and Building Inspection;

EXHIBIT A
PRELIMINARY DRAFT DOCUMENT SUBJECT TO CHANGE
VERSION 03.15.2024

- C. One caretaker unit for the purpose of providing on-site security;
- D. Reduction in setback requirements provided the proposed reduction is ten (10) percent or less of the required setbacks;
- E. Accessory structures and accessory uses appurtenant to any principal allowed use provided there is no intensification of the permitted use;
- F. Additions to existing, approved wireless communications facilities pursuant to Section 20.64.310;
- G. Art galleries;
- H. Convenience store;
- I. Gift and card stores;
- J. Hardware store, excluding outside storage of materials;
- K. Offices less than five thousand (5,000) square feet of floor area;
- L. Shops for tradesmen such as plumbers, electricians, furniture makers and repairmen, appliance repairmen, and similar uses provided that in all cases all equipment and materials, except vehicles, are maintained within a structure;
- M. Affordable housing, pursuant to Section XX.XX.XXX, up to five (5) or less units;
- N. Single Room Occupancy (SRO) Facilities, pursuant to Section 20.06.1115, up to twenty (20) or fewer beds;
- O. Roominghouse or boardinghouse that are not used for transient occupancy, pursuant to Section 20.06.990, up to twenty (20) or fewer beds;
- P. Stands for the sale of agricultural products grown on the premises or within the Big Sur Coastal Planning Area or artisanal products made within the Big Sur Coastal Planning Area having no permanent electricity, plumbing, or paving.

20.23.060 Conditional uses allowed, Coastal Development Permit required in each case (Chapter 20.70) unless exempt (Section 20.70.120).

- A. Hotels, motels, hostels, inns;
- B. Restaurants;
- C. Services stations;

EXHIBIT A
PRELIMINARY DRAFT DOCUMENT SUBJECT TO CHANGE
VERSION 03.15.2024

- D. Recreational vehicle parks;
- E. Employee housing;
- F. Day care centers;
- G. Assemblages of people, such as carnivals, festivals, races and circuses not exceeding ten (10) days and not involving construction of permanent facilities as determined by the Planning Commission to be consistent and compatible with the intent of this chapter and the Big Sur Coast Land Use Plan;
- H. Accessory structures and uses prior to establishment of main use or structure;
- I. Legal nonconforming use of a portion of a structure extended throughout the structure;
- J. Legal nonconforming use changed to a use of a similar or more restricted nature;
- K. Water system facilities including wells and storage tanks serving fifteen (15) or more service connections;
- L. Single family residential uses provided for in the Big Sur Coast Land Use Plan;
- M. Ridgeline development;
- N. Zoos or zoological gardens for the purpose of raising, maintaining, keeping or exhibiting any wild animal;
- O. Public/Quasi-Public uses limited to the following: churches, parks, playgrounds, schools, public safety facilities, libraries, medical clinics, public utilities, and public utility accessory structures;
- P. Any lots or establishments where alcoholic beverages are served, commercial places of amusement or recreation or any places where live entertainment is provided within two hundred (200) feet of the boundary of a residential district;
- Q. Conditional certificate of compliance;
- R. Food stores;
- S. Campgrounds and moderate intensity recreational use, including tent platforms, cabins, parks, stables, bicycle paths, restrooms, and interpretive facilities;
- T. Contractors yard;

EXHIBIT A
PRELIMINARY DRAFT DOCUMENT SUBJECT TO CHANGE
VERSION 03.15.2024

U. Other uses of a similar character, density and intensity as those listed in this section determined by the Planning Commission to be consistent and compatible with the intent of this chapter and the applicable Big Sur Coast Land Use Plan;

V. General retail;

W. Subdivisions;

X. Lot Line Adjustments;

Y. Wireless communications facilities; pursuant to Section 20.64.310;

Z. Cannabis retailer pursuant to Chapter 20.67;

AA. Affordable housing, pursuant to Section XX.XX.XXX, five (5) units or more;

BB. Single Room Occupancy (SRO) Facilities, pursuant to Section 20.06.1115, twenty (20) or more beds.

CC. Roominghouse or boardinghouse that are not used for transient occupancy, pursuant to Section 20.06.990, twenty (20) or more beds;

20.23.070 Site development standards.

A. Structure Height and Setback Regulations.

1. The maximum structure height is thirty-five (35) feet unless superseded by a structure height limit noted on the zoning map (e.g. "RCC/(24)") would limit structure height to twenty-four (24) feet).

2. Setbacks for development in the RCC district are established by the approval of a General Development Plan where such plan is required.

3. Setbacks for development where a General Development Plan is not required shall be established by the Appropriate Authority through the project review process based on:

a. Surrounding land use;

b. Provision of adequate parking and landscaping;

c. Other site design features.

4. All minimum setback requirements established by a combining "B" district, setbacks shown on a recorded final map or parcel map, or setback lines shown on a Sectional District map, shall apply.

EXHIBIT A
PRELIMINARY DRAFT DOCUMENT SUBJECT TO CHANGE
VERSION 03.15.2024

B. Building Site Coverage, Maximum: Fifty (50) percent, excluding parking and landscaping.

C. Parking Regulations: All parking shall be established pursuant to Chapter 20.58.

D. Landscaping Requirements. All developments allowed shall have landscaping covering a minimum of ten (10) percent of the site area subject to a plan approved by the Director of Planning and Building Inspection. The landscaping shall be in place prior to the commencement of use.

E. Lighting Plan Requirements. All exterior lighting shall be unobtrusive, harmonious with the local area and constructed or located so that only the area intended is illuminated and off-site glare is fully controlled. The location, type and wattage of the exterior lighting must be approved by the Director of Planning and Building Inspection prior to the issuance of building permits or the establishment of the use.

F. Sign Regulations. Signing for all development shall be established pursuant to Chapter 20.60.

G. Minimum Lot Size. The minimum size of a lot created through a subdivision shall be ten thousand (10,000) square feet in areas served by public sewer and one acre in areas served by septic systems.

20.23.080 Special Regulations.

A. Manufactured Dwelling Units. Manufactured dwelling units meeting the standards of Section 20.64.040 are permitted subject to the requirements of any conventional dwelling unit in this chapter.

B. Vehicle Trip Reduction. The following types of development are subject to Section 20.64.250 (Regulations for the Reduction of Vehicle Trips) of this Title:

1. Any new or expanded commercial or tourist oriented development which will employ 25 (25) or more persons; or

2. Any new or expanded commercial or tourist oriented development of five thousand (5,000) gross square feet or more; or

3. Any residential development of five (5) or more units, unless the majority of units are for employees who work on-site.

SECTION 4. 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,

EXHIBIT A
PRELIMINARY DRAFT DOCUMENT SUBJECT TO CHANGE
VERSION 03.15.2024

irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:
NOES:
ABSENT:

Chair, Glenn Church
Monterey County Board of Supervisors

ATTEST :

VALERIE RALPH
Clerk of the Board

By: _____
Deputy

APPROVED AS TO FORM:

Kelly L. Donlon
Assistant County Counsel