

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

In the matter of the application of:

**REF240016 – COASTAL ZONE UPDATED ACCESSORY DWELLING UNITS (ADU)
AND JUNIOR ACCESSORY DWELLING UNITS (JADU) REGULATIONS**

RESOLUTION NO. 24-036

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

1. Find the project statutorily exempt pursuant to CEQA Guidelines section 15265; and
2. Adopt a Resolution of Intent to:
 - a. Amend the Big Sur Coast Land Use Plan to add development standards for accessory dwelling units and junior accessory dwelling units, including a 1,000 square foot size limitation on accessory dwelling units and a prohibition on renting accessory dwelling units for less than 90 days;
 - b. Amend the Carmel Area Land Use Plan policies regarding accessory dwelling units and junior accessory dwelling units, including removing a 40-acre minimum lot size requirement as a development standard for accessory dwelling units;
 - c. Amend the North County Land Use Plan to add policies regarding accessory dwelling units and junior accessory dwelling units, including a 1,200 square foot size limitation on accessory dwelling units and incorporation of water conservations standards for accessory dwelling units and junior accessory dwelling units; and
 - d. Adopt an ordinance amending Monterey County Coastal Implementation Plan Part 1, the coastal Zoning Ordinance (Monterey County Code Title 20), to update regulations relating to accessory dwelling units and junior accessory dwelling units; and Part 6, Appendices, to add Appendix 15.

The proposed amendments to the Monterey County Code modifying regulations applicable to ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS in the unincorporated areas of Monterey County came before the Monterey County Planning Commission at a duly noticed public hearing on August 14, 2024, September 25, 2024, and November 13, 2024. 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:

RECITALS

1. Section 30500 of the Public Resources Code requires each County and City to prepare a Local Coastal Program for that portion of the coastal zone within its jurisdiction, and the County has a certified Local Coastal Program, which contains four Land Use Plans, the Monterey County Coastal Implementation Plan, and additional appendices.
2. Section 30514 of the Public Resources Code provides procedures for amendments to adopted Local Coastal Program.
3. 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 residents.
4. Accessory Dwelling Units (“ADUs”) and Junior Accessory Dwelling Units (“JADUs”) have the potential to increase the stock of affordable housing in Monterey County by creating a wider range of smaller and lower cost housing options within unincorporated communities.
5. Monterey County Coastal Implementation Plan Part 1 the Coastal Zoning Ordinance (Monterey County Code Title 20) and applicable Land Use Plans contain policies and regulations pertaining to ADUs and JADUs.
6. Monterey County Coastal Implementation Plan Part 6 contains additional appendices to the County’s Coastal Implementation Plan.
7. On September 15, 2020, the Board of Supervisors adopted Ordinance No. 5343 amending Title 20 County Code to conform to enacted state law requirements for ADUs and JADUs at the time. However, the Title 20 amendments did not receive certification from the California Coastal Commission.
8. Monterey County Code section 20.94.030.D.6 states an amendment to Title 20 of the Monterey County Local Coastal Program as certified by the Coastal Commission shall not become effective after Board of Supervisors adoption until the amendment is also certified by the Coastal Commission pursuant to Chapter 6, Article 2 of the Coastal Act.
9. Per amendments to Government Code sections 66310 through 66342 adopted by the state legislature, the County desires to amend its existing regulations pertaining to ADUs and enact regulations related to JADUs to conform to all state law requirements.

10. Per Government Code sections 65854 and 65855, amendments to Title 20 (coastal zoning) require the Planning Commission to conduct a noticed public hearing and make a written recommendation to the Board of Supervisors on the proposed amendments.
11. On August 14, 2024, the Monterey County Planning Commission conducted a duly noticed public hearing to continue the hearing regarding the proposed ADU and JADU regulation updates to a date certain of September 25, 2024. At least 10 days before the first public hearing date, notices of the hearing before the Planning Commission were published in the Monterey County Weekly.
12. On September 25, 2024, the Monterey County Planning Commission conducted a duly noticed public hearing to consider and make recommendation to the Board of Supervisors regarding the proposed ADU and JADU regulation updates. At least 10 days before the first public hearing date, notices of the hearing before the Planning Commission were published in the Monterey County Weekly.
13. This amendment is statutorily exempt from the California Environmental Quality Act (“CEQA”), which provides that CEQA does not apply to activities and approvals involving the preparation and adoption of local coastal program amendments (CEQA Guidelines section 15265).
14. The County intends to carry out the amendments in a manner fully in conformity with the Coastal Act (Public Resources Code section 30000 et seq.).
15. The amendments to the Monterey County Local Coastal Program to align with all state law requirements for ADUs and JADUs are attached to this Resolution and are incorporated herein by reference.

DECISION

NOW, THEREFORE, BE IT RESOLVED It is recommended that the Planning Commission adopt a resolution recommending that the Board of Supervisors:

1. Find the project statutorily exempt pursuant to CEQA Guidelines section 15265; and
2. Adopt a Resolution of Intent to:
 - a. Amend the Big Sur Coast Land Use Plan to add development standards for accessory dwelling units and junior accessory dwelling units, including a 1,000 square foot size limitation on accessory dwelling units and a prohibition on renting accessory dwelling units for less than 90 days;
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PASSED AND ADOPTED this 13th day of November 2024, upon motion of Commissioner Work, seconded by Commissioner Getzelman, by the following vote:

AYES: Getzelman, Work, Mendoza, Monsalve, Gonzales, Gomez, Diehl, Roberts, Daniels

NOES: None

ABSENT: Shaw

ABSTAIN: None

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By 
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Melanie Beretti, AICP
Planning Commission Secretary