

Attachment A

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DRAFT RESOLUTION

Before the Monterey County Airport Land Use Commission, State of California

Resolution No. 26-

Finding the proposed four-story mixed-use building within 49 residential units and a total building area of 71,726 square feet consistent with the 2019 Airport Land Use Compatibility Plan (ALUCP) for the Monterey Regional Airport. ALUC File No. REF260008; 2200 and 2210 North Fremont Street, City of Monterey (Assessor's Parcel Numbers 013-171-004-000 and 013-171-014-000

WHEREAS, on February 6, 2026, the City of Monterey staff submitted an ALUC application and supporting information to the Monterey County Airport Land Use Commission (ALUC) staff for ALUC consideration of a proposed development of a 0.922-acre (40,175 square feet) site located at 2200 and 2210 North Fremont Street, southeast of the intersection of Airport Road and North Fremont Street, in the City of Monterey (ALUC File No. REF260008); and

WHEREAS, the ALUC is responsible for the review of local land use regulations affecting land uses within the Airport Influence Area for Monterey Regional Airport, as identified in the Monterey Regional Airport Land Use Compatibility Plan (ALUCP), incorporated herein by reference, for consistency with the ALUCP; and

WHEREAS, the proposed project consists of merging two lots at 2200 and 2210 North Fremont Street and then building a four-story mixed-use building with 49 residential apartment units and associated site improvements. The total building area would be 71,726 square feet. There would be 7 apartment units on the first floor, 15 on the second floor, 15 on the third floor, and 12 on the fourth floor. There would be one 700-square-foot commercial lease space on the first floor. The property is currently occupied by a small retail outlet, which will be demolished to accommodate the redevelopment of the site; and

WHEREAS, pursuant to ALUCP Exhibit 4B, Noise Compatibility Criteria and Long Range Noise Exposure Contours, the subject property is located outside of the 65-, 70-, or 75- Community Noise Equivalent Levels (CNELs), and therefore, the proposed development is a compatible use; and

WHEREAS, the project site is located inside the 14 Code of Federal Regulations (CFR) Part 77 transitional surfaces for Monterey Regional Airport, and the transitional surface elevation at the project site is approximately 300.6 feet above mean sea level. The subject parcel has existing site elevations that range between 70 and 80 feet AMSL. Currently, there is existing development on the site. However, the existing development does not penetrate the Part 77 airspace surfaces, and the existing development would be

demolished to accommodate the new proposed development. The building's maximum height will be 47 feet above site grade. When combined with existing site elevations, this results in a total roof peak height of approximately 127 feet ASML, well below the required horizontal surface elevation. Therefore, the completed structure would not penetrate 14 CFR Part 77 surfaces and would not pose hazards to flight. However, the proposed use of a crane during construction would potentially result in temporary penetration of the transitional surfaces. Therefore, the ALUC recommends a standard condition requiring the construction contractor to follow Federal Aviation Administration requirements regarding objects affecting navigable airspace (see the attached ALUC Condition ALUC-5); and

WHEREAS, pursuant to ALUCP Policy 4.2.3.4, the proposed project does not promote hazards to air navigation, such as electrical interference, high-intensity lighting, bird attraction, or glare. However, due to the proximity of the project site to Airport Property, exterior lighting proposed within the project area could create a safety concern for pilots. Therefore, the ALUC recommends a condition to require airport manager review and approval of an exterior lighting plan to ensure the exterior lighting used is unobtrusive to airport operations (see the attached ALUC Condition ALUC-6); and

WHEREAS, per ALUCP Exhibit 4C, Monterey Regional Airport Safety Zones, the project site is located within Safety Zone 7 (Airport Influence Area or AIA). The proposed 49 dwelling units are compatible in Safety Zone 7 as there is no limitation on residential dwelling unit density. Furthermore, the occupancy of the proposed commercial spaces would not exceed the non-residential intensity maximum of 300 persons per acre. Additionally, per ALUCP Exhibit 4C, the project site is located in a designated urban area within the City of Monterey; therefore, the density and intensity limits would not apply. In accordance with Table 4B, Condition No. ALUC-2 requires the recordation of the airport disclosure notice. In accordance with Table 4B, Condition No. ALUC-2 requires the recordation of the airport disclosure notice; and

WHEREAS, On April 8, 2026, ALUC staff forwarded project information to Monterey Airport District (District) staff for review. District had no major issues but requested three standard conditions: (1) file FAA Form 7460-1 if a crane or similar equipment is used and have any new outdoor lighting approved by the Airport Executive Director; (2) record an aviation easement; and (3) install down-lit, unobtrusive exterior lighting, subject to MRY airport manager approval; and

WHEREAS, on April 27, 2026, the ALUC conducted a duly noticed public meeting to consider the proposed project located at 2200 and 2210 North Fremont Street, Monterey (APN 013-171-014 & 013-171-004); and

NOW, THEREFORE, BE IT RESOLVED, the Monterey County Airport Land Use Commission does hereby find that the application (ALUC File No. REF260008) for the proposed mixed-use development is consistent with the 2019 ALUCP for Monterey Regional Airport, subject to the conditions of approval incorporated here by reference.

PASSED AND ADOPTED on this 27th day of April 2026, upon motion of Commissioner _____ and seconded by Commissioner _____, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST

Craig Spencer, Secretary to the ALUC

By: _____
Fionna Jensen, Designee of Secretary to the ALUC
April 27, 2026

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