

Exhibit C  
Draft Ordinance for approval of the  
Zoning Amendment

The Redevelopment Agency of  
Monterey County  
The Monterey-Salinas Bus  
Maintenance and  
Administrative Facility and  
Whispering Oaks Business Park  
PLN090071

Appeal PLN110231  
Board of Supervisors  
June 14, 2011

## EXHIBIT C

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

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AMENDING SECTION 21.08.060 OF TITLE 21 OF THE MONTEREY COUNTY CODE TO AMEND THE ZONING CLASSIFICATION OF CERTAIN PROPERTY IN THE COUNTY OF MONTEREY.**

### County Counsel Summary

*This ordinance amends Section 21-11 of the Sectional District Maps of Section 21.08.060 of Title 21 (non-coastal zoning) of the Monterey County Code to change the zoning classification on approximately 58 acres from "PQP-D-S" (Public/Quasi-Public with Design Control and Site Plan Review Overlays) to "HC-D-S" (Heavy Commercial with Design Control and Site Plan Review Overlays) and to change the zoning classification on the remaining approximately 58 acres from "PQP-D-S" (Public/Quasi-Public with Design Control and Site Plan Review Overlays) to the "O-S-D" (Open Space with Design Control and Site Plan Review Overlays) zoning classification. The rezoning will go into effect only if and when the first final map for the Monterey Salinas Transit/ Whispering Oaks Business Park subdivision is recorded. (10601 Inter-Garrison Road; Assessor's Parcel Numbers 031-101-041-000 and 031-101-056-000).*

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

**SECTION 1.** Section 21-11 of the Sectional District Maps of section 21.08.060 the Monterey County Code is hereby amended to change the zoning from "PQP-D-S" (Public/Quasi-Public with Design Control and Site Plan Review Overlays) to "HC-D-S" (Heavy Commercial with Design Control and Site Plan Review Overlays) on approximately 58 acres (10601 Inter-Garrison Road; Assessor's Parcel Numbers 031-101-041-000 and 031-101-056-000), as shown on the map attached hereto as Exhibit A and incorporated herein by reference, to go into effect only as specified in Section 4 herein.

**SECTION 2.** Section 21-11 of the Sectional District Maps of section 21.08.060 of the Monterey County Code is hereby amended to change the zoning from "PQP-D-S" (Public/Quasi-Public with Design Control and Site Plan Review Overlays) to "O-S-D" (Open Space with Design Control and Site Plan Review Overlays) on an additional approximately 58 acres (10601 Inter-Garrison Road; Assessor's Parcel Numbers 031-101-041-000 and 031-101-056-000), as shown on the map attached hereto as Exhibit A and incorporated herein by reference, to go into effect only as specified in Section 4 herein.

**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

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 4. EFFECTIVE AND OPERATIVE DATES.** This Ordinance shall become effective upon the thirty-first day following its adoption, but this Ordinance shall become operative only if and when the first final map for the Monterey Salinas Transit/Whispering Oaks Business Park subdivision (Redevelopment Agency of the County of Monterey/PLN110231) is recorded. The Board of Supervisors is considering an application for a Vesting Tentative Map for the Monterey Salinas Transit/Whispering Oaks Business Park (Redevelopment Agency of the County of Monterey/PLN110231). The Vesting Tentative Map would result in the creation of sixteen parcels totaling approximately 58 acres which, with the operation of this ordinance, would be reclassified "HC-D-S" (Heavy Commercial with Design Control and Site Plan Review Overlays), with remaining parcels totaling approximately 58 acres to be reclassified "O-S-D" (Open Space with Design Control and Site Plan Review Overlays). The rezoning accomplished by this ordinance is necessary only if the Vesting Tentative Map is approved and the final map is approved and recorded. The applicant is proposing to record the final map in phases. Accordingly, the rezoning will go into effect only if and when the first final map for the Monterey Salinas Transit/Whispering Oaks Business Park subdivision is recorded.

**PASSED AND ADOPTED** this 14<sup>th</sup> day of June, 2011 by the following vote:

AYES: Supervisors

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Jane Parker, Chair  
Monterey County Board of Supervisors

**A T T E S T:**

GAIL T. BORKOWSKI  
Clerk of the Board

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

APPROVED AS TO FORM:

*Leroy W. Blankenship*  
LEROY W. BLANKENSHIP  
Assistant County Counsel