

**RESOLUTION OF INTENTION TO AMEND THE  
LOCAL COASTAL PROGRAM  
(HOUSING ELEMENT IMPLEMENTATION – REF100044)**

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No. 11-242**

Resolution of Intent of the Monterey County Board of Supervisors )  
to amend: )

1. The Big Sur, Carmel Area, and Del Monte Forest Land Use )  
Plans to remove Caretaker Unit Policies and in their place )  
allow Accessory Dwelling Units; )
2. Monterey County Coastal Implementation Plan, Part 1 (Title )  
20, Zoning Ordinance); Part 3 (Big Sur Coast Implementation )  
Plan); Part 4 (Carmel Area Implementation Plan); and 5) Part )  
5 (Del Monte Forest Implementation Plan Area) in order to )  
implement the 2009-2014 Housing Element and to comply )  
with Federal and State law. The amendment topics are as )  
follows: 1) Definition of "Family"; 2) Residential Care )  
Facility; 3) Transitional Housing or Transitional )  
Housing Development; 4) Supportive Housing; 5) Agricultural )  
Employee Housing; 6) Employee Housing; 7) Single Room )  
Occupancy Facility; 8) Homeless Shelter; 9) Accessory )  
Dwelling Unit; 10) Reasonable Accommodation; and 11) )  
Density Bonus and Incentives. )

(REF100044/Housing Coastal Ordinance)

The amendments to the Monterey County Local Coastal Program for implementation of the 2009-2014 Housing Element came on for public hearing before the Monterey County Board of Supervisors on June 21, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

**RECITALS**

1. On June 15, 2010 the Monterey County Board of Supervisors adopted the 2009-2014 Housing Element of the Monterey County General Plan that contained policy direction to update land use regulations to remove constraints to housing and update County regulations consistent with current State and Federal Laws.
2. Monterey County has a certified and adopted Local Coastal Program pursuant to the California Coastal Act of 1976 that contains land use and development regulations for the coastal areas of the County.
3. Amendments to the Monterey County Local Coastal Program are required to implement the 2009-2014 Housing Element and to maintain consistency with applicable State and Federal laws.
4. All policies of the Local Coastal Program have been reviewed by the Planning Department staff to ensure that the proposed amendments conform to the California Coastal Act and the

applicable State and Federal Laws, and the proposed amendments are intended to be carried out in a manner fully in conformity with the Coastal Act.

5. The regulations of the Land Use Plan include language relating to Caretaker's units, which need to be modified to implement the 2009-2014 Housing Element. The references to Caretaker's Unit will be removed and replaced with Accessory Dwelling Units and the regulations governing Accessory Dwelling Units will be consolidated in Part 1 of Title 20.

6. An Initial Study and Negative Declaration prepared for the zoning amendments and Housing Element implementation analyzed environmental impacts associated with the subject changes to the Local Coastal Program. The Negative Declaration was circulated for public review from February 18, 2011 to March 19, 2011. A comment letter was received from the State of California Department of Transportation, which did not express any concerns or objections.

7. On March 9, 2011, the amendments were reviewed by the Housing Advisory Committee who recommended approval of the amendments by a vote of 6-0.

8. On May 11, 2011, the Monterey County Planning Commission received a presentation and conducted a public workshop on the Preliminary Local Coastal Program Amendments and recommended changes and clarifications.

9. On May 24, 2011, the Board of Supervisors considered and adopted the Negative Declaration prepared for the Amendments to Title 21 and the Local Coastal Program finding that there was not the potential for these amendments to have a significant adverse impact on the environment.

10. On May 25, 2011, the Monterey County Planning Commission held a duly noticed public hearing and adopted a resolution (Resolution No. 11-020) by a vote of 10-0, recommending that the Board of Supervisors approve the proposed amendments to the Local Coastal Program.

11. On June 28, 2011, the Monterey County Board of Supervisors held a duly noticed public hearing to consider the previously adopted Negative Declaration and the proposed amendments to the Local Coastal Program. At least 10 days before the hearing date, notices of the hearing before the Board of Supervisors were published in the Salinas Californian and Monterey County Herald.

12. The proposed amendments will be forwarded to the California Coastal Commission for certification together with materials sufficient for a thorough and complete review. This will be the Second Local Coastal Program Amendment presented to the Coastal Commission in 2011.

### DECISION

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby take the following actions:

- a. Adopts a Resolution of Intent to:
  1. Adopt a resolution to amend the Big Sur Land Use Plan, Carmel Area Land Use Plan, and Del Monte Forest Land Use Plan to remove Caretaker Unit Policies and in their place allow Accessory Dwelling Unit; which amendments are attached hereto as **Attachment 1**
  2. Adopt an ordinance attached hereto as **Attachment 2** amending the Monterey County Coastal Implementation Plan, (Title 20 of the Monterey County Code), including: Part 1

(Zoning Ordinance); Part 3 (Big Sur Coast Implementation Plan); Part 4 (Carmel Area Implementation Plan); and 5) Part 5 (Del Monte Forest Implementation Plan) in order to implement the 2009-2014 Housing Element to revise and update definitions of terms and provide regulations and development standards for 1) Residential Care Facilities; 2) Transitional Housing or Transitional Housing Development; 3) Supportive Housing; 4) Agricultural Employee Housing; 5) Employee Housing; 6) Single Room Occupancy Facilities; 7) Homeless Shelters; 8) Accessory Dwelling Units; 9) Reasonable Accommodation; and 10) Density Bonus and Incentives.

- b. Certify that the amendments are intended to be carried out in a manner fully in conformity with the California Coastal Act.
- c. Directs staff to transmit the proposed amendments to the California Coastal Commission for certification, together with materials sufficient for a thorough and complete review.

PASSED AND ADOPTED on this 28th day of June, 2011, upon motion of Supervisor Salinas, seconded by Supervisor Calcagno by the following vote, to wit:

AYES: Supervisors Calcagno, Salinas, and Parker

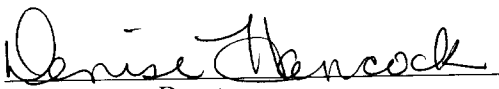
NOES: None

ABSENT: Supervisors Armenta and Potter

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 75 for the meeting on June 28, 2011.

Dated: July 6, 2011

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By   
Deputy