Exhibit C

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DRAFT RESOLUTION

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

Resolution No. 26-XXX
Finding that the proposed amendments to implement the County of Monterey's Housing Element update, specifically rezoning of Opportunity Sites 31 and 53, adoption of a By-Right Housing Ordinance, adoption of Objective Design Standards, and associated amendments to the Monterey County Code, 2010 General Plan, and Local Coastal Program are consistent with the 2019 Airport Land Use Compatibility Plan (ALUCP) for the Marina Municipal Airport

REF260023, County of Monterey, (Multiple Assessor's Parcel Numbers)

WHEREAS, on July 27, 2026, the County of Monterey submitted an application (ALUC File No. REF260023) to ALUC staff requesting a consistency review amendments to implement the County of Monterey's Housing Element update (HEU6), specifically rezoning of Opportunity Sites 31 and 53, adoption of a By-Right Housing Ordinance, adoption of Objective Design Standards, and associated amendments to the Monterey County Code, 2010 General Plan, and Local Coastal Program; and

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

WHEREAS, on January 13, 2025 (ALUC File No. REF240038) the Commission adopted ALUC Resolution No. 25-001 subject to various conditions of approval, which allowed for the inclusion of Opportunity Site 31, amendments or establishment of the Airport Approach Zoning (AAZ) regulations for the Airport Influence Area consistent with the 2019 ALUCP and a rezoning of all affected parcels to apply an AAZ overlay district; and

WHEREAS, on December 15, 2025 (ALUC File No. REF250041) the Commission adopted ALUC Resolution No. 25-007 to include an additional Opportunity Site 53 in draft HEU6 at the request City of Marina; and

WHEREAS, on May 12, 2026, the California Department of Housing and Community Development (CA HCD) found the HEU6 in statutory compliance with state housing law. However, the HEU6 cannot be found in substantial compliance until the

County has adopted the HEU6, completes its required rezones and are adopted, submitted to, and approved by CA HCD; and

WHEREAS, the County Staff have prepared various amendments to the County's municipal code, 2010 General Plan, and Land Use Plans to implement the HEU6 and to obtain certification from CA HCD; and

WHEREAS, the draft By-Right Housing Ordinance (proposed Chapter 21.55), the Zoning Clearance (proposed Chapter 21.71) and the Model Objective Design Standards establish a ministerial approval pathway that conditions project approval on compliance with all objective standards, including the objective airspace, noise, and safety requirements set forth in the adopted ALUCP;

WHEREAS, such ministerial approval does not bypass ALUCP consistency, which allow qualifying housing developments to be processed as a "use by right" under Government Code Section 65583.2(i) and previously found consistent by the commission; and

WHEREAS, the Model Objective Design Standards establish objective design criteria that defer to the height and development standards of the underlying base zoning district and do not authorize heights, densities, or uses beyond those established by the applicable zoning designation, consistent with the ALUCP; and

WHEREAS, the associated amendments to the Monterey County Code, the 2010 General Plan, and the Local Coastal Program are focused on implementation of the HEU6 and do not introduce uses incompatible with the ALUCP; and

WHEREAS, specifically, the draft Housing Element includes adding a policy to the 2010 General Plan (Land Use Element) memorializing the Condition ALUC-10 of Resolution No. 25-001 and 25-002, and requiring that the County ensure consistent application of the 2019 Monterey Land Use Compatibility Plan (ALUCP) and establish regulations for the Airport Influence Area. Development proposals that have the potential to conflict with ALUCP noise, airspace, safety, and/or land use compatibility requirements shall be referred to the Airport Land Use Commission (ALUC) for an advisory review. The County shall refer amendments to the General Plan and zoning changes to ALUC for consideration. This policy is proposed to satisfy Condition No. ALUC-10 of the above mentioned resolution, but also to meet the intent of Government Code Section 65302.3; and

WHEREAS, Opportunity Site 31 is located 1.1 miles south of Marina Municipal Runway 29 with the unincorporated area of Monterey County and has a General Plan designation of School/University and zoning district of Public/Quasi-Public with Design and Site Plan Review overlay (PQP-D-S). Through the implementation of the draft Housing Element, Opportunity Site 31 will be rezoned to High Density Residential, 30 units per acre; and

WHEREAS, pursuant to ALUCP Exhibit 4B, Noise Compatibility Criteria and Long Range Noise Exposure Contours, the entirety of Opportunity Site 31 is located outside of the 65-75 Community Noise Equivalent Levels (CNELs), and therefore, the

proposed development is a compatible use; and

WHEREAS, the ALUCP's airspace protection policies (4.2.3) aim to prevent development of land use conditions that would pose hazards to flight operations, including airspace obstructions, wildlife hazards, and visual or electronic interference. The proposed Housing Element amendments will not introduce or encourage development that will penetrate Federal Aviation Regulation Part 77 airspace surfaces because development on Opportunity Site 31. Opportunity Site 31 has existing terrain is well below the Part 77 Horizontal surfaces and development of this site will be restricted to a maximum allowed height of 35 feet; and

WHEREAS, Opportunity Site 31 is located within Safety Zone 7, which does not establish residential density restrictions. Opportunity Site 31 will be rezoned to High-Density Residential, 30 units per acre. This zoning will not introduce a substantial number of vulnerable occupants into an area subject to higher aircraft-related risk, and is therefore a compatible use under ALUCP Table 4B; and

WHEREAS, Opportunity Site 53, located at the intersection of Imjin Road, 6th Ave, and 8th Street within the City of Marina, has a General Plan designation of Commercial Multiple Use and a zoning district of Commercial/Multiple-family residential (C-R (City of Marina)). Through the implementation of the proposed draft Housing Element, Opportunity Site 53 will be rezoned to HDR/30 (City of Marina equivalent is R-4) 30 units per acre; and

WHEREAS, pursuant to ALUCP Exhibit 4B, Noise Compatibility Criteria and Long Range Noise Exposure Contours, the entirety of Opportunity Site 53 is located outside of the 65-75 Community Noise Equivalent Levels (CNELs), and therefore, the proposed development is a compatible use; and

WHEREAS, Opportunity Site 53's existing terrain elevation (170 feet to 220 feet) is entirely below Title 14 Code of Federal Regulations (CFR) Part 77's horizontal surface elevation (300 feet above mean sea level [AMSL]). The proposed Housing Element amendments will not introduce or encourage development that will penetrate Federal Aviation Regulation Part 77 airspace surfaces because development on Opportunity Site 53 will be restricted to a maximum allowed height of 42 feet established in the City of Marina's R-4 or Multiple-Family Residential District, and the existing terrain is well below the Part 77 Horizontal and Approval surfaces; and

WHEREAS, Opportunity Site 53 is located within Safety Zone 7 (Airport Influence Area) as shown in ALUCP Exhibit 4C of the Marina Municipal Airport Safety Zones, which allows for residential development at unrestricted densities, a maximum intensity of 300 persons per acre for non-residential land uses, and all development types, except hazards to flight, outdoor stadiums, and similar very high intensity uses; and

WHEREAS, the proposed rezoning of Opportunity Site 53 is an allowed use within Safety Zone 7, will not introduce a substantial number of vulnerable occupants into an area subject to higher aircraft-related risk, and is therefore a compatible use under ALUCP Table 4B;

WHEREAS, on July 29, 2026, ALUC staff forwarded project information to Marina Airport District (District) staff for review. No comments were received; and

WHEREAS, the ALUC has reviewed the proposed amendment for noise compatibility, airspace protection, safety compatibility, and determined compatibility with ALUCP; and

WHEREAS, a complete copy of the proposed amendment is on file with the ALUC staff, and a link to the full Draft Housing Element is included in the ALUC August 24, 2026 staff report; and

WHEREAS, on August 24, 2026, the ALUC conducted a duly noticed public meeting to consider the proposed project; and

NOW, THEREFORE, BE IT RESOLVED, the Monterey County Airport Land Use Commission does hereby find that the proposed project (ALUC File No. REF260023) is consistent with the 2019 Airport Land Use Compatibility Plan for the Marina Municipal Airport. This resolution does not supersede the findings, evidence, or conditions of approval adopted with ALUC Resolution Nos. 25-001 and 25-007.

PASSED AND ADOPTED on this 24th day of August 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
August 24, 2026