

# Attachment A

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## **DRAFT RESOLUTION**

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

#### **Resolution No. 25-**

Finding that the proposed amendments to the County of Monterey's Housing Element update, specifically Opportunity Site 52 and Program H-2.D, are consistent with the 2019 Airport Land Use Compatibility Plan (ALUCP) for Monterey Regional Airport. REF250041, County of Monterey, (multiple Assessor's Parcel Numbers).

**WHEREAS**, on November 24, 2025, the County of Monterey submitted an application (ALUC File No. REF250041) requesting a consistency determination for its updated Draft 6th Cycle Housing Element; 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 County of Monterey previously submitted a Draft Housing Element (ALUC File No. REF240038), which the Commission found consistent with the 2019 ALUCP, subject to various conditions of approval on January 13, 2025 (Resolution Nos. 25-001 and 25-002); and

**WHEREAS**, after the January 13, 2025, ALUC hearing, the County revised the draft Housing Element to include additional housing opportunity sites requested by the Board of Supervisors and the City of Marina. These additional opportunity sites require ALUC review. An additional draft Housing Element Program (H-2.D) has been proposed and requires ALUC review. This resolution, adopted December 15, 2025, does not supersede the decision or conditions of approval adopted with ALUC Resolution Nos. 25-001 and 25-002; and

**WHEREAS**, the modified Housing Element includes revisions to the Sites Inventory, which adds Opportunity Site 52 within the Monterey Regional Airport Influence Area, and an additional program that aims to further streamline future development; and

**WHEREAS**, Proposed Program H-2.D does affect land use site development standards (such as density, height, site coverage, setbacks, etc.) or airport-related hazards, but instead aims to further streamline certain development of Housing Opportunity Sites to be "by-right" or ministerial approval. Although the development would be by-right or ministerial, it would still be subject to compliance with applicable ALUCP standards, including avoiding the introduction of hazards to flight; and

**WHEREAS**, Opportunity Site 52, located at the intersection of Olmstead Road and Highway 68 and known as “Tarpy Flats”, has a General Plan designation of Resource Conservation with Affordable Housing Overlay as designated by the 2010 County of Monterey General Plan and zoning district of Rural Density Residential with Urban Reserve and Viewshed sensitivity overlay (RDR/10-UR-VS). With implementation of the proposed draft Housing Element, Opportunity Site 52 would be rezoned to High Density Residential, 20 units per acre (HDR/20); and

**WHEREAS**, pursuant to ALUCP Exhibit 4B, Noise Compatibility Criteria and Long Range Noise Exposure Contours, the entirety of Opportunity Site 52 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; and

**WHEREAS**, Opportunity Site 52’s existing terrain elevation (190 feet to 350 feet) is entirely below Title 14 Code of Federal Regulations (CFR) Part 77’s horizontal surface elevation (406 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 52 will be restricted to a maximum allowed height of 35 feet established in the County of Monterey’s High Density Residential zoning district, and the existing terrain is well below the Part 77 Horizontal and Approval surfaces; and

**WHEREAS**, Opportunity Site 52 is located within Safety Zone 7 (Airport Influence Area) as shown in ALUCP Exhibit 4C of the Monterey Regional 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 amendment is an allowed use within Safety Zones 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; and

**WHEREAS**, no development is proposed as part of this Housing element update. All future projects shall record the standard Airport Disclosure Notice and ensure that all exterior lighting is downlit and that the development does not pose a hazard to flight; and

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

**WHEREAS**, on December 1, 2025, ALUC staff forwarded project information to Monterey Airport District (District) staff for review. District staff had no issues with Site 52 (located with MRY AIA) and requested that future development on this site be required to record an aviation easement and obtain airspace analysis from the FAA, if a crane is needed during construction; and

**WHEREAS**, on December 15, 2025, the ALUC conducted a duly noticed public meeting to consider the proposed Housing Element Update, specifically the addition of Site 52 and Program H-2.D; and

**NOW, THEREFORE, BE IT RESOLVED**, the Monterey County Airport Land Use Commission does hereby find that the proposed amendments to the County of Monterey's Housing Element, specifically the addition of Site 52 and Policy H-2.D, are consistent with the 2019 ALUCP for Monterey Regional Airport.

**PASSED AND ADOPTED** on this 15<sup>th</sup> day of December 2025, 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  
December 15, 2025

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