

# Exhibit A

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## Exhibit A

### DETAILED DISCUSSION

The County of Monterey (County) adopted the 2010 General Plan (2010 GP) on October 26, 2010. Staff originally began working on updating the zoning maps and zoning classifications as a part of the 2010 GP implementation in 2014. Staff conducted the first public workshop at the Planning Commission (Commission) on December 10, 2014 (staff report and exhibits: <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:87338aa2-7924-48be-8786-af0d105f0b6b>). Staff returned to the Commission on October 15, 2015, with proposed new Chapters to Title 21 and updates to the zoning maps (staff report and exhibits: <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:55a6b955-9d98-4f26-974b-1c6f002489e5>). The Commission hearing on October 15, 2015, was continued to November 12, 2015, with updates to the proposed new Chapters to Title 21 inclusive of Commissioner and public input (staff report and exhibits: <https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:8f2fea87-9714-49d1-9d66-843736cc0356>). Due to staff turnover and the urgency of other projects, the original project was never completed. One portion of the original project that was implemented was the Mixed Use Zoning District, which was adopted by the Board of Supervisors on July 7, 2020, by Ordinance 5334. Ordinance 5334 added the Mixed Use Zoning District to Title 21 as Chapter 21.17.

The underlying project of updating the zoning maps to implement the 2010 GP land use designations was never completed. This resulted in the current zoning maps not reflecting the adopted land use designations from the 2010 GP for the inland areas of unincorporated Monterey County. The original project had a broad scope; the current project, which staff has begun preliminary work on to implement this year, includes updating the zoning maps, amending three existing Chapters of Title 21, and adding a new Chapter to Title 21.

#### *Distinction between land use and zoning*

The difference between land use designation and zoning is summarized here briefly. The land use designation outlines and details the proposed general distribution and location of various types of uses within a specific area. For example, land use designation addresses questions such as where residential development and industrial development should occur within a jurisdiction. The land use designation is generally outlined in a General Plan's Land Use Element and is intended to reflect the community's desired future development patterns for an area.<sup>1</sup> Land use designates the general locations and intensity of development and is intended to serve as the community's vision of development. There is no requirement that there is a one-to-one relationship between the land use designation and zoning, even though in Monterey County, there often is a one-to-one relationship.<sup>2</sup> Zoning is intended to implement the land use designation and sets design and development requirements, such as parking requirements, lot coverage, structure height, and setbacks. Zoning laws are adopted pursuant to Article XI, section 7 of the California Constitution. Zoning defines the specific allowable uses of a parcel and the requirements and limitations to development on a specific parcel. Zoning regulations also create the approval process, determine the appropriate hearing authority, and establish standards for project review, such as what uses are allowed and conditionally allowed.

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<sup>1</sup> The State of California requires that the land use element "designate the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space...". California Government Code section 65302.a.

<sup>2</sup> State of California. Governor's Office of Planning and Research. (2023). Chapter 4 Required Elements.

## **Exhibit A**

### *Project Scope*

The current project scope will consist of updates to the zoning maps to reflect the adopted 2010 GP land use designations and any necessary edits to Title 21 that may be required. Implementing the Agricultural and Winery Corridor Plan (AWCP) will also be a part of the current project scope, resulting in a new Chapter being added to Title 21.

In addition to updating the zoning maps to be reflective of the 2010 GP land use designations, staff recommends that all future zoning map updates only occur as a Geographic Information System (GIS) based process, where the maps are stored electronically and are no longer based on physical Sectional District Maps. The old Sectional District Map process is out of date with today's technology and was based on a time when staff would use physical zoning maps. Most other jurisdictions utilize a GIS system for their zoning maps. This update will necessitate updating Chapter 21.08 to codify the transition from Sectional District Maps to GIS shapefiles. Staff will work with County Counsel and the County of Monterey's Information Technology Department (ITD) to ensure that Chapter 21.08 is updated appropriately to codify this transition.

Codifying the GIS zoning map update process has also alerted staff to the necessity of updating Chapter 21.50 to codify that staff should review Board of Supervisors approved Memorandums of Understanding (MOUs) and Memorandums of Agreement (MOAs) between Salinas Valley Cities and the County when reviewing development projects within certain cities' Spheres of Influence (SOIs) and urban growth boundaries. Development projects that fall within the MOU and MOA boundaries have certain requirements for development review, and annexation triggers that staff must consider when reviewing specific projects.

As staff recommends not updating the Fort Ord Master Plan (FOMP) and its land use designations as a part of the current project scope, staff is recommending that the Fort Ord Master Plan Area is rezoned from its current zoning of Public/Quasi-Public Zoning District (PQP) to Community Plan Zoning District (CP). This would be an interim step to updating the FOMP and its land use designations. Zoning the Fort Ord Master Plan Area to CP would allow the zoning maps in the Fort Ord Master Plan Area to reflect the current land use designations in the FOMP. This rezone in the Fort Ord Master Plan Area would necessitate an update to Chapter 21.39, which details Community Plan Zoning District regulations, to reference both Community and Master Plans. In addition, updating the "CP" District would allow for development in the Fort Ord Master Plan Area based on the specific development policies and land use designations in the adopted Fort Ord Master Plan Area.

Finally, staff will be implementing the AWCP (Chapter 9.J of the 2010 GP), which will necessitate adding a Chapter to Title 21. The AWCP was developed to facilitate a planned approach and long-term vision for the development of agricultural and winery uses in the Agricultural and Winery Corridor Plan Area (AWCP Area). The AWCP Area is intended to overlay on top of the three Area Plans it is within (Toro, Central Salinas Valley, and South County). The AWCP has three segments as part of the broader AWCP Area: the River Road Segment, the Jolon Road Segment, and the Metz Road Segment. Each of these segments has a specific number of facilities that are allowed to be processed under the AWCP development standards and design guidelines. Staff will begin this process by working with the Agricultural

## Exhibit A

Advisory Committee (AAC) on the new Chapter of Title 21 before returning to the Commission for their recommendation.

### Future Projects

Portions of the original project that are not included in the current project scope will be implemented as future projects based on current conditions and priorities, staff availability, and their interaction with the implementation of the 6<sup>th</sup> Cycle Housing Element (Housing Element). The two future projects are the implementation of the Affordable Housing Overlay (AHO)<sup>3</sup> and the update to the FOMP.

The AHO was created by the 2010 GP Land Use Element Policy LU-2.11 and was intended to encourage the development of affordable and workforce housing. The AHO has yet to be implemented by creating a new Chapter in Title 21. AHO implementation was part of the original project scope, and draft AHO language was presented to the Commission during the October 28, 2015, and November 15, 2015, hearings. The October 28, 2015, staff report noted that implementation of the AHO would require an addendum to the General Plan Final Environmental Impact Report (FEIR). Due to significant changes in state housing laws, the draft AHO language presented to the Commission in 2015 is no longer consistent with state requirements. In addition, changes in State housing laws will require staff to amend the 2010 GP when implementing the AHO. Therefore, AHO implementation or revision will be a separate project that may be a part of the Housing Element implementation. Implementing or revising the AHO as a part of the Housing Element implementation would allow for California Environmental Quality Act (CEQA) review to be conducted as a part of the Housing Element implementation.

The 2010 GP designated Fort Ord as a community area and the FOMP as the Community Plan for the Fort Ord Master Plan Area. The FOMP land use maps are currently outdated and do not accurately reflect the open space and development areas in the Fort Ord Master Plan Area. In 2014, when staff brought the concept of updating the FOMP to the Commission, the Commission recommended that an Ad Hoc Committee be formed to begin working with staff and the Fort Ord community to update the FOMP. When the FOMP update begins, staff will return to the Commission seeking direction before staff begins the FOMP update project.

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<sup>3</sup> The Affordable Housing Overlay (AHO) is outlined by the 2010 General Plan Land Use Element Policy LU-2.11.

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