1. CALL TO ORDER – Pledge of Allegiance

2. ROLL CALL
   Any Commissioner who will not be able to attend the scheduled public meeting shall notify the Chair, their Proxy, and ALUC staff.

3. PUBLIC COMMENT
   The Commission will receive public comment on non-agenda items within the purview of the Commission. It is not necessary to complete a speaker request form. The Chair may limit the length of individual presentations to 3 minutes.

4. COMMISSIONER’S COMMENTS
   Commissioners may speak on non-agenda items within the purview of the Commission.

5. APPROVAL OF MINUTES
   November 18, 2019

6. CONSENT
   None

7. SCHEDULED ITEMS
   Note: Action listed for each item represents staff recommendation. The Commission may, at its discretion, take any action on the items listed on the Agenda.

   a. ALUC File No. REF190044 / City of King City (King City)
      Proposed development of two workforce housing projects and adoption of an amendment to the King City’s Downtown Addition Specific Plan and Zoning Map.
      Proposed Action: ALUC find the proposed workforce housing projects and Downtown Addition Specific Plan and Zoning Map amendment consistent with the 1978 Amended Comprehensive Land Use Plan for Mesa Del Rey Airport.
b. ALUC File No. REF190043 / City of Del Rey Oaks
   Proposed adoption of an amendment (update) to the Housing
   Element of the City of Del Rey Oaks General Plan.
   Proposed Action: ALUC find the proposed amendment (update) to
   the Housing Element of the City of Del Rey Oaks General Plan
   consistent with the 2019 Airport Land Use Compatibility Plan for
   Monterey Regional Airport.

c. Airport Land Use Compatibility Plan (ALUCP) Update
   Update regarding local jurisdiction progress on the requirement to
   amend applicable general and specific plans in response to the
   adoption of the ALUCPs for Monterey Regional Airport and Marina
   Municipal Airport.
   Proposed Action: For information only. No action required.

8. ANNOUNCEMENTS

9. ADJOURNMENT
Action Minutes of the Proceedings of the Commissioners of the Monterey County Airport Land Use Commission for Monday, November 18, 2019

1. CALL TO ORDER – Pledge of Allegiance
The Monterey County Airport Land Use Commission (ALUC), Commissioner (Chair) Cleveland presiding, convened in the Board Meeting Room at the Monterey Peninsula Airport District, 200 Fred Kane Drive, Suite 200, Monterey, California, at 3:00 p.m.

2. ROLL CALL

Commissioners (or Proxy) Present:
Cleveland, Cohan, Healy, Gunter, and Eisen (Proxy for Sabo) – a quorum. Commissioners Carbone and McGregor arrived at 3:03 p.m. and 3:04 p.m., respectively.

Commissioners Not Present and Not Represented by Proxy:
None

ALUC (Monterey County) Staff Present:
Joseph Sidor, Resource Management Agency (RMA)-Planning

For Informational Purposes Only, Members of the Public Present:
Dan Johanson, Project Manager, Monterey Regional Airport
Jim McClenahen, Proxy (Cleveland)
Hampton Stewart, Proxy (Healy)
Ande Flower, Planning Division, City of Monterey
Brett Godown, Airport Manager, Salinas Municipal Airport

3. PUBLIC COMMENT
The Commission will receive public comment on non-agenda items within the purview of the Commission. It is not necessary to complete a speaker request form. The Chair may limit the length of individual presentations to 3 minutes.

None
4. **COMMISSIONER’S COMMENTS**  
*Commissioners may speak on non-agenda items within the purview of the Commission.*  
None

5. **APPROVAL OF MINUTES**  
The Commission voted 4 – 0 – 1 to approve the minutes of the October 28, 2019, regular meeting. Motion to approve made by Commissioner Healy and seconded by Commissioner Cleveland (Healy, Cleveland, Cohan, and Eisen). Commissioner Gunter abstained.

6. **CONSENT**  
None

7. **SCHEDULED ITEMS**  
*Note: Action listed for each item represents staff recommendation. The Commission may, at its discretion, take any action on the items listed on the Agenda.*

   a. **ALUC File No. REF190041 / City of Monterey**  
   Proposed adoption of a Zoning Ordinance Amendment to clarify density requirements of the Multi-Family Overlay Zoning District Ordinance, which allows multi-family residential uses on 52 parcels zoned I-R (Industrial, Administration, and Research District) located south of Garden Road. The proposed amendment would delete language in ordinance sub-section 38-99.6 regarding the requirement for a Use Permit, and square footage conversion rates for existing buildings and new construction, and would add wording to specify the location of the parcels included within the overlay area.  
   Proposed Action: ALUC find the proposed project consistent with the 2019 Airport Land Use Compatibility Plan (ALUCP) for Monterey Regional Airport (MRY).

   ALUC staff (Sidor) provided an overview of the proposed project. City of Monterey staff (Flower) and ALUC staff (Sidor) responded to questions from Commissioner Cohan regarding density and changes to the ordinance.

   Commissioner Gunter made a motion, seconded by Commissioner Healy, to adopt the resolution as drafted by staff to find the project consistent with the 2019 ALUCP for Monterey Regional Airport. The Commission voted 7 – 0 to approve the resolution (ALUC Resolution No. 19-014; Gunter, Healy, McGregor, Carbone, Cleveland, Cohan, and Eisen).

   b. **ALUC File No. REF190042 / City of Monterey**  
   Proposed adoption of an Amendment to the Downtown Specific Plan to apply a Density Cap Overlay to a 7.4-acre portion of the Pearl District area to incentivize housing construction and increase future housing stock. The amendment would amend Figure 3 (Character Areas) of the Downtown Specific Plan to add the Denisty Cap Overlay to the designated overlay area, amend the text of Standard S.2.1 to allow an average density of 30 dwelling units per acre within the overlay area, and amend the text of Standard S.3.1 to allow buildings up to 4 stories within the overlay area. The proposed area
would include 25 properties within the northern four blocks of the Pearl District within the Downtown Specific Plan.

Proposed Action: ALUC find the proposed Downtown Specific Plan amendment consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport

ALUC staff (Sidor) provided an overview of the proposed project. City of Monterey staff (Flower) and ALUC staff (Sidor) responded to questions from Commissioners Cleveland and Carbone regarding the proposed date of approval for the plan amendment and the increase in building height.

Commissioner McGregor made a motion, seconded by Commissioner Carbone, to adopt the resolution as drafted by staff to find the project consistent with the 2019 ALUCP for Monterey Regional Airport. The Commission voted 7 – 0 to approve the resolution (ALUC Resolution No. 19-015; McGregor, Carbone, Cleveland, Cohan, Healy, Gunter, and Eisen).

c. Airport Land Use Compatibility Plan (ALUCP) Update

Update regarding local jurisdiction progress on the requirement to amend applicable general and specific plans in response to the adoption of the ALUCPs for Monterey Regional Airport and Marina Municipal Airport.

Proposed Action: For information only. No action required.

ALUC staff (Sidor) informed the Commission that there is no update at this time. ALUC staff will continue to prepare a follow-up letter to the local jurisdictions to inform them what type of projects shall be submitted to the ALUC for review pending amendments to their plans and ordinances.

8. ANNOUNCEMENTS

ALUC staff (Sidor) introduced Commissioner Sabo’s new Proxy, Mr. David Eisen.

ALUC staff (Sidor) announced the re-appointment of Commissioners Cleveland and Sabo by the Monterey County Board of Supervisors on November 5th to new 4-year terms. These new terms will begin in May 2020.

ALUC staff (Sidor) announced the new ALUC review fee, effective November 17th, 2019.

9. ADJOURNMENT

Meeting adjourned at 3:32 p.m.
Next scheduled regular meeting: December 16, 2019
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Item 7a
MEMORANDUM

To: Airport Land Use Commission

From: Shelley Glennon, ALUC Staff; December 5, 2019
(831) 755-5173, GlennonS@co.monterey.ca.us

Meeting Date: December 16, 2019

Subject: Scheduled Item 7a – Proposed development of two workforce housing projects and an amendment to the King City’s Downtown Addition Specific Plan and Zoning Map (ALUC File No. REF190044).

RECOMMENDATION:
Staff recommends the Monterey County Airport Land Use Commission (ALUC) find the proposed development of two workforce housing projects and an amendment to the King City’s Downtown Addition Specific Plan and Zoning Map (ALUC File No. REF190044), consistent with the Comprehensive Land Use Plan for Mesa del Rey Airport (CLUP) subject to the attached conditions.

BACKGROUND INFORMATION:
On November 22, 2019, King City submitted an ALUC application (ALUC File No. REF190044) to staff for a proposed development of two workforce housing projects and an amendment to the King City’s previously approved Downtown Addition Specific Plan (“Specific Plan”) and Zoning Map. Pursuant to the Comprehensive Land Use Plan for Mesa del Rey Airport, the project site is located within the Horizontal Airport Approach Area and has the potential to produce light emissions, either direct or by reflection, which could impair an aviator’s visibility and therefore is subject to ALUC review.

ALUC Preliminary Review of the Downtown Specific Plan
The previously approved Specific Plan was brought forward to the ALUC on July 28, 2008 for a preliminary review (see attached agenda and ALUC staff report). Staff recommended, “ALUC send a comment letter on the Proposed King City Downtown Addition Specific Plan, ... As well staff suggests, the letter ask the City to notify the ALUC as soon as the DEIR becomes available to give the commission time to responsibly comment on this important project.”

There is no record of a comment letter from the ALUC being submitted to the City, nor are there any comments from the ALUC on record regarding the DEIR.

Additionally, it is unclear if the ALUC determined that the project was subject to ALUC referral or not. The Project site is located outside of the CLUP boundaries but well within the CLUP’s Horizontal Approach Areas. Page 1 of the CLUP states:
The basic guidelines for referring proposed land uses, within the airport area of influence or the adopted plan area to the Airport Land Use Commission is that the Commission is not interested in the daily operations of the cities and the county’s planning function, but rather in certain uses which influence or are influenced by the presence of the airport.

As stated above, the Airport Area of Influence seems to be referred to as something different than the adopted plan area. It is staff’s current interpretation that the AIA can include the CLUP’s Approach Surfaces and Clear Zones even if it is outside of the CLUP boundaries as long as the specific uses within the surfaces/zones do in fact have the potential to influence or can be influenced by the presence of the airport.

Additionally, under the CLUP’s Specific Hazards Section on Page 2 it states, “Until an ordinance compatible with Airport Approaches Zoning Ordinance #1856 or its successor, is adopted by a local agency, proposed uses beneath the imaginary surfaces described in said ordinance shall be referred to the Commission for review and report if they may...Produce light emissions, either direct or by reflection, which could impair an aviator’s visibility...”

It is unclear if the City updated their ordinances to be compatible with the CLUP’s adopted Airport Approach ordinance. Therefore, since the proposed housing projects/specific plan uses is within the CLUP’s Horizontal Approach Area and may produce light emissions that can potentially impact aviator’s visibility, it meets the criteria for ALUC referral.

PROJECT DESCRIPTION:

Bitterwater/Chestnut Workforce Housing Project

The proposed workforce housing project located at the Bitterwater/Chestnut Site includes 118 farmworker housing units, a net gain of 111 residential units. The site will remain in the Downtown Addition Specific Plan.
**Jayne Street Temporary/Seasonal Farmworker Housing Project**

The proposed workforce housing project located at Jayne Street Site includes 352 dormitory-style beds for temporary/seasonal farmworkers, a decrease in 51 residential units but an increase in 352 dorm beds. This site will be removed from the boundaries of the Downtown Addition Specific Plan.

*Overall, the two housing projects would increase the residential density by 60 residential units and 352 dorm beds. The project also reduces the commercial/live-work area by 42,000 sf.*

**Downtown Specific Plan Amendment**

The proposed Specific Plan Amendment would revise the specific plan boundary, text, figures and appendices to address the removal of the Jayne Street Seasonal Farmworker Housing Project Site from the Specific Plan boundaries and to allow the change in use for the Bitterwater/Chestnut Workforce Housing Project site.

**Zoning Map Amendment**

The King City Downtown Specific Plan is currently zoned Planned Development/Specific Plan (PD/SP). The proposed Jayne Street Housing Project is being taken out of the Specific Plan boundaries and is therefore being rezoned to Multiple Family Residential & Professional Offices (R-4) District and Seasonal Employee Housing District. Additionally, one parcel adjacent to the Workforce Housing Project site will be removed from the Specific Plan boundaries and rezoned to General Commercial (C-2).

**CONSISTENCY DETERMINATION ANALYSIS:**

ALUC staff reviewed the City’s proposed amendment of the Downtown Specific Plan and zoning map and the two proposed housing projects in accordance with the adopted CLUP as discussed below:

**NOISE COMPATIBILITY**

According to the Noise Exposure Contours Exhibit on file, the project site is located outside of the 60/65 CNEL noise exposure contours. However, the Specific Plan previously adopted a condition of approval for Disclosure Documents – Potential
Nuisances (see attached City Council Approved COA/MM). This requires a disclosure notice be recorded concurrent with the recordation of any final map within the Specific Plan. The notice will advise each future owner to notify all prospective buyers of the potential nuisances, prior to entering in an agreement to purchase a property within the project site with the following language:

c. “The existing airport, railroad, industrial area and cogeneration plant located near the Project may emit noise, dust and other related disturbances. These emissions may increase in the future.

d. “The Project site is subject to aircraft over flights and single event noise exposure due to the proximity of the Project site to the City of King-Mesa Del Rey Airport. The airport is a general aviation airport that is used by a variety of aircraft and propulsion types, including fixed wing propeller and jet aircraft and helicopters. An FAA approved practice aerobatic area is adjacent to the airport. The airport is also used occasionally to support CDF and USFS aerial fire suppression activities. It is anticipated airport use will increase in the future in response to population and/or economic growth. Residents of property near airports should be prepared to accept the inconvenience, annoyance or discomfort from aircraft operations.”

f. “You may be subject to inconveniences or discomfort arising from such operations. Such discomfort or inconveniences may include, but are not limited to: noise, odor, fumes, dust, smoke, inspections, operation of machinery (including fixed wing and helicopter aircraft) at any time and throughout any twenty-four (24) hour period…

Although the notice is not a recorded easement, it is a recorded document that acts as an avigation easement and was approved by King City, the Airport owner and operator.

However, since the Jayne Street Seasonal Housing Project will no longer be included in the Specific Plan, staff is recommending that the same disclosure notice be applied for the Jayne Street Seasonal Housing Project (see ALUC Condition No. ALUC-9 – NON STANDARD CONDITION).

AIRSPACE PROTECTION

The project area is located within the Horizontal Approach areas as shown in the Approach and Clear Zone Plan of the CLUP. The workforce housing projects are located approximately 134 feet below the horizontal surface limits and proposes a maximum structure height of 46 feet. Therefore, the proposed structures would not penetrate into the Part 77 transitional surfaces and no further conditions regarding airspace protection are recommended.
SAFETY COMPATIBILITY
Pursuant to the Approach and Clear Zone Plan of the adopted CLUP, the project site is located within the approach area. However, it is outside of the adopted CLUP area and therefore would not conflict with the CLUP’s safety compatibility policies. Caltrans Division of Aeronautics provided a preliminary updated Safety Compatibility Map for the Mesa del Rey Runway in accordance with the 2011 California Airport Land Use Planning Handbook (see above figure). According to the Map, the project site is located within the Traffic Pattern Zone/Airport Influence Area. The proposed residential uses are compatible within the Airport Influence Area as there are no density restrictions in this safety zone. The Specific Plan includes 22.62 acres of public open space along the San Lorenzo Creek and along Bitterwater Road. No non-residential uses are proposed at this time. Therefore, no further conditions regarding safety compatibility are recommended.

OTHER FLIGHT HAZARDS
As discussed in the Draft Supplemental EIR for the proposed project, the Specific Plan Amendment would result in impacts related to new sources of light and glare from residential and commercial land uses. The project has been conditioned to include the following mitigation measures:

AES-2A The project developer shall install low-profile, low-intensity lighting with shielded fixtures directed downward to minimize light and glare.

AES-2B High-intensity outdoor lighting on individual homes and structures shall be prohibited.

AES-2C Light shall be directed downward to minimize spillover of light. Once a final development plan and lighting plan is established, the applicant shall provide photometric calculations so that the extent of spillover is shown to be minimized to a less than significant level.

The above conditions would ensure exterior lighting would not impair an aviator’s visibility when landing or taking off from the runway. Therefore, no further action is needed for Other Flight Hazards compatibility for the Specific Plan Amendment or the Bitterwater/Chestnut Workforce Housing Project. However, the Jayne Street Seasonal Housing Project, which is no longer within the Specific Plan boundaries, did not include these exterior lighting mitigation measures. Since this site is also located within the CLUP’s Approach Area, staff is recommending the standard ALUC Exterior Lighting Condition be applied to the Jayne Street Seasonal Housing Project (see ALUC Condition No. ALUC-6 – EXTERIOR LIGHTING).
MESA DEL REY AIRPORT ADVISORY COMMITTEE REVIEW:
The project was sent to the Airport Advisory Committee for review. As of the writing of the staff report, the committee has not yet met to discuss the project. Staff will provide an update during the Dec. 16th, 2019 Hearing.

CONCLUSION:
Based on review and analysis of the project, staff recommends the ALUC adopt a resolution finding the proposed development of two workforce housing projects and an amendment to the King City’s Downtown Addition Specific Plan and Zoning Map (ALUC File No. REF190042), consistent with the Comprehensive Land Use Plan for Mesa del Rey Airport subject to the proposed conditions.

Attachments:
- City Manager of King City Letter dated November 22, 2019
- ALUC Meeting Agenda dated Monday July 28, 2008
- Site Exhibits (Specific Plan, Bitterwater/Chestnut Housing Project and Jayne Street Housing Project)
- City Council Approved COA/MM for the DTA Specific Plan Amendment
- Draft ALUC Resolution including recommended ALUC Conditions

cc: ALUC Commissioners; ALUC Counsel; King City Airport Manager; King City: City Manager and Senior Planner (Steven Adams and Erik Berg-Johansen); ALUC File No. REF190044
DRAFT RESOLUTION

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

Resolution No. 19 – 016
Finding the proposed development of two
workforce housing projects and an
amendment to the King City’s Downtown
Addition Specific Plan and Zoning Map
consistent with the Comprehensive Land Use
Plan for Mesa del Rey Airport subject to the
attached conditions.
REF190044, King City (multiple Assessor’s
Parcel Numbers)

WHEREAS, on November 22, 2019, King City submitted an ALUC application
for the ALUC to review the City’s proposed development of two workforce housing
projects (Bitterwater/Chestnut Workforce Housing Project and Jayne Street Seasonal
Housing Project) and an amendment to the Downtown Addition Specific Plan and zoning
map (ALUC File No. REF190044); and

WHEREAS, the ALUC is responsible for review of projects within the Airport
Influence Area, Approach and Clear Zone Areas; and CLUP boundaries for Mesa del Rey
Airport, as identified in the adopted CLUP; and

WHEREAS, the project site is located within the Horizontal Approach Area and
has the potential to produce light emissions; either direct or by reflection, which could
impair an aviator’s visibility and therefore is subject to ALUC review and referral; and

WHEREAS, the ALUC has reviewed the proposed project for noise
compatibility, airspace protection, safety compatibility and other flight hazards; and

WHEREAS, on December 16, 2019, the ALUC conducted a duly noticed public
meeting to consider the proposed two workforce housing projects and amendment to the
Downtown Addition Specific Plan and Zoning Map.

NOW, THEREFORE, BE IT RESOLVED, the Monterey County Airport Land Use
Commission does hereby find that the proposed development of two workforce housing
projects and an amendment to the King City’s Downtown Addition Specific Plan and
Zoning Map consistent with the Comprehensive Land Use Plan for Mesa del Rey Airport
subject to the recommended ALUC Conditions attached and incorporated herein by
reference.

PASSED AND ADOPTED on this 16th day of December 2019, upon motion of
Commissioner ________ and seconded by Commissioner ____________, by the following
vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST
Carl P. Holm, Secretary to the ALUC

By: _______________________________

Shelley Glennon, Designee of Secretary to the ALUC
December 16, 2019
ALUC CONDITIONS

The following standard and/or non-standard conditions may be applied to an application being considered before the ALUC. If the box next to the condition is marked, that indicates the condition is to be applied to the project as part of the ALUC recommendation.

**PROJECT NAME:** King City Downtown Addition Specific Plan Amendment, Zoning Map Amendment, Bitterwater/Chestnut Workforce Housing Project and Jayne Street Seasonal Housing Project

**ALUC PROJECT NO.:** REF190044

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<tr>
<th>ALUC-1</th>
<th>AVIGATION AND HAZARD EASEMENT</th>
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<td>Prior to final of each construction permit associated with the project, the developer/owner shall grant an avigation and hazard easement to the appropriate airport authority. The easement shall be recorded at the Monterey County Recorder’s Office. The easement may include:</td>
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<td>• Right-of-flight at any altitude above the acquired easement surfaces.</td>
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<td>• Right to cause noise, vibrations, fumes, dust and fuel particle emissions.</td>
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<td>• Right to prevent construction or growth of all structures, objects or natural growth above the acquired easement surfaces.</td>
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<td>• Right-of-entry to remove, mark or light any structures or growth above the acquired easement surfaces, or right to require the owner to remove, mark or light.</td>
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<td>• Right to prohibit creation of electrical interference, unusual light sources and other hazards to aircraft flight.</td>
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<td>• Any other limitation the appropriate airport authority may recommend to protect the public’s health, safety and welfare.</td>
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<th>ALUC-2</th>
<th>NOISE INSULATION STANDARDS</th>
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<td>The project shall conform to current noise insulation standards pursuant to the California Code of Regulations, Title 25, Chapter 1, Subchapter 1.</td>
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<th>ALUC-3</th>
<th>NOISE STANDARDS</th>
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<td>The project shall conform to noise standards pursuant to the California Code of Regulations. Title 21, Subchapter 6.</td>
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<th>ALUC-4</th>
<th>AIRPORT APPROACH ZONING</th>
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|        | The project shall conform with Title 21 of the Monterey County
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<th>ALUC-5</th>
<th>OBJECTS AFFECTING NAVIGABLE AIRSPACE</th>
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<td>The project shall conform to CFR Part 77 – Objects Affecting Navigable Airspace.</td>
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<th>ALUC-6</th>
<th>EXTERIOR LIGHTING (Jayne Street Seasonal Housing Project)</th>
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<td>Prior to the issuance of any construction permits, an Exterior Lighting Plan shall be reviewed and approved by the applicable airport manager. All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled.</td>
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<tr>
<th>ALUC-7</th>
<th>TOWERS - MARKING AND LIGHTING</th>
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|        | When not specifically required by FAA Advisory Circular 70/7640-IF (Obstruction Marking and Lighting), the following ALUC recommendations shall be applied to towers:  
- A flashing red beacon shall be installed at the highest point of the structure.  
- A steady burning red obstruction light shall be installed at the highest point of the structure.  
- A steady burning red obstruction light shall be installed at the intermediate level of the structure.  
- Nine (9) day-glow markers (20” minimum) shall be installed on the top level of guide wires (3 to the wire).  
- The applicant shall contact the FAA to publish a NOTAM (Notice to airmen) in Monterey County about the location of the proposed structure.  
- Standard marking (orange and white striping) shall be installed, as defined in Chapter 3 of the FAA AC 70/7460-IF. |

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<th>ALUC-8</th>
<th>NO CONDITION REQUIRED</th>
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<td>The project, as reviewed by the ALUC, is consistent with the CLUP for that jurisdiction and does not require any conditions.</td>
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<th>ALUC-9</th>
<th>NON-STANDARD CONDITION</th>
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<td>The Jayne Street Seasonal Housing Project shall require a similar airport disclosure notice that was conditioned for the Downtown Specific Plan/ Bitterwater/Chestnut Workforce Housing Project to be recorded concurrently with the recordation of the final map/or prior to construction permit approval.</td>
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PROJECT REVIEWED BY THE ALUC ON DECEMBER 16, 2019.
RE: Project Application for Review of Downtown Addition Specific Plan Workforce Housing Projects

November 22, 2019

Dear Monterey County Airport Land Use Commission,

Two new housing projects have been proposed in the City of King's Downtown Addition Specific Plan (DASP) area. This application is being submitted with a request to go before the Airport Land Use Commission (ALUC) on December 16th, 2019.

Project History:
- As part of the environmental review, the DASP was brought to the ALUC on July 28, 2006.
- The DASP was brought before the ALUC again on July 28, 2008 (see agenda and staff report attached).
- The DASP and Draft EIR was brought before the City of King Airport Advisory Committee on August 9, 2010.
- The DASP was brought before the ALUC a third time prior to its adoption on June 14, 2011.
- The current proposal includes an amendment to the City of King DASP.

In support of the Application for Review, the City and applicant are providing the following information and documentation:

1. Completed “Project Submittal Form”.

2. Project information summary:
   a. Project Description/Location: The proposed project is an amendment to the King City Downtown Addition Specific Plan to facilitate construction of two workforce housing complexes. APN’s are detailed on the Project Submittal Form. See attached “Project Context Map” for aerial map location reference.
   b. Land Use Designation is Planned Development (PD); Zoning is Planned Development/Specific Plan (PD/SP).
   c. The City finds that the proposed projects subject to this Application are consistent and compliant with the existing Comprehensive Land Use Plan for the Mesa del Rey Airport.
   d. As part of the approved Specific Plan, aviation easements are on file for the broader Specific Plan and other parts of King City. See attached “Final SPA COA 1-28-14 regarding Mesa del Rey Airport” highlighted reference.
3. The site plan showing:
   a. APN's for Bitterwater-Chestnut project on Sheet C-2 of the attached Plan sheets. APN's for future Jayne St. project are 026-301-003, 005 and 006.
   b. Location and dimensions of all existing and proposed buildings and structures on the site/property including fences are shown on Plan sheets or maps for the Bitterwater-Chestnut workforce housing project. The Jayne St. project is conceptual only at this time, and will be subject to King City zoning and building approvals.
   c. Location as to distance from airport; location according to applicable Runway Zoning Map. See attached CalTrans Aeronautics Zones, with subject project locations and closest distance lines to edge of runway. The applicant finds that the closest distance to Bitterwater-Chestnut project is 3,057' and for the Jayne St. future project, the closest distance is 4,090' using Mapright software tools. Using the Google Earth measuring tool, staff verified these distances appear to be correct.
   d. The project site for the Bitterwater-Chestnut project is approximately 5.2 gross acres. The project site for the Jayne St. project is approximately 2.9 acres.
   e. Occupancy for the Bitterwater-Chestnut site will be a maximum of 944 residents. Occupancy for the future Jayne Street site is not fully planned/design; however, it is anticipated that occupancy will not exceed 550 residents.

4. Exterior elevation plans showing (included in #3 site and architectural entitlement plan set):
   a. All four sides of structures.
   b. Materials to be used on walls, roof, etc.
   c. Roof appurtenances.
   d. Site and structural elevations compared to runway elevations.

**Additional Comments:** The Supplemental EIR Notice of Preparation that triggered the ALUC June 27, 2019 comment letter provides for a King City Downtown Addition Specific Plan Amendment, Rezone Application, and Architectural Review for two workforce housing projects. The letter indicated that the project shall be submitted to the ALUC for review prior to final approval, according to the Mesa del Rey Airport Comprehensive Land Use Plan.

The entirety of the DASP was subject to an Environmental Impact Report, which was certified in 2011. Based on the 2011 certified EIR and the DASP, the proposed projects are located outside of the Mesa del Rey Comprehensive Land Use Plan. There are multiple references to the Mesa del Rey Airport in the DEIR; various excerpts are included in this application package. Those sections include 4.7 *Hazards and Hazardous Materials* and section 4.9 *Land Use and Planning*. In each case, the findings were that the Downtown Addition was outside of the CLUJP and that no significant safety hazards are expected as the DASP area is developed with residential and commercial uses.
Further, Section 4.9.3.2 *King City Mesa Del Rey Airport Master Plan* states, "Upon compliance with the Conditions of Approval for projects near the airport, the proposed project would be compatible with the Monterey County Amended Comprehensive Land Use Plan for the Mesa Del Rey Airport and the King City-Mesa Del Rey Airport Master Plan." Regarding potential noise impacts, a Condition of Approval will require that developers distribute "Notices of Disclosure for Potential Nuisances" to owners/renters living within the Downtown Addition Specific Plan.

The DASP area is outside of the runway protection zones, the inner approach/departure zones, the inner turning zones, the outer approach/departure zones and the sideline safety zone. The only airport zone subject to the proposed project is the "traffic pattern zone" and "horizontal surface" area. The airport runway msl is 370.09' and the horizontal surface zone is 150' higher, at 520.09', per the CLUP. The subject projects are approximately 340' msl, and as reflected on the attached Plan set, the maximum structure height is 46'. Therefore, the proposed housing project is approximately 134' below the horizontal surface limits. The structures appear to meet the highest standards of design and construction, including standards for exterior down lighting, etc. It is also noted that within Traffic Pattern Zone there are no limits to the dwelling units per acre.

**Proposed DASP Changes:** The Bitterwater Housing Project is proposed within the DASP Neighborhood Center (NC) Zone. This zone allows "Courtyard Housing" projects with a Conditional Use Permit. It also allows Mixed-Use developments by right, which support multi-family housing. In other words, the current DASP amendment is not proposing changes that will allow housing to replace areas intended solely for commercial uses - housing projects were allowed in this zone from the beginning. The DASP also touches on density in relation to the airport: "The Handbook safety compatibility criteria guidelines in Table 9C recommends no limits on residential density for projects located in the Traffic Pattern Zone" (DASP, page B-16). The proposed DASP amendment will result in 710 projected dwelling units where 650 units were originally planned for (net change of 60 units). In turn, the proposed DASP amendment will result in a reduction of approximately 40,000 square feet of available commercial space. As mentioned, any project will also be subject to two mitigation measures that relate to airport compatibility.

Based on previous approval of the City's Downtown Addition Specific Plan and the certified EIR, the City believes that there is evidence supporting a waiver of formal ALUC review. However, if County staff determine a review is required, the City and applicant will be prepared for the December 16, 2019 meeting. The Bitterwater-Chestnut  workforces housing project is on a critical timeline that requires final approval by February 25, 2020.
Sincerely,

[Signature]

Steven Adams
City Manager

Attachments: ALUC Review Application
ALUC Agenda/Report (July 28, 2008)
Bitterwater-Chestnut Project Site Plan and Architecture
Downtown Addition DEIR Section 4.7 Excerpts
Downtown Addition DEIR Section 4.9 Excerpts
Approved Conditions of Approval for Downtown Addition Excerpt
DTSC uses the CHHSLs to evaluate properties for potential hazards. The U.S. EPA PRGs are applied only when a corresponding CHHSL does not exist for a particular chemical. Based on overall sampling results and applicable state screening criteria for residential land use, the site soils tested are not anticipated to present a hazard to human health or the environment; therefore, the levels of toxaphene and dieldrin present do not pose an obstacle to development.

No stained soil or stressed vegetation was observed during the field studies. ENGEIO also noted the presence of an aboveground diesel storage tank and several hazardous substance containers with secondary containment stored in a farm equipment storage yard on the project site near Bitterwater Road. The Phase I site assessment did not visually identify any areas of concern in these areas. The Phase I report indicated that no soil samples were collected in this portion of the project site or in the corridor between the existing row crops and the western edge of the property, where a trucking facility, several railroad facilities, and a bulk fuel plant are located. ENGEIO recommended that additional studies should be completed in these areas, including a supplemental site reconnaissance, interior structure observation, and the collection and analysis of soil and possibly groundwater samples.

Two fuel releases have occurred between 2003 and 2006 on two separate properties located along Metz Road north of Bitterwater Road near the northern boundary of the project site (ENGEO 2008). These two releases are not expected to be disturbed by the project as the groundwater flow has been verified by monitoring wells to have a direction away from the project site to the west (Monterey County 2009). The results of the County’s study on the two releases determined they did not affect the proposed project and did not create any issues required to be addressed by the proposed project (Monterey County 2009).

The project site includes structures that would be removed as part of the proposed project. The historical overview of the site shows that these structures existed on the site prior to 1970. Since regulations regarding the use of asbestos and lead paint were not enacted until the 1970s, there is a potential for lead-based paint and asbestos-containing materials to be present in structures on the project site. Precautionary actions required as a result of this potential hazard are discussed further in the Project Impacts and Mitigation Measures subsection.

### 4.7.2.5 Aviation Safety

The Mesa Del Rey Airport is operated by the City of King and is located approximately 0.5 mile northeast of the Downtown Addition property. This airport has no control tower, includes one north-south
runway, and is the home field for approximately 31 aircraft—25 single-engine planes, 4 twin-engine planes, and 2 helicopters. On average, there are approximately 22 flight operations per day, and, as the airport is attended only during the hours of 8:00 AM to 5:00 PM, most operations are assumed to occur during these hours. In a study prepared by Kimley-Horn & Associates (October 2006) for the City, it was estimated the airport had approximately 7,862 annual aircraft operations, predominantly general aviation.

4.7.2.6 Regulatory Considerations

Federal Agencies and Regulations

The U.S. EPA is the main federal agency responsible for enforcing regulations relating to hazardous materials and wastes, including evaluation and remediation of contamination and hazardous wastes. The U.S. EPA works collaboratively with other agencies to enforce materials handling and storage regulations and site cleanup requirements. The Occupational Safety and Health Administration (OSHA) and the Department of Transportation (DOT) are authorized to regulate safe transport of hazardous materials.

Primary federal laws pertaining to hazardous materials and wastes include the Resource Conservation and Recovery Act of 1976 (RCRA) and the Comprehensive Environmental Responsibility, Compensation, and Liability Act of 1980 (CERCLA). RCRA includes procedures and requirements for reporting releases of hazardous materials, and for cleanup of such releases. RCRA also includes procedures and requirements for handling hazardous wastes or soil or groundwater contaminated with hazardous wastes. CERCLA delineates the liability for contamination between current property owners and others. The Hazardous Materials Transportation Act is administered by the DOT via its issuance of inspections, training and transportation requirements, and information; the federal government delegates enforcement authority to the states.

The Federal Aviation Administration (FAA) regulates airspace and certain runway protection zones off the extended centerline of runways of airports, including the Mesa del Rey Airport. The project site is located in an area that is compatible with FAA airspace areas and runway protection zones for the Mesa del Rey Airport.

State Agencies and Regulations

Hazardous Materials and Wastes

State agencies that regulate hazardous materials and contamination include the Department of Health Services (DHS), Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control
Board (RWQCB). The DTSC administers U.S. EPA’s standards regarding public health effects of soil contamination, while the RWQCB administers state water quality standards for surface and groundwater. Lead responsibility for remediation depends on the proposed use of a parcel, the character of waste contaminants, and the need for site monitoring. Transport of hazardous materials is administered by the California Department of Transportation (Caltrans) and enforced by the California Highway Patrol (CHP, 2004).

A number of properties may cause a substance to be considered hazardous, including toxicity, ignitability, corrosivity, or reactivity. According to the State of California, a hazardous material is defined as “a substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed.”

State regulations applicable to hazardous materials are contained in Titles 8, 22, and 26 of the California Code of Regulations (CCR) and include the State Water Code, Underground Storage Tank Code, Cortese Act (listing of hazardous waste and substances sites), and Proposition 65 (safe drinking water and toxics enforcement).

**Aviation**

The California Department of Transportation (Caltrans) Division of Aeronautics fosters and promotes the development of a safe, efficient, dependable, and environmentally compatible air transportation system. The State Aeronautics Act, Public Utilities Code (PUC) section 21001 et seq., is the foundation for the Division’s aviation policies and the Monterey County Airport Land Use Commission’s (ALUC) jurisdiction for the orderly development of land surrounding the Mesa del Rey Airport. Pursuant to this authority, the ALUC has adopted a comprehensive land use plan for the Mesa del Rey Airport (ACLUP). The project site is not within the boundary lines of the ACLUP.

The California Airport Land Use Planning Handbook (Handbook) provides planning guidance to Airport Land Use Commissions, airport proprietors, and counties and cities with jurisdiction over airport area land uses. The purpose of the Handbook is to support provisions of the State Aeronautics Act. The Handbook allows jurisdictions flexibility in determining air safety zones that represent areas of assumed accident potential. In its Airport Master Plan, the City of King has adopted airport clear and approach safety zones that generally follow the extended centerline of the airport runway. The project site is not

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4 Title 22, California Code of Regulations [CCR], Section 66084.
located in these safety zones (it is approximately 0.5 mile to the west of them). Under the Handbook, the safety compatibility zone examples for the Mesa del Rey Airport show that the project site would be located in the Traffic Pattern Zone for the Mesa del Rey Airport. The Handbook safety compatibility criteria guidelines in Table 9C does not recommend any limits on residential density for projects located in the Traffic Pattern Zone.

Local Agencies and Regulations

King City Airport Land Use Plan

The Mesa Del Rey Airport Master Plan dedicates runway protection zones extending from the airport runway. Runway protection zones are approximately 0.5 mile from the closest portion of the project site. The Plan also recommends that the City acquire the land or aviation easements on lands within these protection zones. The location of the runway protection zones are specified in the Mesa Del Rey Airport Master Plan adopted by the City of King on January 11, 1978, (Resolution 1474) and in the Amended Comprehensive Land Use Plan for the Mesa Del Rey Airport adopted by the Airport Land Use Commission of the County of Monterey on February 16, 1978 (Resolution No. 78-3).

4.7.3 Scoping Comments Related to Hazardous Materials

Scoping comments related to hazards and hazardous materials are summarized below. The following comment was submitted by a member of the public during the EIR scoping period:

- The Draft EIR should address potential impacts caused by relocating the existing Pearl Street at-grade crossing of the Union Pacific rail line to Broadway Street. The at-grade railroad crossing may create safety risks and potentially impair emergency access to and from the proposed project located east of the railroad tracks.

Potential hazards related to emergency access are discussed in Section 4.13, Transportation and Circulation.

- The Draft EIR should address potential impacts to public safety related to the Mesa Del Rey Airport.

Potential hazards related to airport operations are discussed in this section.
Impact After Mitigation: Less than significant.

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Impact HAZ-4: The proposed project is not located within the current comprehensive airport land use plan and would not result in a safety hazard for people residing or working in the project area or interfere with airport expansion because none is proposed or likely.

Analysis: The project site is located over 2,000 feet away from the Mesa Del Rey Airport, and is outside both the boundaries of the 1978 Airport Land Use Plan and the runway protection zone. Further, the maximum height of all project buildings would be limited to a maximum eave height above grade of 36 feet in the NC zone (only with design review approval), 24 feet in the NG-3 zone, and 22 feet in the NG-2 zone and 20 feet in the NG-1 zone. Due to the fact that the project site is not located within the boundaries of the Airport Land Use Plan or any runway protection zone, and these height limitations, buildings proposed as part of the Downtown Addition Specific Plan would not interfere with takeoffs and landings at the airport. The project would also not interfere with aircraft or the adopted runway protection zones, and is located outside the normal takeoff and landing patterns for aircraft.

Development under the proposed project would be subject to the City’s standards conditions of approval requiring that the applicant file FAA Form 7460-1 with the FAA, and provide a copy of the filed form to the City Engineer, before issuance of a grading permit or issuance of any construction project permit, whichever comes first. In addition, before recordation of the first tentative tract map, a Grant of Avigation Easement and Release must be recorded by the Applicant against the property within the boundary of the project, substantially in the form provided by the City Clerk, if the City Attorney determines that such a form is needed. A reference to the Grant of Avigation Easement and Release must be placed on the final construction plans.

There are no approved or contemplated expansion plans for the airport; future operations are expected to continue to use the current flight paths and patterns, although the number of flights is expected to increase incrementally over time. The project’s proximity to the airport thus would not create safety hazards for people living or working in the project area, and would not have a potential to restrict future expansion of the airport or of runway protection safety zones. This impact is considered less than significant.

Noise impacts related to airport operations are addressed in Section 4.10, Noise.

Mitigation Measures: None Required.
4.9 LAND USE AND PLANNING

4.9.1 Introduction

This section describes existing land uses occurring on the proposed Downtown Addition Specific Plan site, land uses that occur proximal to the site, discusses regulations and policies affecting land use development, and evaluates impacts related to land use and planning that could occur from the project. Existing land use information was obtained from an on-site reconnaissance and an analysis of applicable plans and policies defined in the City of King General Plan. Information in this section is based primarily on the Downtown Addition Specific Plan (HDR, Inc., November 12, 2008).

The proposed Downtown Addition Specific Plan project would develop a new planned community that would include single-family detached residential and multifamily residential dwelling units, live-work units, commercial office and retail space, public open space, and recreation areas. The proposed Downtown Addition Specific Plan would manage growth and development of the project site through an organized development strategy defined in the Specific Plan and the associated Regulating Code. Necessary infrastructure and public facilities would also be implemented.

The Environmental Impact Report (EIR) also evaluates actions required for implementing the project, including (1) the adoption of the Downtown Addition Specific Plan; (2) amendment of the City of King General Plan Land Use Map from the present designations of Planned Development, Medium Density Residential, Light Industrial, General Commercial and General Industrial to Planned Development; (3) changes to the text of the General Plan that amend several elements that relate specifically to the project site; and (4) rezoning the site from A (Agriculture), P-F (Primary Floodplain), M-1 (Light Industrial), and C-2 (General Commercial) to P-D (Planned Development).

4.9.2 Environmental Setting

4.9.2.1 Study Area

The study area for land use and planning is the proposed project site, the municipal boundaries of the City of King, and all properties in the unincorporated County within 1 mile of the project site.

4.9.2.2 Regional Land Uses

The City of King is located in southern Monterey County along the Salinas River and is near the center of the Salinas Valley. The Salinas Valley extends to the north and south and is primarily agricultural land, with several small towns and cities located mainly along U.S. 101, the north-south main highway through
4.9.3 Regulatory Considerations

The proposed Downtown Addition Specific Plan and development under it would be subject to land use regulations contained in the City of King General Plan and other local planning documents. The following section describes the land use plans and regulations applicable to the project.

4.9.3.1 City of King General Plan

The City of King General Plan was adopted in December 1998. The General Plan defines future growth and development in the City of King planning area to the year 2020 and beyond and focuses on the City’s primary planning area of approximately 6,133 acres. This area includes approximately 1,812 acres of incorporated lands within the city limits, with the remainder being unincorporated lands within the City’s sphere of influence (SOI) east of the Salinas River. The General Plan establishes land use designations for land in the City and for land within the City’s SOI.

The proposed Downtown Addition Specific Plan includes provisions intended to satisfy the applicable requirements of the City of King General Plan, including project design, affordable housing, appropriate infrastructure provisions, public parks, public facilities, and environmental mitigation measures. The General Plan also includes provisions that specifically address potential development of the project site (referenced as the Smith-Hobson property). As part of the proposed project approvals, the Conservation Element would be revised to remove Program 2.3.2.2, which recommends a master-planning process to develop the Smith-Hobson (now Downtown Addition) property for agricultural-related industrial sites. These changes would not affect the General Plan land use designation of the project site.

4.9.3.2 King City Mesa Del Rey Airport Master Plan

The current Master Plan for the Mesa Del Rey Airport was adopted by the City on January 11, 1978, by Resolution No. 1474. The Monterey County Airport Land Use Commission current comprehensive land use plan for the Mesa Del Rey Airport is the Amended Comprehensive Land Use Plan for the Mesa Del Rey Airport adopted on February 16, 1978, by Resolution No. 78-3 (ACLUP). The Downtown Addition Specific Plan Area is outside the areas covered by the City Airport Master Plan and the ACLUP. Potential hazards related to the project’s proximity to the airport are discussed in Section 4.7, Hazards and Hazardous Materials, of this EIR.
open new road connections to the existing downtown, to Bitterwater Road, and to Jayne Street on the south. **Figure 3.0-4, Proposed Circulation Network and Access**, shows the proposed locations of vehicular access.

Based on these factors, the project does not have the potential to divide an established community and this impact is considered less than significant.

**Mitigation Measure:** None required.

Impact LU&P-2: The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

**Analysis:** CEQA requires an analysis of consistency with plans and policies as part of the environmental setting (*State CEQA Guidelines* Section 15125). Based on this guidance, an EIR uses the policy analysis as an indicator of the resources that might be affected by a project and the significance of the physical impact. Conversely, the EIR considers the potential significance of the related physical impacts when analyzing a particular policy. Inconsistency with a policy may indicate a significant physical impact, but the inconsistency is not itself an impact.

The State General Plan Guidelines published by the State Office of Planning and Research defines consistency as follows: “An action, program, or project is consistent with the General Plan if, considering all its aspects; it will further the objectives and policies of the General Plan and not obstruct their attainment.” Therefore, the standard for analysis used in the EIR is based on general agreement with the policy language and furtherance of the policy intent (as determined by a review of the policy context). A project does not have to be in exact agreement with a policy for a finding of project consistency. **Appendix 4.9** includes a detailed analysis of the proposed project’s consistency with relevant King City General Plan objectives, policies, and programs.

As defined in **Appendix 4.9**, the proposed Downtown Addition Specific Plan project would be compatible with the General Plan land use designations and the findings and recommendations of the King City Smart Growth Study. Upon compliance with the Conditions of Approval for projects near the airport (see **Mitigation Measure LU&P-2**), the proposed project would be compatible with the Monterey County Amended Comprehensive Land Use Plan for the Mesa Del Rey Airport and the King City-Mesa Del Rey Airport Master Plan. As discussed in detail in **Appendix 4.9**, the proposed project would be
generally consistent with the General Plan policies. As discussed in Section 4.7, Hazards and Hazardous Materials, the project is not within an area subject to density limits suggested in the Caltrans Airport Land Use Planning Handbook. The density and Floor Area Ratio (FAR) proposed by the project are also within the ranges identified by the General Plan for the respective land use designations, and the project size and mix of uses is appropriate for the proposed PD permit.

The Traffic Impact Analysis prepared for the project indicates that only one roadway segment in the City’s street and highway system would operate below a LOS C. Section 4.13, Traffic and Circulation, in this EIR identifies roadway facilities that would operate at unacceptable levels under project conditions. Analysis in the Draft EIR indicates that with mitigation measures, project related traffic impacts can be mitigated that would increase the LOS of these roadway facilities to LOS C or better. With the mitigation measures, the project would be consistent with this General Plan policy.

Potential impacts to agricultural resources located on the site are analyzed in Section 4.2, Agriculture. As detailed in Impact AG-1, conversion of Prime Farmland and Farmland of Statewide Importance to non-agricultural land uses would not be a significant impact. Although prime farmland would be lost, the project site is planned and designated for development in the General Plan, there is therefore no related inconsistency with General Plan policies, and impacts to agricultural resources have been considered. As described above, proposed benefits to the public from improvements proposed as part of the Downtown Addition Specific Plan meet the intent and spirit of the General Plan. The Specific Plan is within the City limits and was designated for development in the 1998 King City General Plan. Therefore, there is no conflict with applicable plans, policies, or regulations and this impact is considered less than significant.

Mitigation Measures: None required.

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Impact LU&P-3: The project would not conflict with any applicable habitat conservation plan or natural community conservation plan.

The proposed Downtown Addition Specific Plan project area is not subject to a Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan. Therefore, the Specific Plan would not conflict with such a plan and there would be no impact.

Mitigation Measures: None required.
AGENDA

Monday, July 28, 2008

3:00 p.m.

Convening in the Board Meeting Room
at the Monterey Peninsula Airport District
200 Fred Kane Drive, Suite 200, Monterey, California

A. CALL TO ORDER

B. ROLL CALL

C. PUBLIC COMMENT
The Commission will receive public comment on non-agenda items within the
purview of the Commission. It is not necessary to complete a speaker request
form. The Chair may limit the length of individual presentations.

D. PRESENTATIONS
1. King City, Downtown Addition Specific Plan John M. Baucke AICP, CNU,
   President and CEO of New Urban Realty Advisors, Inc. and Ken Bornholdt of
   Kronick, Moskovitz, Tiedemann & Girard will present an overview of the
   project.

E. CONSENT
1. Meeting Minutes from June 23, 2008. Approve (pp 3- 5)

F. SCHEDULED ITEMS
Note: Action listed for each item represents staff recommendation. The Commission may, at its
discretion, take any action on the items listed on the Agenda.

1. King City, Downtown Addition Specific Plan The commission has received
   the King City, Downtown Addition Specific Plan.
   A staff memorandum recommending comment on the plan is included. As
   well, correspondence, and additional information received from the city and
project applicants have been included in a separate information packet.

Approve (pp 6-8)

G. COMMISSIONERS' COMMENTS

H. CORRESPONDENCE

I. ADJOURNMENT

If requested, the agenda shall be made available in appropriate alternative formats to person with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

If you require a reasonable accommodation, e.g. Wheelchair Accessible Facilities, Sign Language Interpreters and Printed Materials in large print, Braille, or on disk, please contact David Roemer at (831) 883-3750 or droemer@ambag.org. All requests must be made forty-eight hours in advance.
MEETING MINUTES
OF THE PROCEEDINGS OF THE COMMISSIONERS OF THE
MONTEREY COUNTY AIRPORT LAND USE COMMISSION

2008-06 JUNE 23, 2008

A. CALL TO ORDER

The Monterey County Airport Land Use Commission, Chairman Ernest Franco presiding, convened in the Board Meeting Room at the Monterey Peninsula Airport District 200 Fred Kane Drive, Suite 200, Monterey, California, at 3:00 p.m., Monday, September 28, 2008. Meeting called to order at 3:03 p.m.

B. ROLL CALL

Monterey County ALUC

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<td>ALUC, at large</td>
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<td>Robert Belter</td>
<td>Mayor Select Committee</td>
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<td>Jim Chappell</td>
<td>Airport Manager's Selection Committee (Salinas Municipal Airport)</td>
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Guests Present: Mark Bautista, Monterey Peninsula Airport; Benny Stuth, Monterey Peninsula Airport; Gary Peterson, Salinas Municipal Airport; Christine di Iorio, City of Marina; William Keeler, City of Marina; Ashley Hefner, PMC, County of Monterey

Staff Present: David Roemer

C. PUBLIC COMMENT

None
D. CONSENT AGENDA  
Minutes from the April 28, 2008 meeting  
Approved Unanimously

E. PRESENTATIONS  
1. Panziera Wind Turbine Project  
Ashley Hefner a consultant for the County of Monterey discussed two wind turbines being proposed in the unincorporated area of the county, west of the town of Gonzales, each Turbine totals 212 ft in total system height (including tower and blades).

Discussion between Commissioners, Consultant, and Salinas Airport Mngr. Gary Peterson centered on two concerns of the board: 1) that adequate and consistent safety lighting be provided and daylight painting also make the turbines visible (for General and Agricultural Aviation) and (as there may be more of these turbines in the future) that they also be painted in a consistent highly visible manner, and 2) that a process should be developed in the county to oversee permitting of future turbines.  
Information Accepted

F. SCHEDULED ITEMS  
1. Marina Municipal Airport Master Plan Update  
Staff recommended that the Marina Municipal Airport Master Plan Update be approved by the Monterey County Airport Land Use Commission. Staff found the Marina Municipal Airport Master Plan Update to be consistent with the latest Marina Municipal Airport Land Use Compatibility Plan (1996), and follows the recommendations set forth in the 2002 State of California, Department of Transportation, Division of Aeronautics, California Airport Land Use Handbook.

The board’s discussion focused on the report’s inclusion of lengthening the runway and whether the longer runway will have adequate room for safety zones. Representatives for the airport assured the board that there is indeed room for the safety zones on both ends of the runway and that the city and airport will continue further consultation with the ALUC and that a full Environmental Impact Report would be developed before any lengthening of the runway would commence.  
Approved Unanimously

G. COMMISSIONERS’ COMMENTS  
None

H. CORRESPONDENCE  
1. Alisal Union School District, Elementary School #14  
A proposed school site has been designated within two miles of the Salinas Municipal Airport. The letter was received late and the site was further than 2 miles for the airport. Staff was directed to draft a letter to inform the Caltrans
Dept. of Aviation to give the ALUC adequate time to form a response and give them the ALUC calendar.

I. **ADJOURNMENT**
Meeting adjourned at 4:14 p.m.
MEMORANDUM

TO: Monterey County Airport Land Use Commission
FROM: David Roemer, ALUC Staff
DATE: July 18, 2008

SUBJECT: Comments on the Proposed King City Downtown Addition Specific Plan

The Monterey County Airport Land Use Commission (ALUC) was contacted by the city of King City to comment on a project entitled: King City Downtown Addition Specific Plan. The proposed King City, Downtown Addition Specific Plan, concerns the development of 107.5 acres located within the current city limits of King City. The site is about a half mile southwest of the King City, Mesa Del Rey Airport. Most of the land within the project area is presently being used for agriculture as is most of the land surrounding the airport. While this project is located outside of the Airport Influence Area (AIA) of the Airport, it is still within a two mile radius of the airport and will, if completed to build out, add substantially to the residential (650 housing units) and daytime business population (125,000 sq. ft. of commercial) near the airport. Because of these facts the City saw contacting and consulting with the ALUC as a prudent action.

The King City Downtown Addition Specific Plan document does not speak directly to the subject of the airport nor the airport’s relationship with the project. The airport is not mentioned in the relationship of the project with the General Plan or when the environmental setting of the project is discussed.

Indeed, the only mention of the airport in the King City Downtown Addition Specific Plan is within a map showing the infrastructure and public services of the city. While it would be informative to have the project put into context with the airport in this planning document, of greater concern to the ALUC is what will be covered in the yet to be distributed Draft Environmental Impact Report (DEIR) on this project.

The ALUC does not yet have a full copy of the DEIR, but New Urban Realty Advisors, Inc. has sent excerpts from the report and it is that report to which the ALUC will need to respond to fulfill the commission’s duty. Portions of this document have been included in the Additional Information Packet. (pp 10-57)

Background
The King City Downtown Addition Specific Plan was written in 2005 and revised in 2006. It is now moving forward as an active project. Land use plans for the development consist of a new urbanism planned community that would include single family detached residential and multifamily residential dwelling units, live-work and work-live units, commercial office and retail space, public open space, and recreation areas. The Downtown Addition Specific Plan provides growth management and comprehensive planning of the new development accompanied by the necessary infrastructure and public facilities.

REGIONAL ANALYSIS & PLANNING SERVICES, INC.
A non-profit corporation chartered by the Association of Monterey Bay Area Governments

445 Reservation Road, Suite G
P.O. Box 809, Marina, CA 93933-0809
(831) 883-3750
FAX (831) 883-3755

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A detailed description and map of the project in the introduction of the specific plan is included below. The oval surrounding the Mesa del Rey Airport as well as the airport title have been added by staff for the purpose of identification.

"Most of the key design attributes of the Downtown Addition related to the central intention that it be a walkable neighborhood, connected to the existing Downtown. These attributes include:

- A network of walkable streets that organize the neighborhood into small interconnected blocks.
- A mix of uses within easy walking distance of one another, including up to 650 residences of diverse types—ranging from larger family houses, to smaller houses and townhouses, to modest apartments—flexible live-work and work-live buildings that support small businesses of various types, and a range of neighborhood-serving commercial uses totaling up to 125,000 sq. ft.
- Public spaces and civic facilities in the form of parks, greens, plazas and paseos, and
- Transit-oriented development with a transit center intended to be a train station in the long term and a bus depot in the near term."

Current Land Use Documents
The Amended Comprehensive Land Use Plan for Mesa Del Rey Airport was adopted by King City in January 1978 and by the Monterey County Airport Land Use Committee in February 1978. This document outlining the Airport Influence Area is shown on the next page. The project directly abuts the AIA to the south across Bitterwater Road and the eastern zone of agricultural land within the AIA.

In 2001, the City initiated an Airport Master Plan Update for the King City, Mesa Del Rey Airport under a grant from the Federal Aviation Administration's (FAA) Airport Improvement Program. The purpose of the study is to determine the type and extent of aviation facilities needed at the airport through the year 2020 and to prepare an Airport Master Plan Update to accomplish the required development. In April and September of 2002, interim reports were published giving aviation trends and forecasts of air traffic activities. The full Airport Master Plan Update is in the process of being prepared.
The King City Downtown Addition Project Draft Environmental Impact Report
Three sections within chapter four of the DEIR pertain to ALUC airport/land use issues. Section 4.7, speaks to hazards and hazardous Materials, section 4.9 concerns land use and planning and 4.10 covers noise. City staff has already commented on the DEIR. The King City staff's preferred changes can be read in the document: City Comments on the Downtown Addition Project Administrative Draft EIR: Excerpts Concerning the Mesa Del Rey Airport, King City, in the Additional Information Packet (pp 5-9).

ALUC staff echoes all these suggested changes to the DEIR in the hope of clarifying policies and procedures that guarantee the safety and awareness of future inhabitants of the project area and await the arrival of the full DEIR on which to comment. Until that time the only comments are to have the project put into context with the airport in this planning document.

Staff Recommendation:
Staff recommends the ALUC send a comment letter on the Proposed King City Downtown Addition Specific Plan, expressing the need that the Mesa Del Rey Airport be added to the report to give area context. As well staff suggests, the letter ask the City to notify the ALUC as soon as the DEIR becomes available, to give the commission time to responsibly comment on this important project.

REGIONAL ANALYSIS & PLANNING SERVICES, INC.
A non-profit corporation chartered by the Association of Monterey Bay Area Governments
445 Reservation Road, Suite C
P.O. Box 809, Marina, CA 93933-0809
(831) 883-3750
FAX (831) 883-3755

8
King City - Downtown Addition

Introductions

Project Description - Overview

Why we are here

Staff Report - Comments

CEQA

- Status
- City Comments on ADEIR
- Applicant Proposed Mitigation Measures

Additional Comments - Ken Bornholdt, Esq. Kronick, Moskovitz, Tiedemann & Girard

Questions
King City - Downtown Addition

Introductions:

John M. Baucke, AICP, CNU
President and CEO
New Urban Realty Advisors, Inc.

Tina Metzger, City Planner
City of King

Ken Bornholdt, Esq.
Kronick, Moskovitz, Tiedemann & Girard

Smith-Monterey, LLC.
King City Downtown Addition

Project Description - Overview

A Mixed-Use Traditional Neighborhood and Future Transit-Oriented Development

The Downtown Addition is located Southwest of Mesa Del Rey Airport.
Project Description - Overview

The Downtown Addition is located within the city limits just East of the existing downtown. East of First Street and the UPRR tracks, Between Bitterwater Road and San Lorenzo Creek.
Continuing the Vision Established in 1908

The Downtown Addition is designed to extend King City’s Downtown Core across the Union Pacific Railroad to the east as was planned in the original town plat by the Spreckels Sugar Company.
King City - Downtown Addition
A Mixed-Use Traditional Neighborhood and Future Transit-Oriented Development

Planning Area contains 107.3 acres.

315 legal lots and 10 dedicated streets.

King City Downtown Addition
Smith-Monterey, LLC.
King City - Downtown Addition
A Mixed-Use Traditional Neighborhood and Future Transit-Oriented Development

A compact, pedestrian-friendly, mixed-use urban neighborhood founded on the principles of "Smart Growth" and "New Urbanism".

Key design characteristics include:

1. A mixture of land uses including shops, workplaces, residences and civic buildings within easy walking distance of one another that are designed in a manner that supports the City's future train station and transit center;

2. A wide variety of housing of diverse types—ranging from larger family houses, to smaller houses and town houses, to modest apartments so to provide housing opportunities for people of all demographics (younger, older, kids, no kids) (650 d.u. max);

3. A range of neighborhood serving commercial uses (125,000 s.f.). Designed with a location for a grocery store;

4. Flexible live-work and work-live buildings that support small businesses of various types (65,060 s.f. max);

5. A blend of eight historic indigenous regional architectural styles;

King City Downtown Addition
Smith-Monterey, LLC.
King City - Downtown Addition
A Mixed-Use Traditional Neighborhood and Future Transit-Oriented Development

A compact, pedestrian-friendly, mixed-use urban neighborhood founded on the principles of "Smart Growth" and "New Urbanism".

Key design characteristics (Continued):

6. A hierarchy of pedestrian-oriented streets that organize the neighborhood into small interconnected blocks;

7. Variety of thoroughfare types that accommodate pedestrians, bicyclists and motorists;

8. Public open spaces in the form of plazas, parks, and playgrounds that provide places for recreation and gathering (24 acres min. parks and open space); and

9. Five neighborhood zones to create distinctive neighborhood areas.
From Downtown to Downtown Addition
T-4 Neighborhood General

Large Neighborhood Green with Duplexes and Quad-plexes
T-4 Neighborhood General

Typical Neighborhood Street of Alley-Served Houses

King City Downtown Addition
Smith-Monterey, LLC.

New Urban Realty Advisors, Inc.

HR Town Planning
T-4 Neighborhood General

Typical Neighborhood Street of Houses without Alleys

King City Downtown Addition
Smith-Monterey, LLC.

New Urban Realty Advisors, Inc.
HR Town Planning
Parks – 2-min. Walk

King City Downtown Addition

Parks Pedestrian Sheds

Each circle represents a 2-minute walk from the circle center to its edge. Each center is located in one of the neighborhood or community parks. Lots shaded by a circle are within a 2-minute walk of a park. Lots shaded by overlapping circles are within a 2-minute walk of two or more parks.
T-4 Neighborhood Edge

Homes and Civic Building along Bitterwater Greenway

King City Downtown Addition
Smith-Monterey, LLC.

New Urban Realty Advisors, Inc.
HR Town Planning
T-3 Neighborhood Edge

Homes along San Lorenzo Creek Linear Park
King City - Downtown Addition
A Mixed-Use Traditional Neighborhood and Future Transit-Oriented Development

Why we are here

City Transmittal:

- Provided to ALUC for Information and Comment only, since project not in the Airport Influence Area (AIA)

- Objective No. 1 - to make sure the ALUC was aware of the project and the ongoing environmental review process

- Objective No. 2 - Early consultation and solicitation of comments

King City Downtown Addition
Smith-Monterey, LLC.

New Urban Realty Advisors, Inc.
HR Town Planning
AMENDED COMPREHENSIVE LAND USE PLAN FOR MESA DEL REY AIRPORT

Downtown Addition

King City Downtown Addition
Smith-Monterey, LLC.

New Urban Realty Advisors, Inc.
HR Town Planning
Staff Report - Comments

- City Transmittal was not due to any particular concern regarding the Mesa Del Rey Airport either the Airport on the Project or the Project of the Mesa Del Rey Airport.
- The Downtown Addition Specific Plan as noted in the Staff Report does not speak directly about the airport or the relationship with the airport. This relationship was not described since there is none. However, as requested additional text and graphics will be incorporated in the Public Hearing Draft of the Downtown Addition Specific Plan describing the location of the Mesa Del Rey Airport.

Both additional narrative text and an updated location figure will be added as requested.
King City - Downtown Addition
A Mixed-Use Traditional Neighborhood and Future Transit-Oriented Development

Staff Report - Comments

- ALUC Staff and the City agree as to the suggested changes to the ADEIR requested by City contained in the document "City Comments on the Downtown Addition Project Administrative Draft Environmental Impact Report" (See: Additional Informational Packet).
King City - Downtown Addition
A Mixed-Use Traditional Neighborhood and Future Transit-Oriented Development

CEQA

Status and History

- ALUC sent the Notice of Preparation
- ADEIR under review - Public Review Draft circulated Fall 2008
- ALUC will receive the Draft Environmental Impact Report for public comment

City Comments on ADEIR

- City provided comments on ADEIR for ALUC's Information so the ALUC would be advised of what would be covered in the distributed Draft Environmental Impact Report (DEIR) (See: Additional Informational Packet)
- ADEIR Sections on Hazards, Land Use Planning and Noise are provided as an attachment to the ALUC Staff Report (See: Additional Informational Packet)
King City - Downtown Addition
A Mixed-Use Traditional Neighborhood and Future Transit-Oriented Development

CEQA

Applicant Proposed Mitigation Measures:

- Mitigation Measure NOI-5A: Due to the fact that some aircraft flight tracks from the City Airport pass over the Project site, the City shall require that the Applicant grant an aviation easement to the City in the form contained in Appendix D to the Caltrans Airport Land Use Planning Handbook.

- Mitigation Measure NOI-5B: Due to the fact that some aircraft flight tracks from the City Airport pass over the Project site, the City shall require that the Applicant shall record a deed notice to give Downtown Addition Project property buyers notice of aircraft in the vicinity in the form contained in Appendix D to the Caltrans Airport Land Use Planning Handbook.
King City - Downtown Addition
A Mixed-Use Traditional Neighborhood and Future Transit-Oriented Development

Additional Comments

Ken Bornholdt, Esq.
Kronick, Moskovitz, Tiedemann & Girard
Downtown Addition

King City Downtown Addition
Smith-Monterey, LLC.

New Urban Realty Advisors, Inc.
HDR Town Planning
Rights-of-way to be re-designated

Area to be removed from Specific Plan

Existing Specific Plan
- OS - Open Space
- NG-1 - Neighborhood General 1
- NG-2 - Neighborhood General 2
- NG-3 - Neighborhood General 3
- NC - Neighborhood Center
- Specific Plan Boundary

Proposed Specific Plan
- OS - Open Space
- NG-1 - Neighborhood General 1
- NG-2 - Neighborhood General 2
- NG-3 - Neighborhood General 3
- NC - Neighborhood Center
- Specific Plan Boundary
- Area to be Removed

0 400 feet
0 400 feet

Figure 3-1
Specific Plan Boundary and Designation Change
King City Downtown Addition Specific Plan 2019 Amendments and Two Development Projects SEIR

Source: Smith-Monterey KC, LLC 2014
New Urban Realty Advisors, Inc. 2014
Figure 3-2

Zone Change

King City Downtown Addition Specific Plan 2019 Amendments and Two Development Projects SEIR

Source: Monterey County GIS 2018, ESRI 2019
9. **Project Expiration:** The Vesting/Non-vesting Tentative Tract Map shall automatically expire **two (2) years** after City Council final action, subject to any automatic extensions permitted under the Subdivision Map Act ("SMA") and any discretionary extensions granted by the City as permitted by the SMA and City requirements. **Prior to expiration of the tentative map,** the Applicant may request and apply for any extension of time which is permitted by law. (TT/VTM)

10. **Changes:** Development shall be in **substantial compliance** with the Downtown Addition Specific Plan, and the plans, conditions of approval/mitigation measures presented to and approved by the City Council in connection with the adoption of Downtown Addition Specific Plan, Rezone and General Plan Amendment. No condition, or standard shall be eliminated, added or modified without Planning Commission review and City Council action, following a public hearing. (SP/GP/RZ)

11. **SWPPP/Erosion Control Plan:** Prior to grading and/or performance of any site work, an Erosion/Sediment Control Plan for routine activities associated with new excavation areas shall be submitted to the City for review and approval. A copy of the Project’s Storm Water Pollution Prevention Plan ("SWPPP") shall be submitted to the City for review. SWPPP Best Management Practices ("BMPs") to prevent and control discharges to the municipal separate storm sewer (drain) system shall be in effect for the entire duration of Project construction to its completion and acceptance by the City. (SP/GP/RZ)

12. **Existing Use of Non-conforming Properties and Structures:** Properties which are contained in the adopted Downtown Addition Specific Plan boundaries which are owned at the time of adoption of the Specific Plan by property owners other than Smith-Monterey, LLC shall become legal non-conforming uses (as defined by KCMC 17.58, by the adoption of the Downtown Addition Specific Plan). (SP/GP/RZ)

13. **Public Right-of-Way Easement:** The Downtown Addition Specific Plan contemplates the use of the Gallery (3.5.2.7) and Arcade (3.5.2.8) building types within the Neighborhood Zone. Any building of the Gallery and Arcade building type allowed by the Downtown Addition Specific Plan which proposes any construction within the public right-of-way or airspace above such right-of-way shall obtain an easement from the City, prior to the issuance of a building permit. Such easement shall be approved by the City Attorney and approved by the City Council. Upon receipt of City Council approval the easement shall be recorded and run with the land. (SP/GP/RZ)

14. **Disclosure Documents – Potential Nuisances:** Prior to or concurrent with the recordation of any final map, the following notices shall be recorded in a manner that notifies all subsequent property owners within this Project of the potential nuisances from adjacent parks, previous agricultural use of the Project site, and nearby airport and industrial uses. Said notice shall advise each future owner to notify all prospective buyers of the potential nuisances, prior to entering in an agreement to purchase a property within the Project site.

   a. “The Project site was previously used for agricultural operations that included the application of pesticides and other chemicals to the soil.”

   b. “Active and passive parks will be located adjacent to and within the Project. The parks will be used for a variety of both active and passive recreation activities. Noise, traffic and other disturbances may occur due to public activities. Additionally, park activities may in the future change and/or increase to meet the recreation needs of residents of and visitors to City of King.”

   c. “The existing airport, railroad, industrial area and cogeneration plant located near the Project may emit noise, dust and other related disturbances. These emissions may increase in the future.

   d. “The Project site is subject to aircraft over flights and single event noise exposure due to the proximity of the Project site to the City of King-Mesa Del Rey Airport. The airport is a general aviation airport that is used by a variety of aircraft and propulsion types, including fixed wing propeller and jet aircraft and helicopters. An FAA approved practice aerobatic area is adjacent to the airport. The airport is also used occasionally to support CDF and USFS aerial
e. “City of King encourages agricultural operations on property located within the City and on adjacent property located near the City limits in the unincorporated portion of Monterey County. The property you are purchasing is near agricultural properties or agricultural operations.

f. “You may be subject to inconveniences or discomfort arising from such operations. Such discomfort or inconveniences may include, but are not limited to: noise, odor, fumes, dust, smoke, inspections, operation of machinery (including fixed wing and helicopter aircraft) at any time and throughout any **twenty-four (24) hour period**, storage and disposal of manure, and the application by spraying, aerial application, or otherwise of chemical fertilizers, soil amendments, herbicides, fungicides and pesticides. One or more inconveniences or discomfort may occur as a result of agricultural operation that conforms to existing laws and regulations and are performed in accordance with accepted agricultural customs and standards. If you decide to live or work near an agricultural area, you should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a city and county with a strong rural character and an active agricultural sector.”

(CP/GP/RZ) (TT/VTM)

15. **Covenants, Conditions and Restrictions (“CC&Rs”):** Prior to the City’s approval of each final map for a residential development, the Applicant shall submit CC&Rs for review and approval by the City Attorney (provided that no such submission or approval shall be necessary for previously approved CC&Rs which govern the residential development). The CC&R’s shall record with the final map and shall include the following:

a. **Provisions for maintenance of all common areas including common access, common parking, common street trees, common fencing and common landscaping in perpetuity to be performed by the Homeowners Association (“HOA”),** if required pursuant to the Fiscal Neutrality Study and Agreement identified in COA No. 28.

b. A detailed list of each individual homeowner’s responsibilities for maintenance of the individual units.

c. Residents shall keep all trash receptacles within the unit’s designated trash storage area.

d. Garages shall be maintained and used for vehicle parking.

e. No boats, RV’s or other type of recreation vehicle may occupy a guest or resident parking space, including within an individual garage.

(TT/VTM)

16. **Repair/Maintenance of On-site Shared Improvements:** [Provided for in COA No. 28.]

17. **Mail Receptacles:** Mailboxes shall be provided as approved by the local US Postmaster. (TT/VTM)

18. **Grading Permits/Model Homes:** Notwithstanding any other provision contained in these conditions of approval and mitigation measures, the Applicant may apply for and City may issue grading permits for the Project and building permits for the construction of model homes in accordance with the model home plan, **prior to filing or recording of a final map, for the applicable phase or subphase.** (TT/VTM)

19. **Memorandum of Understanding:** Prior to approval of the first Vesting/Non-vesting Tentative Tract Map, the Memorandum of Understanding (“MOU”), dated May 12, 2004, between the City and Smith-Monterey, LLC shall be modified requiring the Applicant to pay for all reasonable third party consultant costs which are incurred by the City implementing the conditions of approval, mitigation measures, and other Project requirements after receiving City entitlements. These costs

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1 This condition of approval addresses Mitigation Measure NOI-5B.
Item 7b
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MEMORANDUM

To: Airport Land Use Commission

From: Joseph Sidor, ALUC Staff; December 5, 2019
(831) 755-5262, SidorJ@co.monterey.ca.us

Meeting Date: December 16, 2019

Subject: Scheduled Item 7b – Proposed adoption of an amendment (update) to the Housing Element of the City of Del Rey Oaks General Plan (ALUC File No. REF190043).

RECOMMENDATION:
Staff recommends the Monterey County Airport Land Use Commission (ALUC) find the proposed amendment (update) to the Housing Element of the City of Del Rey Oaks General Plan (ALUC File No. REF190043) consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport (ALUCP).

PROPOSED AMENDMENT & BACKGROUND INFORMATION:
On November 25, 2019, the City of Del Rey Oaks submitted an application (ALUC File No. REF190043) to ALUC staff for a proposed amendment (update) to the Housing Element of the City’s General Plan. The City’s Housing Element was last updated in June 1997, and this Draft Housing Element represents the 5th Cycle Planning Period update and covers the 2015-2023 planning period, as established by the California Department of Housing and Community Development (HCD).

Pursuant to State law, the City’s Draft Housing Element includes an evaluation of existing and projected housing needs, a review of previous goals and programs, an inventory of sites, identification of housing constraints, development of housing programs to address needs, and quantifiable objectives. See Chapter 7.0 of the Draft Housing Element (Attachment A to the City’s Consistency Analysis Letter) for detail regarding the City’s housing goals, policies and implementation programs. The City’s Draft Housing Element may be viewed in its entirety on the City’s public website at the following link:

The Draft Housing Element is required to show that the City has adequate sites available to accommodate its Regional Housing Need Allocation (RHNA), based on statewide and regional estimates determined by HCD. The Association of Monterey Bay Area Governments (AMBAG) is the local agency mandated by California Government Code section 65554(a) to distribute the “Fair Share Allocation” of the regional housing need to
each jurisdiction in Monterey and Santa Cruz Counties. No specific housing or development projects within the City’s current jurisdiction are proposed as part of the Draft Housing Element update.

The RHNA plan allocated 27 units as the fair share for the City to accommodate for the 5th Cycle Planning Period, with an additional 59 units carried over from the 4th Cycle Planning Period, for a total of 86 units. The RHNA does not mandate that these units be constructed; it does, however, require that the City demonstrate available vacant lands to meet this projected need. To demonstrate that the City has sufficient land available to meet the projected need, the City conducted an analysis of available lands in the City to accommodate housing for all income categories. The Draft Housing Element’s Land Use Inventory (see Attachment B to the City’s Consistency Analysis Letter) contains four components, including: 1) identification of vacant or underutilized parcels, 2) analysis of site constraints, 3) assessment of development capacity, and 4) demonstration that zoning is adequate. The Draft Housing Element Land Use Inventory concluded adequate land is available to accommodate the City’s total housing needs. Further the site analysis completed by the City identified portions of the City-owned property on the former Fort Ord area (see Sites 1 and 1A below) as suitable to meet the projected housing need.

Available Land Inventory – City of Del Rey Oaks

![Map of Available Land Inventory](image)

The City’s zoning districts consist primarily of residential and commercial districts. Existing land uses in the developed area of the City are consistent with the current zoning and land use designations in the General Plan and contain mainly residential, retail commercial, offices, parklands and light industrial uses. Lands in the undeveloped former Fort Ord area (Sites 1 and 1A) are designated in the General Plan for visitor-serving, office, recreational, and open space uses (see Attachments D and E, Zoning Map and Land Use Designation Map, to the City’s Consistency Analysis Letter).
Pursuant to the ALUCP, a significant majority of the City is located within Safety Zone 7 (Airport Influence Area). A small portion of the City is located within Safety Zones 2 through 4 (Inner Approach/Departure, Inner Turning, and Outer Approach/Departure, respectively), and the majority of these areas are already developed. The areas proposed to meet the City’s RHNA requirements (i.e., Sites 1 and 1A) are located in Safety Zone 7.

As stated above, the Draft Housing Element is only a policy document, and no specific housing or development projects are proposed as part of this update. Any future proposal to develop Sites 1 and 1A with residential housing would require applicable General Plan Land Use Designation and Zoning Map amendments, and would also require ALUC consistency determination review.

The ALUC previously reviewed the City of Del Rey Oaks General Plan, including the Housing Element, in 1997. On March 24, 1997, the ALUC found the City’s General Plan consistent with the 1987 Comprehensive Land Use Plan for Monterey Peninsula Airport in effect at that time (ALUC staff does not have a copy of the associated ALUC Resolution). The ALUC also recommended that the City adopt several policies that would help to ensure the compatibility of new development with the noise and safety impacts created by the City’s proximity to the airport. Subsequently, the City revised the draft General Plan Update to include the following relevant policies:

   **Policy L-5a:** City shall require avigation easements for each future development project located in the Airport Land Use Planning Area.

   **Policy L-5b:** Development within the clear zone shall comply with the following standards (commercial, retail, and services development shall be allowed subject to these policies):
   - Density standards to prevent large assemblages of people (such as theaters, churches, meeting halls, educational institutions).
   - Prohibit uses whose primary occupants are persons of impaired mobility, (i.e., hospitals, schools, daycare centers, and nursing homes).
   - Prohibit the above ground storage of large quantities of flammable materials or hazardous materials.
   - Prohibit residential units and overnight sleeping accommodations.

The City’s current General Plan policies also encourage working with the Airport staff to address compatibility and transportation issues relative to future development of the Airport’s commercial area and roadways. This background information regarding the City’s overall General Plan is relevant to note because it demonstrates a willingness and commitment on the part of the City to adopt policies and plans which are consistent and compatible with airport operations.

**CONSISTENCY DETERMINATION ANALYSIS:**
ALUC staff reviewed the City’s proposed amendment (update) to the Housing Element of the City’s General Plan in accordance with the adopted ALUCP as discussed below:

**NOISE COMPATIBILITY**

The proposed amendment, as well as Sites 1 and 1A, were reviewed for consistency with the most up-to-date Noise Contour Exposure Maps completed in 2018 for the MRY Airport Master Plan Environmental Impact Report. Per this review, the vast majority of the City is located outside of the 65 (or greater) Community Noise Equivalent Level (CNEL) contour. Fewer than seven parcels near the intersection of Highway 68 and Canyon del Rey, and currently developed with commercial and industrial uses, are
located within the 65 CNEL contour. In accordance with the ALUCP Table 4A (Noise Compatibility Criteria Matrix), commercial and industrial uses are compatible/allowed uses within the 65 CNEL. Also in accordance with the ALUCP Table 4A, proposed residential uses located outside of the 65 CNEL would be compatible with no restrictions. Furthermore, all future development projects would be required to conform with the current noise insulation standards, and the current California Building Code requires all residential structures to achieve an interior noise level of no more than 45 decibels. Lastly, the City’s General Plan Policy L-5a requires an avigation easement for each future development project located in the Airport Land Use Planning Area (i.e., the Airport Influence Area or Safety Zone 7). Therefore, based on the above analysis, the proposed amendment is consistent with the ALUCP with regard to noise compatibility criteria, and no further conditions regarding noise are recommended.

AIRSPACE PROTECTION
The area of the City is located entirely inside the 14 Code of Federal Regulations (CFR) Part 77 approach, horizontal, conical and transitional surfaces for Monterey Regional Airport. Currently, none of the existing buildings within the City penetrate the Part 77 airspace surfaces. Also, any new or remodeled structure would be subject to the existing maximum height restrictions as designated in current City zoning, and would be required to conform to CFR Part 77 requirements. Therefore, it is not anticipated that future structures would penetrate into the Part 77 airspace surfaces, and no further conditions regarding airspace protection are recommended.

SAFETY COMPATIBILITY
Sites 1 and 1A are located within Safety Zone 7 (Airport Influence Area) as shown in ALUCP Exhibit 4C (Monterey Regional Airport Safety Zones). Pursuant to Table 4B (Safety Criteria Matrix for Zone 7), the proposed amendment would not allow any new prohibited uses, and there are no limitations on residential density within Safety Zone 7. Additionally, as noted above, the City’s General Plan Policy L-5a requires an avigation easement for each future development project located in the Airport Land Use Planning Area (i.e., the Airport Influence Area or Safety Zone 7). Therefore, no further conditions regarding safety compatibility are recommended.

OTHER FLIGHT HAZARDS
The current General Plan Policy L-5a requires avigation easements for future development. The General Plan also encourages cooperation with Airport staff to address compatibility issues including exterior lighting plans for the new residential land use designations. Therefore, no further conditions regarding other flight hazards are recommended.

MONTEREY REGIONAL AIRPORT REVIEW:
On December 5, 2019, ALUC staff forwarded the proposed Housing Element amendment to the Monterey Regional Airport staff for review. As of the completion date of this staff report, Airport staff had not yet responded. ALUC staff will provide an update at the ALUC public meeting on December 16, 2019.

CONCLUSION:
Based on review and analysis of this proposed Housing Element, staff recommends the ALUC adopt a resolution finding the proposed amendment (update) to the Housing Element of the City of Del Rey Oaks General Plan consistent with the 2019 Airport Land Use Compatibility Plan for Monterey Regional Airport.
Potential application of ALUC conditions would be better suited during ALUC consistency determination review of any future General Plan Land Use Designation and Zoning Map amendments for a specific development proposal.

Attachments:

Draft ALUC Resolution

City of Del Rey Oaks Consistency Analysis Letter, Revised, dated December 5, 2019 (prepared by Denise Duffy & Associates); including the following attachments:

A. Chapter 7.0 Housing Plan of the Draft Housing Element
B. Land Use Inventory
C. Available Land Inventory Map
D. Zoning Map
E. Land Use Designation Map

cc: ALUC Commissioners; ALUC Counsel; Monterey Peninsula Airport District (C. Morello); City of Del Rey Oaks; Denise Duffy & Associates (Ashley Quackenbush); ALUC File No. REF190043
WHEREAS, on November 25, 2019, the City of Del Rey Oaks (City) submitted an ALUC application for a proposed amendment (update) to the Housing Element of the City’s General Plan (ALUC File No. REF190043) to ALUC staff; and

WHEREAS, the ALUC is responsible for review of projects within the Airport Influence Area for Monterey Regional Airport, as identified in the 2019 ALUCP; and

WHEREAS, the proposed General Plan Housing Element amendment would evaluate the City’s existing and projected housing needs, review previous goals and programs, inventory sites within the City, identify housing constraints, discuss development of housing programs to address needs, and list quantifiable objectives; and

WHEREAS, as proposed, the amendment would demonstrate that the City has adequate sites available to accommodate its Regional Housing Need Allocation (RHNA), based on statewide and regional estimates determined by the California Department of Housing and Community Development (HCD); and

WHEREAS, the RHNA does not mandate that these units be constructed; yet, requires that the City demonstrate available vacant lands to meet this projected need. No specific housing or development projects within the City’s current jurisdiction are proposed as part of the Draft Housing Element update; and

WHEREAS, the City has identified lands in the undeveloped former Fort Ord area that would meet the City’s RHNA requirements, and these lands are located entirely within Safety Zone 7 (Airport Influence Area) as shown in ALUCP Exhibit 4C (Monterey Regional Airport Safety Zones); and

WHEREAS, any future proposal to develop these lands with residential housing would require applicable General Plan Land Use Designation and Zoning Map amendments, and would also require ALUC consistency determination review; and

WHEREAS, the ALUC previously reviewed the City of Del Rey Oaks General Plan, including the Housing Element, in 1997. On March 24, 1997, the ALUC found the City’s General Plan consistent with the 1987 Comprehensive Land Use Plan for Monterey Peninsula Airport in effect at that time. Pursuant to ALUC recommendations,
the City adopted several policies to help ensure the compatibility of new development with the noise and safety impacts created by the City’s proximity to the airport, including a requirement for avigation easements for each future development project located in the Airport Land Use Planning Area; and

WHEREAS, the proposed amendment was reviewed for consistency with the most up-to-date Noise Contour Exposure Maps for Monterey Regional Airport. The lands proposed for potential future residential uses are located outside of the 65 (or greater) Community Noise Equivalent Level (CNEL) contour. In accordance with the ALUCP Table 4A (Noise Compatibility Criteria Matrix), proposed residential uses located outside of the 65 CNEL would be a compatible use with no restrictions. Additionally, the City’s General Plan Policy L-5a requires an avigation easement for each future development project located in the Airport Land Use Planning Area (i.e., the Airport Influence Area or Safety Zone 7). Therefore, the proposed amendment is consistent with the ALUCP with regard to noise compatibility criteria, and no further conditions regarding noise are recommended; and

WHEREAS, the ALUC has reviewed the proposed amendment for noise compatibility, airspace protection, safety compatibility and other flight hazards and determined that no additional recommended conditions are necessary; 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 December 16, 2019 staff report to the ALUC; and

WHEREAS, on December 16, 2019, the ALUC conducted a duly noticed public meeting to consider the proposed amendment (update) to the Housing Element of the City’s General Plan.

NOW, THEREFORE, BE IT RESOLVED, the Monterey County Airport Land Use Commission does hereby find that the proposed City of Del Rey Oaks amendment (update) to the Housing Element of the City’s General Plan consistent with the 2019 ALUCP for Monterey Regional Airport, incorporated herein by reference.

PASSED AND ADOPTED on this 16th day of December 2019, upon motion of Commissioner ________ and seconded by Commissioner ____________, by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST
Carl P. Holm, Secretary to the ALUC

By: __________________________________________
Joseph Sidor, Designee of Secretary to the ALUC
December 16, 2019
December 5, 2019

Joseph Sidor, Associate Planner
Resource Management Agency – Planning Division
1441 Schilling Place
Salinas CA, 93901

SUBJECT: Consistency Analysis for the City of Del Rey Oaks Housing Element Project

The project under consideration is the City of Del Rey Oaks 2019 Draft Housing Element. The City must prepare a Housing Element as part of its General Plan under the requirements of California State law. All local governments must implement solutions to address local and regional housing needs. The City’s Housing Element was last officially updated in June 1997. The Draft Housing Element represents the 5th Cycle Planning Period update and covers the 2015-2023 planning period. The Draft Housing Element has been prepared in accordance with the requirements of California Government Code sections 65580-65589.8 and updates the current Housing Element of the City’s General Plan. In addition, the Draft Housing Element will be reviewed by HCD for compliance with State law requirements.

The Draft Housing Element identifies issues, policies, programs and implementation measures in accordance with State Housing Element law. The Draft Housing Element includes an evaluation of existing and projected housing needs, a review of previous goals and programs, an inventory of sites, identification of housing constraints, development of housing programs to address needs, and quantifiable objectives. The Draft Housing Element quantifiable housing goals as well as policies and implementation programs that would achieve these goals are identified in Chapter 7.0 of the Draft Housing Element (See Attachment A). No specific housing or development projects within the City’s current jurisdiction are proposed as part of the Draft Housing Element update.

However, the Draft Housing Element is required to show that the City has adequate sites available to accommodate its Regional Housing Need Allocation (RHNA). HCD first estimates a statewide need for housing, which is broken down into regions, each of which then has an assigned share of estimated housing needs. The Association of Monterey Bay Area Governments (AMBAG) is the local agency mandated by California Government Code section 65554(a) to distribute the “Fair Share Allocation” of the regional housing need to each jurisdiction in Monterey and Santa Cruz Counties. The RHNA for the Monterey County region is 4,375 housing units for the 2015 to 2023 RHNA cycle. Table 1 identifies the City’s RHNA, including quantifiable housing goals of the Draft Housing Element, as determined by HCD:
Table 1
Regional Housing Need Allocation - 5th Cycle Planning Period and 4th Cycle Carry-Over

<table>
<thead>
<tr>
<th>Income Category</th>
<th>5th Cycle Allocation 2015 to 2023</th>
<th>4th Cycle Allocation*</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very low-income (31-50% of area of median income)</td>
<td>7</td>
<td>34</td>
<td>41</td>
</tr>
<tr>
<td>Low-income (51-80% of area median income)</td>
<td>4</td>
<td>25</td>
<td>29</td>
</tr>
<tr>
<td>Moderate-income (81-120% of area median income)</td>
<td>5</td>
<td>-</td>
<td>5</td>
</tr>
<tr>
<td>Above moderate (over 120% of area median income)</td>
<td>11</td>
<td>-</td>
<td>11</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>27</strong></td>
<td><strong>59</strong></td>
<td><strong>86</strong></td>
</tr>
</tbody>
</table>

*Carryover required per HCD for low- and very low-income categories (HCD, 2019).
Source: AMBAG RHNA 5th Housing Element Cycle (AMBAG, 2014) and RHNA Determination HCD (HCD, 2019).

The RHNA plan allocated 27 units as the fair share for the City to accommodate for the 5th Cycle Planning Period and a total of 59 units carried over from the 4th Cycle Planning Period. Of the 86 total units, 41 units are to be affordable to the very low-income households, 29 units are to be affordable to the low-income households, 5 units are to be affordable to the moderate-income households and 11 units are to be affordable to the above moderate-income households. The RHNA does not mandate that these units be constructed; it does, however, require that the City demonstrate adequate zoning and available vacant lands to meet this projected need. To demonstrate that the City has sufficient land available to meet the projected need, the City conducted an analysis of available lands in the City to accommodate housing for all income categories.

The Draft Housing Element's Land Use Inventory (Attachment B) contains four components, including: 1) identification of vacant or underutilized parcels, 2) analysis of site constraints, 3) assessment of development capacity, and 4) demonstration that zoning is adequate. The Land Use Inventory also considers availability of sites to accommodate a variety of housing types suitable for households within a range of income levels and housing needs. The Draft Housing Element Land Use Inventory concluded adequate land is available to accommodate the City’s total housing needs (70 very low- and low-income units and 16 moderate- and above moderate-income units). Further, the site analysis identified portions of the City-owned property on the former Fort Ord area, Sites 1 and 1a, shown in Attachment C, as suitable to meet the need.
The City’s zoning districts consist primarily of residential and commercial districts (see Attachment D, Zoning Map). Existing land uses in the developed area of the City are consistent with the current zoning and land use designations in the General Plan and contain mainly residential, retail commercial, offices, parklands and light industry uses. Lands in the undeveloped former Fort Ord area are designated in the General Plan for visitor-serving, office, recreational, and open space uses (see Attachment E, Land Use Designation Map).

As stated above, the Draft Housing Element is strictly a policy document rather than a proposal for a specific action and if adopted will not result in any physical changes to the environment. Consistent with its policy function, it contains a full set of programs to achieve its goals. Attachment A identifies policies and programs being considered under the Draft Housing Element. These potential programs would be evaluated by the City and, if moved forward, each action would be subject to future City hearings and implementation which would occur after the adoption of the Draft Housing Element. No policy or program would result in the approval of a specific housing project.

Therefore, the adoption of the Draft Housing Element assumes that all future actions (including Zoning Ordinance or General Plan amendments or approval of potential future housing projects) would be subject to CEQA. As such, project-level environmental review would be conducted as warranted under CEQA and must occur prior to specific project approval. After adoption and certification of the Draft Housing Element, the City would review specific housing development proposals based on their compliance with the General Plan, Land Use and Zoning Code and other appropriate ordinances. Additional environmental review of potential impacts of any specific project would be performed in compliance with CEQA as proposals or projects are submitted. Being in compliance with the goals, policies and programs of the Draft Housing Element alone, would not ensure project approval.

The Monterey Regional Airport Land Use Compatibility Plan (CLUP, adopted February 25, 2019) established that a majority of the City is located within Safety Zone 7, the Airport Influence Area. A small portion of the City is located within Safety Zones 2-4, Inner Approach/Departure, Inner Turning, Outer Approach/Departure, respectively. However, the majority of these areas are already developed; further the Housing Element is strictly a policy document and does not propose any new development. The proposed area to meet the City’s RHNA, Sites 1 and 1a, are located in Safety Zone 7, the Airport Influence Area, similar to most properties within the City. However, these sites will require a General Plan and Zoning Ordinance amendment to allow affordable residential development, which will be completed in a separate future action by the City.

The City would appreciate being included in the December ALUC review meeting as the City is aiming to approve the Housing Element late December.
Findings for Consistency:
1. The project proposes adoption of the City Housing Element, a number of policies are identified in the City Housing Element which may result in updates and changes to the City Zoning and Land Use Designations. However, Draft Housing Element is strictly a policy document and does not proposed any new development.
2. The project does not propose any hazards to flight.
3. The project does not propose outdoor stadiums or similar uses with very high intensity uses.
4. No site changes or structures are proposed.
5. The project will comply with the maximum of 300 persons per acre requirements.

If you have any questions concerning the enclosed material, please do not hesitate to contact me. Thank you in advance.

Sincerely,

Ashley Quackenbush
Associate Planner, DD&A

Attachments:  A. Chapter 7.0 Housing Plan of the Draft Housing Element
              B. Land Use Inventory
              C. Available Land Inventory Map
              D. Zoning Map
              E. Land Use Designation Map

cc: Dino Pick, City General Manager
Denise Duffy, Principal DD&A
Attachment A

Chapter 7.0 Housing Plan of the Draft Housing Element
CHAPTER 7.0 HOUSING PLAN

Housing Goals, Policies and Programs

Under California law, the housing element must include the community's goals, policies, quantified objectives, and housing programs for the maintenance, improvement, and development of housing. This Housing Element contains five goal statements the City has identified to address major housing related issues facing the community. The following goals, policies, and programs are identified to meet the City’s unique and specific position in the regional housing market while meeting the community demands of a growing community and changing housing market.

The Housing Plan is organized into two sections: Goals and Policies, and Housing Programs. A goal is a higher-level statement that addresses the general nature and intent of the City’s housing objectives. Under each goal statement, policies are also identified which provide guidance and expand upon the City’s goals. Following the Goals and Policies section, the Housing Programs section describes specific actions, procedures, or strategies the City will take to carry out the identified goals and policies. These programs also specify who the primary responsibility is for carrying out these actions and an estimated timeframe for its accomplishment. The timeframe indicates the fiscal year in which the activity is scheduled to be completed. These timeframes are general guidelines and may be adjusted based on City staffing and budgetary considerations.

Based on the goals, policies, and programs outlined in the Housing Element and findings from the Housing Needs Assessment, the following objectives represent a reasonable expectation of the number of new housing units that can be developed, rehabilitated, or conserved/preserved for the 5th Cycle Planning Period (Table 7-1).

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Allocation by Cycle*</th>
<th>Totals by Income Category</th>
<th>New Construction</th>
<th>Rehabilitation</th>
<th>Conservation/ Preservation</th>
<th>Total Units By Housing Type</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5th Cycle</td>
<td>4th Cycle</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Very Low (0-50% of AMI)</td>
<td>7</td>
<td>34</td>
<td>41</td>
<td>41</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Low (51-80% of AMI)</td>
<td>4</td>
<td>25</td>
<td>29</td>
<td>29</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Moderate (81-120% of AMI)</td>
<td>5</td>
<td>-</td>
<td>5</td>
<td>5</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Above Moderate (more than 120% of AMI)</td>
<td>11</td>
<td>-</td>
<td>11</td>
<td>11</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total Units</td>
<td>27</td>
<td>59</td>
<td>86</td>
<td>86</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*4th Planning Cycle affordable housing shortfall requirement applies to very low- and low-income only.
** Total very low and low-income
Source: HCD Projected Housing Needs – Regional Housing Needs Allocation (HCD, 2019)
Chapter 7.0

Housing Element

Housing Plan

Goals and Policies

Housing Opportunities

GOAL A: THE CITY WILL PROVIDE ADEQUATE SITES TO BUILD NEW HOUSING UNITS FOR ALL INCOME LEVELS AND TO MEET THE CITY’S FAIR SHARE OF HOUSING NEEDS.

The City wants to facilitate a wide range of housing types to ensure there is adequate supply to meet the current and future needs of the City. By maintaining a balanced inventory of housing types including sizes, price and style, the City will ensure that adequate supply is available to meet existing and future housing needs. Persons and households of different ages, types, incomes, and lifestyles have a variety of housing needs and preferences that evolve over time and in response to changing life circumstances. This goal will ensure the provision of adequate sites that will allow for development of a variety of affordable housing in a safe and sustainable environment for all residents of the City, consistent with the City’s housing allocation adopted by the AMBAG.

Policies

A.1 Development of Underutilized Sites: The City shall ensure adequate vacant land and underutilized sites suitably zoned and prepared for residential development and/or redevelopment are available to meet the City’s housing need as identified by AMBAG.

A.2 Diversity of Housing Types that Meet City and Regional Housing Needs: The City shall implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, live-work units, and units in mixed-use developments.

A.3 Affordable Housing: The City shall promote the development of housing affordable to lower- and moderate-income households by pursuing State and federal funding sources for affordable housing projects. Where possible, the City shall partner with existing non-profit and for-profit corporations that are interested and able to construct and manage very low- and low-income households in the City.

A.4 New Sources of Infrastructure Financing: The City shall continue to seek new sources of financing for necessary infrastructure improvements for new development to facilitate new housing development.

Affordable Housing

GOAL B: THE CITY WILL ENCOURAGE THE PROVISION OF A WIDE RANGE OF HOUSING BY LOCATION, TYPE OF UNIT, AND PRICE TO MEET THE EXISTING AND FUTURE HOUSING NEEDS IN THE CITY.

The City is committed to provide adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. In order to do this, the City has identified a number of policies and programs ranging from seeking funding from varied sources, thereby increasing the opportunities for the development of affordable housing units, to working with non-profit and for-profit developers in the production of affordable for-sale and rental housing. Recognizing that homeownership plays a significant role in establishing strong neighborhoods and a sense of community pride, the City also supports programs that make purchasing a home a realistic option for lower-income households.
Policies

B.1 Adoption of Inclusionary Housing Ordinance: The City shall safeguard availability of affordable housing to moderate-, low-, very low-, and extremely low-income households through the adoption of Inclusionary and Affordable Housing Requirements.

B.2 Homeownership Housing: The City shall encourage the development of ownership housing and assist tenants to become homeowners within the parameters of federal and state housing laws.

B.3 Provide Incentives for Affordable Housing: The City shall promote the use of density bonuses and other incentives to facilitate the development of new housing for extremely low-, very low-, and low-income households.

B.4 Affordable Rentals: The City shall identify and solicit redevelopment funds as well as federal and State financial assistance for the construction of rental housing units and for rent subsidies for very-low-income and low-income households.

Remove Constraints

GOAL C: THE CITY WILL WORK TO REMOVE GOVERNMENTAL AND NON-GOVERNMENTAL CONSTRAINTS TO HOUSING DEVELOPMENT.

Pursuant to State law, the City is obligated to address, and where legally possible, remove governmental constraints affecting the maintenance, improvement, and development of housing. Removing constraints on housing development can help address housing needs in the City by expediting construction, and lowering development costs.

Policies

C.1 Flexible Development Standards: The City shall continue to improve and streamline the project review process by periodically evaluating and ensuring that zoning provision, City site improvement standards, development review procedures, entitlements procedures, and development fees do not unreasonably constrain the development, conservation, and rehabilitation of housing. Should constraints be identified, actions such as amendments to policies and procedures may be implemented to reduce or eliminate those constraints.

C.2 Reduce or Eliminate Non-Governmental Constraints: The City shall monitor non-governmental constraints, such as interest rates, construction costs, water availability, and others, through consultation with developers, lenders and other entities directly involved in the provision of housing. Should constraints be identified, actions such as amendments to policies and procedures may be implemented to reduce or eliminate those constraints.

Equal Housing Opportunities

GOAL D: THE CITY WILL PROMOTE EQUAL HOUSING OPPORTUNITIES FOR ALL PERSONS.

The City recognizes the importance of extending equal housing opportunities for all persons, regardless of regardless of race, religion, sex, family status, marital status, ancestry, national origin, color, age, physical or mental disability, sexual orientation, source of income, or any other arbitrary factor.

The City has many residents who have special housing needs. State law requires the housing element to address the needs of specific “special needs” groups, including seniors, persons with disabilities, large families with
children, female-headed households, and people who are homeless. Meeting the needs of these residents requires a broad range of strategies for housing and other services. This section also addresses student and faculty housing.

**Policies**

D.1 Fair Housing Services: The City shall support efforts to eliminate housing discrimination on the basis of race, gender, color, religion, age, marital status, offspring, or disability. The City shall ensure compliance with federal, State, and local Fair Housing and anti-discrimination laws and ordinances. Federal, State, and local Fair Housing laws make it illegal to discriminate against any person because of race, color, religion, gender, disability, familial status, national origin, ancestry, marital status, sexual orientation, source of income, or age in the rental or sale, financing, advertising, appraisal, provision of real estate brokerage services, etc., and land-use practices.

D.2 Reasonable Accommodation: The City shall encourage provision of an adequate supply of suitable housing to meet the needs of people with disabilities. The City will continue to implement a reasonable accommodation process for persons with disabilities to request exceptions or modifications of zoning, permit processing, and building regulations to ensure housing is accessible. The City will require incorporation of ADA and California Title 24 Disabled Access Regulations into new construction.

D.3 Housing for Seniors: The City shall support housing programs that increase the ability of senior households to remain in their homes or neighborhoods, and if necessary, to locate other suitable affordable housing to rent or purchase.

D.4 Family Housing: The City shall facilitate and encourage the development of larger rental and ownership units for families with children, including lower- and moderate-income families, and the provision of services such as childcare and after-school care when feasible.

D.5 Student and Single-Room Occupancy Housing: The City shall facilitate and encourage the development of rental and ownership units for families with children, including lower- and moderate-income families, and the provision of services such as childcare and after-school care when feasible.

D.6 Support Organizations Serving the Homeless Community: The City shall support the efforts of non-profit and community organizations that provide emergency shelter and other assistance for the homeless population, including alcohol and drug recovery programs.

**Quality Housing Opportunities**

**GOAL E:** THE CITY WILL CONTINUE TO CONSERVE AND IMPROVE THE CONDITION OF THE EXISTING HOUSING STOCK TO ENSURE THE SAFETY, WELFARE, AND AFFORDABILITY OF RESIDENTS.

Conserving and improving the housing stock helps maintain investment in the community and keeps existing housing affordable. Many factors can contribute to the deterioration of residential units including quality of workmanship, age, type of construction, and location. Preventing these problems from occurring and addressing them when they do occur protects the safety and welfare of residents and assists in meeting housing needs throughout the City. As a majority of the City’s housing stock is over 30 years old, it is important to maintain residential units and keep them from deterioration. The City will focus its efforts on rehabilitation, code enforcement, preservation of quality of family home and will take a proactive approach to conserving the current housing stock.
Policies

E.1 Residential Rehabilitation: The City shall assist lower-income households whose housing units are in need of rehabilitation to ensure the safety and habitability of housing units and the quality of residential neighborhoods.

E.2 Code Enforcement: The City shall promote the continued maintenance of the City’s existing housing stock and residential neighborhoods through enforcement of adopted code requirements that set forth the acceptable health and safety standards for the occupancy of housing units.

E.3 Preserve Quality Single Family Housing and Rental Stock: As single family and rental stocks deteriorate, the City shall preserve the existing single-family housing, especially those single-family and rental units occupied by lower-income households.

E.4 Sustainable Housing Design: The City shall improve affordability by promoting the incorporation of energy efficient practices into residential design.

Housing Programs

Housing Opportunities

Program A.1 Accommodate the City’s RHNA – General Plan and Zoning Update in the former Fort Ord area (where water is available for development)

According to the RHNA, the City has an affordable housing shortfall of 59 units for the 4th Planning Cycle and an allocation of 11 units for the 5th Planning Cycle for low and very low-income categories. The City has identified Site 1a as being the preferred site for development to meet the City’s RHNA (please see the Site Inventory in Chapter 3.0 Housing Needs and Resources) for the very low- and low-income categories and Site 1 for development of 16 units of moderate and above-moderate income categories. In order to develop Site 1a to meet the City’s share of the RHNA, the General Plan and Zoning Ordinance will be revised to allow affordable residential development on Site 1a for low- and very low-income. The site will be rezoned in conformance with Government Code section 65583.2(h) and (i). The City will meet the 16 units of moderate and above-moderate RHNA on Site 1 and will re-designate sufficient property in this portion of former Fort Ord within City limits to achieve this goal. The City will provide a range of types of housing units and prices to meet the total 86 units of regional housing allocation needs for Del Rey Oaks. The Housing Element Site Inventory finds that this density can feasibly be developed on these sites.

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>Planning Department, City Council, Planning Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Update General Plan and Zoning Ordinance to allow residential uses as an allowed use in the former Fort Ord area (consistent with the densities allowed in the City’s adopted Redevelopment Plan and Government Code section 65583). Complete for Site 1a by the 4th quarter of 2019 or 1st quarter 2020 and by 2021 for Site 1.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>General Fund</td>
</tr>
</tbody>
</table>

Program A.2 Adopt Amendments to the Zoning Code to Accommodate Mixed Use Higher Densities in Commercial Areas

Amend the Zoning Ordinance to permit residential uses as well as mixed uses at higher intensities, where appropriate, in commercial-zoned and visitor-serving designation areas to allow mixed use (both in the former Fort Ord areas and in commercial sites defined by the City).
Chapter 7.0
Housing Element
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Program A.3  Small Lot Residential in New Subdivisions

The City shall amend the General Plan and Zoning Ordinance to allow small lot Planned Unit Developments (PUD) consisting of individual lots that utilize Traditional Neighborhood Design (TND) techniques for development of cottage or small bungalow-type homes. Further, provide an overlay or PUD ordinance for projects as needed to allow for privately maintained common open space and mixed housing types.

Program A.4  Adopt Amendments to the Zoning Code to Accommodate AB 2162

The City shall amend the General Plan and Zoning Ordinance to accommodate AB 2162. AB 2162 (Chapter 753, statutes of 2018) streamlines and expedites the approval of supportive housing to better address the need of Californians experiencing homelessness. Specifically, AB 2162 requires supportive housing to be a use by right in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. The legislation requires a local government to approve, within statutory timelines, a supportive housing development that complies with specified criteria.

Affordable Housing

Program B.1  Develop Inclusionary and Affordable Housing Requirements

The City will adopt an Inclusionary and Affordable Housing Ordinance that will require new residential development or redevelopment in the City to provide at least 15 percent of the total units affordable to households of very low- to moderate-incomes, as identified in the AMBAG RHNA. The City’s RHNA requirement are identified as follows.

<table>
<thead>
<tr>
<th>Income Category</th>
<th>5th Cycle Allocation</th>
<th>4th Cycle Allocation*</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very low- (31-50% of area of median income)</td>
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<td>34</td>
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<td>Low-income (51-80% of area median income)</td>
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<td>25</td>
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<tr>
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<td>5</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Above moderate (over 120% of area median income)</td>
<td>11</td>
<td>11</td>
<td>22</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>27</strong></td>
<td><strong>59</strong></td>
<td><strong>86</strong></td>
</tr>
</tbody>
</table>

Source: HCD, n.d.

*4th Planning Cycle carry over requirements
Program B.2  Facilitate Affordable Housing for All Income Levels

The City will support housing for low-income, extremely low-income, and moderate-income households and persons with disabilities (including developmental disabilities). The City will actively seek to participate in and promote housing assistance service provided by such agencies as the Monterey County Housing Authority and the U.S. Department of Housing and Urban Development.

As opportunities arise, new funding sources for lower-income housing will be sought from available non-profit, local, State, and federal programs. Planning and entitlements should consider how to position an affordable project to qualify for future grant applications.

The City will also work with developers to facilitate affordable housing development. Specifically, as funding permits, the City will provide gap financing to leverage State, federal, and other public affordable funding sources. Gap financing will focus on rental housing units affordable to lower-income households and households with special needs (such as seniors and disabled, including people with developmental disabilities). To the extent feasible, the City will also ensure a portion of the affordable housing units created will be available to extremely low-income households.

Program B.3  Utilize Section 8 Housing Choice Vouchers

The Housing Authority of Monterey County (HAMC) which administers the Section 8 Certificate/Voucher Program for Del Rey Oaks and throughout Monterey County provides rental subsidies to very low-income families and elderly households that spend more than 30 percent of their gross income on housing.

To help overcome the reluctance of many landlords to sign Section 8 agreements, the City shall work with the Housing Authority to offer incentives to property owners that sign Section 8 agreements.
Program B.4  Preferential Housing for Del Rey Oaks Residents and Workers

To the extent that such policy can be legally implemented, the City shall consider adoption of a new ordinance in compliance with the Fair Housing Law, requiring that all newly constructed inclusionary dwelling units for below-market-rate income, moderate-income, and lower-income households within the City, and all first time homebuyer programs, be provided on a preferential basis to Del Rey Oaks residents and workers.

Program B.5  Develop a Density Bonus Ordinance Consistent with State law

Government Code section 65915 requires that a jurisdiction adopt a local Density Bonus Ordinance consistent with State law. State Density Bonus Law requires a local jurisdiction to grant an increase in density, if requested by a developer, for providing affordable housing as part of a development project. Key provisions of the law include incremental density bonuses that correspond to the percentage of housing set aside as affordable units. The City shall develop and adopt a Density Bonus Ordinance consistent with the current Government Code and State Density Bonus Law. Once passed, the City will review any future amendments to State Density Bonus law to ensure that its local ordinance remains consistent with State law. Once passed the City shall commit to consider requests under State Density Bonus Law (including requests for incentives, concessions, waivers, and parking reductions) so that projects that qualify are not prevented from developing at the densities to which they are entitled.

Program B.6  Facilitate Affordable Rental Units

The City will apply for low interest loans, grants, and rent subsidies through the U.S. Department of Housing and Urban Development, the California Housing Finance Agency, Farmers Home Administration, and the HCD. The City will apply for at least one funding opportunity per year within the 5th Cycle Planning period. In addition, the City will provide funding through use of tax increment funding for a housing fund as such funds are available.
Chapter 7.0
Housing Plan

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>City Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Research available funds to assist in the construction of affordable units (and accessory dwelling units) to low-income and very low-income households (anticipated to start seeking funding opportunities beginning 2020). The City will file 3 funding application during the 5th Cycle Planning period.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>Staff time; State, federal, and regional grants; and private property owners/developers</td>
</tr>
</tbody>
</table>

Remove Constraints

Program C.1  Support efforts of public and private groups providing housing for the elderly and disabled, including assistance with obtaining permits and permit streamlining consistent with SB 35, or where appropriate, waiving City fees or regulatory requirements.

The City will continue to find opportunities to streamline the permitting process to remove unnecessary barriers, without compromising public health, safety and community character. In order to do this, as part of the City’s Zoning Ordinance update, site improvement standards and development procedures will be reviewed and, as needed, revised to ensure that such standards and procedures do not unnecessarily constrain the development, conservation, and rehabilitation of affordable housing. This Zoning Ordinance update will ensure compliance with SB 35 which allows streamlined approval processes in municipalities not meeting the RHNA.

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>City Planning and Building Departments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Review, and as needed, revise the City Zoning Ordinance by the end of 2020.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>General Fund</td>
</tr>
</tbody>
</table>

Program C.2  Update the Accessory Dwelling Unit Ordinance to Existing Standards

A major constraint to housing in the City is affordability. ADUs help meet the City’s needs for housing that is affordable by providing a housing resource for seniors and low- and moderate-income households. State ADU law has been updated since the passage of the City ADU ordinance. The City will update their ADU Ordinance (also known as auxiliary housing) to be compliant with updated State regulations that promote the development of ADUs.

The City will encourage the construction of ADUs by providing incentives such as waiver or reduction of development fees and expedited permit processing for ADU applications. Further, information to all eligible property owners concerning the City’s amended ordinance will be provided at the City Hall.

In addition, the City will explore the availability of prefabricated tiny homes and micro-units that may be suitable for ADUs, with the intent of providing additional information to interested homeowners.
Chapter 7.0
Housing Element

Table

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>Planning Department, City Council, Planning Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Adopt updated ADU Ordinance by the end of 2020. City staff shall give an annual report to City Council on the number of new secondary units that are being built each year, starting at the end of 2021. If this number cannot meet the goal of two to three units per year, City Council will act to further amend the standards of the ADU Ordinance and height/setback requirements (for those units that have adequate water availability). Information detailing the requirements of the City’s amended ADU Ordinance, and incentives for developing ADUs including permits waiver or reduction of development fees and expedited permit processing, shall be readily available at the City Hall and shall be included on the City’s website and in the City newsletter by first quarter 2021 (anticipated to follow the approval and adoption of the ADU Ordinance in the end of 2020).</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>Staff time</td>
</tr>
</tbody>
</table>

Program C.3 Mitigating Constraints

Based upon this review of the City’s standards, the following additional Zoning Ordinance amendments will be considered:

- Amend the Zoning Ordinance to eliminate limits on number of persons allowed to live in housing unit under definition of “Family”.

- Amend the Zoning Ordinance to include language on density bonuses to comply with State requirements.

- Review Zoning Ordinance to ensure that transitional and supportive housing is allowed in the same way other residential uses are allowed in all zoning districts allowing residential uses.

- Review and amend the Zoning Ordinance to conditionally permit SRO housing in the C-1 (Commercial) zone.

- Consistent with the California Employee Housing Act, amend the Zoning Ordinance to update standard that requires that housing for six or fewer employees be treated as a regular residential use.

Program C.4 Ensure the Availability of an Adequate Water Supply to Serve the Long-Term Housing Needs of the City

A major constraint to development within the City is water supply. The City will continue to work with the MPWMD, MCWD, FORA, and other appropriate agencies through meetings and consultation to seek securement of sufficient water resources to meet the expected needs of projected housing development.
Chapter 7.0  
Housing Element  
Housing Plan

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>City Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Participate in an annual meeting with MPWMD, MCWD, FORA, and other appropriate agencies by the end of 2020.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>General Fund</td>
</tr>
</tbody>
</table>

**Equal Housing Opportunities**

**Program D.1  Promote Fair Housing by Providing Educational and Referral Materials**

The City will continue to provide Fair Housing education and outreach, making information available in multiple languages, and refer persons with fair housing questions to the Housing Authority, Department of Equal Housing and Employment, and California Rural Legal Assistance on an as-needed basis. The City will make information about fair housing services available at City offices and on the City’s website.

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>City Hall, Planning &amp; Building Departments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Provide Fair housing education materials at City Hall in English and Spanish, post information on the City website by first quarter 2020; and provide information in City newsletter annually.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>Staff time, General Fund</td>
</tr>
</tbody>
</table>

**Program D.2  Provide Opportunity for and Encourage the Development of Adequate Housing for the City’s Special Needs Groups.**

The City shall facilitate the provision of housing for the elderly and disabled, including developmental disabilities, and other special needs housing by modifying the Zoning Ordinance to define licensed residential care facilities, to explicitly allow small residential care homes by right in all residential zone districts, allow group homes of six or fewer to be allowed in all zones allowing single-family uses (not limited to residential uses), and to permit larger residential care homes (seven or more) in the City’s R-2 and C-1 districts consistent with the standards of these districts.

The City shall also support the efforts of public and private groups to provide housing for the elderly and disabled. Such support may include staff assistance in obtaining permits or financing, or, where appropriate, the waiver of City fees or regulatory requirements, some combination of these, or other tangible measures of support.

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>Planning Department, City Council, and Planning Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>The City will aim to update the Zoning Ordinance by the end of 2020. It will aim to identify at least one residential project by 2024 that is targeted for seniors and/or persons with mobility impairments. The City will monitor these programs through annual reports to the City Council, with the first annual report by the end of 2021.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>Staff Time, General Fund, and State and federal programs designated specifically for special needs groups</td>
</tr>
</tbody>
</table>

**Program D.3  Special Needs Housing for Disabled Persons**

The City shall amend the Zoning Ordinance to ensure that future projects incorporate accessible design. Specifically, the zoning ordinance will be amended to:

1) Require new multi-family development to be in compliance with Title 24 of the California Code of Regulations;
2) Eliminate restrictions on occupancy standards for group homes by amending the definition of family to comply with section 801(c) and 801(k) of the Fair Housing Act; and

3) Allow reduced parking standards for all transitional housing and homeless shelters, for age-restricted housing (regardless of affordability), and for persons with disabilities.

The zoning code will be further reviewed to identify and remove any additional constraints and ensure that reasonable accommodations are provided with regard to housing designed for persons with disabilities. This update will expressly allow exceptions to zoning and development standards including, but not limited to, ramps as a permitted encroachment into required front and rear yards in order to ensure accessibility for persons with disabilities.

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>Planning Department, City Council, and Planning Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Review zoning code and report to City Council on needed updates to address State law by first quarter 2020. Amendments to Zoning Code specific to this program shall be adopted by end of 2020.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>Staff Time, General Fund</td>
</tr>
</tbody>
</table>

Program D.4 Support Programs to Reduce Homelessness

The City shall identify adequate sites for emergency shelters and then amend its Zoning Ordinance to make appropriate zone changes, if needed, to provide for the zoning for the site to allow for the emergency shelters in the City’s zoning districts consistent with State law. Zoning changes will allow emergency shelters by right. Adequate sites for these housing types are available throughout the City in R-2 and C zones that allow residential use with a permit (acreages and vacant sites in these zones are shown in Figure 4). Although the City has constraints due to lack of water and available land sites, the R-2 and C zones could be developed into emergency shelters, most of the City is within a mile of transit stops and community services. Specifically, the City has adequate capacity on vacant and underutilized parcels (approximately 12 acres) within the C-1 zoning districts near Canyon Del Rey (see Figure 4), which are suitable for the development of emergency shelters due to their proximity to public transit lines, social services, and personal services.

To the extent that funds are available, the City will provide financial support to sponsor or assist emergency shelter facilities, inside City limits or outside within a reasonable proximity to the City, as well as encourage or support facilities by providing grants, or low cost loans, to operating agencies.

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>City Council and Planning Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Amend the City Zoning Ordinance to include provisions for emergency shelters as needed within one year of housing element adoption.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>State and federal programs designated specifically for special needs groups</td>
</tr>
</tbody>
</table>

Program D.5 Adopt Amendments to the Zoning Code to Accommodate AB 101

The City shall amend the General Plan and Zoning Ordinance to accommodate AB 101. AB 101 requires a Low Barrier Navigation Center (LBNC) be a use by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses if it meets specified requirements, including:

- Access to permanent housing.
- Use of a coordinated entry system (i.e. Homeless Management Information System).
• Use of Housing First according to Welfare and Institutions Code section 8255. (Gov. Code section 65662.)

A LBNC is defined as a Housing First, low barrier, temporary, service-enriched shelter focused on helping homeless individuals and families to quickly obtain permanent housing. Low barrier includes best practices to reduce barriers to entry, such as allowing partners, pets, storage of personal items, and privacy. (Gov. Code section 65660).

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>Planning Department, City Council and Planning Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Update the General Plan and Zoning Ordinances to accommodate AB 101 by the end of 2022.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>General Fund</td>
</tr>
</tbody>
</table>

### Quality Housing Opportunities

**Program E.1 Assist in Rehabilitating Housing**

The City will investigate available low-interest loans, subsidies, and grants from federal and State agencies to provide rehabilitation funds. As funding becomes available, the City shall provide grants and/or low interest, deferred, and/or forgivable loans for building code violations, health and safety issues, essential repairs, upgrades of major component systems, and modifications to accommodate disabilities. Rehabilitation funds will be available to low-income homeowners and to owners of rental units that will rent to low-income households. Subject to federal funding the City will look to assist an average of one to two households (ranging from single-family, multi-family, and mobile homes), dependent on need.

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>City Council and Manager</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Assist two households by the end of 2021.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>Loans, subsidies, and grants and tax increment funding</td>
</tr>
</tbody>
</table>

**Program E.2 Continue Code Enforcement**

The City will continue to perform code enforcement for areas or homes with building code violations posing life and/or safety risks to occupants and/or significant property maintenance concerns and ensure that such violations are adequately abated. When violations are cited, enforcement officers will provide a list of potential funding sources to homeowners.

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>Police Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Continue to implement code enforcement efforts in the targeted areas with concentrated issues of code violations; ongoing.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>General Fund</td>
</tr>
</tbody>
</table>
Program E.3  Energy Conservation and Energy Efficient Opportunities

The City will promote subsidy and incentive programs for energy conservation available to residents. Some of these programs include PG&E’s rebates, Energy Watch Partnerships, and Energy Savings Assistance Program; CARE/FERA program, and the CaliforniaFIRST program. The City will promote these programs in their newsletter and on their website.

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>City Hall, Planning Department, and Building Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Timeline and Objective</td>
<td>Information detailing energy conservation programs shall be provided at the City Hall and shall be included on the City’s website and updated at least once per year. Energy conservation programs targeted to low-income households shall be promoted in the City newsletter at least once per year and available at the City Hall. Complete annually by December of each year.</td>
</tr>
<tr>
<td>Source of Funding</td>
<td>General Fund</td>
</tr>
</tbody>
</table>
Attachment B

Land Use Inventory
Summary of Del Rey Oaks Land Inventory

In considering methods for meeting a jurisdiction’s housing needs, the amount of suitable land available for the development of housing is crucial. There must be sufficient vacant, residentially zoned land within the City limits or areas to be annexed that meets the projected housing needs (or that portion of the City’s housing needs allocation not already satisfied through actual housing construction). A determination of land availability was made from a careful review of Del Rey Oaks’ Land Use Element and Zoning Ordinance in conjunction with a compilation and analysis of suitable vacant sites (consistent with Government Code section 65583.2).

Though State law does not require cities to build additional housing, it does require communities to facilitate new housing production. State housing element law allows local governments to obtain credits toward meeting its RHNA goal in four primary ways: 1) preserve publicly assisted housing that is at risk of converting to non-low-income or market rates; 2) rehabilitate housing projects and place deed restrictions on those projects; 3) construct housing during the planning period; and 4) set aside land at appropriate densities.

For the first option, the City does not have any affordable projects at risk of conversion. For the second option, there are very few units that would qualify under state guidelines for rehabilitation and preservation. As the City is nearing the end of the 5th Planning Cycle, the City would not be able to create or credit residential projects within this timeframe. Thus, the third option is not available. Therefore, the City’s strategy for meeting its RHNA relies solely on ensuring that enough vacant land is available to accommodate projected growth (Please refer to Chapter 7.0, Table 7-1 for Quantified Objectives Summary).

To accomplish this task, State law requires that an adequate sites inventory contain four components. If the sites are underutilized (as opposed to vacant sites), additional analysis is required.

1. **Identify vacant or underutilized parcels.** An adequate land inventory consists of a listing and map of properties proposed to accommodate the regional housing needs by parcel number, size, general plan designation, and zoning of each property.

2. **Analyze site constraints.** The site analysis should demonstrate that proposed sites to count toward the RHNA should not have significant environmental or infrastructure constraints that might affect the timing or feasibility of development by the end of the planning period.

3. **Assess development capacity.** The development capacity of sites in the housing element should be calculated based on minimum density range or realistic development capacity based on historic records of similar projects built in recent years in the City or region.

4. **Demonstrate that zoning is adequate.** Finally, the analysis must demonstrate that the identified zones and densities will facilitate the development of housing for all income levels. In other words, the price and affordability of housing should be correlated to specific zones.

**Site(s) Inventory**

The following land inventory discusses the housing sites inventory according to these criteria. In addition to assessing the quantity of land available to accommodate the City’s total housing needs, this section also considers availability of sites to accommodate a variety of housing types suitable for households within a range of income levels and housing needs. The methodology for determining residential capacity of listed sites was the utilization of the City’s General Plan and Zoning Ordinance in addition to the review of available Geographic Information Systems (GIS) information. See figures includes in Chapter 3.0 Housing Needs.
Appendix C
Housing Element Land Use Inventory

A vicinity map is included as Figure 1; the City’s General Plan and Zoning Map are included as Figures 2 and 3; the available sites identified in this land use inventory are shown on Figure 4. Supplemental materials and mapping are also provided in attachments to this Appendix. An environmental study (Initial Study/Negative Declaration) for the housing element will address potential policy and future development at a programmatic level. Future environmental documentation for individual projects will be required to analyze the precise environmental impacts of proposed projects or future increases in land use density based upon zoning revisions.

The following site inventory in Table C-1 provides an analysis of the land available within the City for residential development, and then compares this to the City’s future housing needs as determined by AMBAG’s RHNA.1

| Table C-1 |
| Site Inventory |
| Assessor Parcel Number | 031-191-026-000 |
| Property Size | 247 acres |
| General Plan and Zoning designation | General Commercial – Neighborhood Commercial with Visitor overlay (GC (C-1-V)) |
| Dry Utilities | Energy: Pacific Gas & Electric (PG&E) Cable, Internet & Phone Service: Comcast or AT&T |
| Suitability and availability | Site 1 is a 247-acre property that is currently available and has been planned for development in approved City and regional planning documents. A developer has come forward in the past two years and gotten a tentative parcel map approved by the City for various types of housing. Previous use of the site and additional approvals from DTSC (Department of Toxic Substances Control) for UXO (Unexploded Ordnances) issues are required. |
| Map of sites | See Figure 4 and attachments to this Appendix B |
| Realistic capacity | Currently, the City’s adopted Redevelopment Plan identifies up to 200 residential units onsite. Only a portion of the entire property would be needed to meet the City’s RHNA. The City would need to complete a general plan amendment and rezoning an area of adequate size to specifically allow residential development. Assuming approximately 20 acres are rezoned and would be developed under D district zoning density (16-18 units per acre current density under City’s Zoning Code), this site could facilitate residential development to satisfy the RHNA. While realistic capacity may be greater, the City is assigning 200 units of capacity consistent with the adopted Redevelopment Plan. This is considered the potential realistic development capacity based on the regional planning efforts conducted to date for the site under the Redevelopment Plan. As the City has had no development of housing for over two decades, there are no historic records of similar projects built in recent years in the City that can be relied upon for identifying capacity. However, recent projects in the former Fort Ord area have achieved this development capacity. |
| Affordability Level of Units | There will be a range of various income level housing in the development. This site can meet the RHNA requirements identified, |

1 For vacant sites identified in two or more consecutive planning periods, HCD requires that housing elements, or non-vacant sites identified in a prior housing element, that are identified to accommodate housing for lower-income households, the sites meet the density requirements for housing for lower-income households and the housing element includes a program to allow by right approval for housing developments that include 20 percent or more of its units affordable to lower income households (Government Code section 65583.2[c]).
## Site Inventory

**Suitability and availability of non-vacant lands**  
Not Applicable (Vacant Land)

### Sites Inventory Analysis Summary – Site 1a

<table>
<thead>
<tr>
<th>Assessor Parcel Number</th>
<th>031-191-027(8)-000, 031-191-012-000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Size</td>
<td>18.5 acres</td>
</tr>
<tr>
<td>General Plan and Zoning designation</td>
<td>GC (C-1-V); the City is considering rezoning this site to allow residential development. Currently, the City's adopted Redevelopment Plan provides 200 residential units.</td>
</tr>
<tr>
<td>Dry Utilities</td>
<td>Energy: Pacific Gas &amp; Electric (PG&amp;E), Cable, Internet &amp; Phone Service: Comcast or AT&amp;T</td>
</tr>
<tr>
<td>Suitability and availability</td>
<td>Site 1a is an 18.5-acre property within the former Fort Ord in the City limits of Del Rey Oaks. It is currently vacant land and available for development with almost 10 acre-feet of water assigned to this site.</td>
</tr>
<tr>
<td>Map of sites</td>
<td>See Figure 4</td>
</tr>
<tr>
<td>Realistic capacity</td>
<td>Assuming a density range for medium density, and up to 200 residential units allowed in the former Fort Ord area under the current Redevelopment Plan, a realistic development capacity on this site is 72 units. This is based on developable property of approximately 6 acres within the 18.5 acres property and a D District zoning density of 16-18 units per acre. There are no historic records of similar projects built in recent years in the City, but other jurisdictions have successfully developed in this density range and higher in former Fort Ord.</td>
</tr>
<tr>
<td>Affordability Level of Units</td>
<td>There will be a range of various income level housing in the development, similar to Site 1. There is enough realistic capacity to meet RHNA needs at this site in combination with Site 1.</td>
</tr>
<tr>
<td>Suitability and availability of non-vacant lands</td>
<td>Not Applicable (Vacant Land)</td>
</tr>
</tbody>
</table>

### Sites Inventory Analysis Summary – Site 2

<table>
<thead>
<tr>
<th>Assessor Parcel Number</th>
<th>259-011-025-000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Size</td>
<td>17 acres</td>
</tr>
<tr>
<td>General Plan and Zoning designation</td>
<td>GC (C-1-V)</td>
</tr>
<tr>
<td>Dry Utilities</td>
<td>Energy: Pacific Gas &amp; Electric (PG&amp;E), Cable, Internet &amp; Phone Service: Comcast or AT&amp;T</td>
</tr>
<tr>
<td>Suitability and availability</td>
<td>Site 2 is approximately 17 acres of which a portion is available and suitable for development, per the City's General Plan. The developable portion of the site is accessible from Canyon Del Rey/Highway 218. The site is owned by the City and zoned for visitor serving uses. Improvements are needed for access from the roadway. Portions of the property are not considered useable due to natural resource and steep terrain. Rezoning for residential use would also be required.</td>
</tr>
<tr>
<td>Map of sites</td>
<td>See Figure 4 and additional figures attached to Appendix B, Site 2</td>
</tr>
<tr>
<td>Realistic capacity</td>
<td>Residential capacity is considerably constrained by environmental factors and water availability. Assuming water can be provided, and rezoning is approved by the City, capacity would be up to 8-12 units. Realistic capacity is limited due to available land that is not constrained by resources.</td>
</tr>
<tr>
<td>Affordability Level of Units</td>
<td>Affordability is assumed to be low- to moderate-income level housing depending on costs of improvements to allow access to the property.</td>
</tr>
<tr>
<td>Suitability and availability of non-vacant lands</td>
<td>Not Applicable (Vacant Land)</td>
</tr>
</tbody>
</table>

### Sites Inventory Analysis Summary – Site 3

<table>
<thead>
<tr>
<th>Assessor Parcel Number</th>
<th>031-191-026-000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Property Size</td>
<td>23.5 acres</td>
</tr>
<tr>
<td>General Plan and Zoning designation</td>
<td>Public-Open Space</td>
</tr>
</tbody>
</table>

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City Of Del Rey Oaks C-3 November 20, 2019
### Site Inventory

**Dry Utilities**
- Energy: Pacific Gas & Electric (PG&E)
- Cable, Internet & Phone Service: Comcast or AT&T

**Suitability and availability**
- Site 3 is owned by the City. The 23.5-acre site previously used as a driving range and a portion is currently leased for commercial use as a garden center. The property is located off Angelus Way to the south of Canyon Del Rey Road (State Route 218) where it meets Rosita Road (see **Figure 4**). Access to the site is through a two-lane City road, Angelus Way, which turns off of Rosita Road, and feeds traffic from SR 218. The adjacent and nearby land uses are residential and commercial. The leased area of the garden center is known as the Del Rey Oaks Gardens. A large commercial shopping center is approximately ¼-mile to the west.

**Map of sites**
See **Figure 4** and Appendix B attachment for Site 3.

**Realistic capacity**
- Canyon del Rey Creek runs along the southern portion of the property and a portion of the site is floodplain. There is some availability of land outside the existing development and resource constraints. Assuming an onsite well may be used for water, up to four units may be considered the realistic capacity at this site. Residential capacity subject to further review based upon water service.

**Affordability Level of Units**
There will be a range of various income level housing in the development.

**Suitability and availability of non-vacant lands**
- In addition to the commercial buildings on the site, there is open space, public recreational trails, and public tennis courts. A portion of the site is vacant and may be available for housing development outside resource and existing uses. The property is owned by the City and should the current tenant leave, the buildings may be retrofitted for some affordable residential use.

### Sites Inventory Analysis Summary – Site 4

<table>
<thead>
<tr>
<th>Assessor Parcel Number</th>
<th>Various; refer to <strong>Figure 4</strong> and supplemental parcel map information for Site 4.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Property Size</strong></td>
<td>Individual parcels of 8,000 minimum size</td>
</tr>
<tr>
<td><strong>General Plan and Zoning designation</strong></td>
<td>Single Family Residential (R-1), Multiple Family Residential (R-2); Commercial as allowed</td>
</tr>
</tbody>
</table>
| **Dry Utilities**      | Energy: Pacific Gas & Electric (PG&E)
 Cable, Internet & Phone Service: Comcast or AT&T |

**Suitability and availability**
- **Figure 4** and additional mapping identify the area and residential parcels where accessory units could be developed within the City. The City does not have any remaining water allocation for accessory units within the City other than the former Fort Ord area. There were no accessory units approved due to the existing Cease and Desist Order (CDO) on new hookups for water from the State Board. While the CDO will not be lifted by the end of the 5th Planning Cycle and will not be lifted unless a new water source becomes available, this inventory appropriately includes the potential for accessory dwelling units (ADU) within the City.

**Map of sites**
See **Figure 4** and attachments to Appendix B, Site 4.

**Realistic capacity**
- With additional water source, there are up to 185 individual parcels that could accommodate ADUs. Assuming water constraints are lifted, a realistic assumption is provision of 10 ADUs of these parcels.

**Affordability Level of Units**
- Very low- and low-income (1 each) and 2 moderate income.

**Suitability and availability of non-vacant lands**
- Per ADU State law, residential zoning allows for ADUs and the City Zoning Code provides auxiliary units on all lots of 8,000 sq. ft.; The properties included on **Figure 4** and attachment to Appendix B, Site 4 all suitable and available for ADU development.
Site 1: Additional Analysis of Site 1, Former Fort Ord Property:

- The former Fort Ord Property is located at the southern boundary of the former Fort Ord military base within the City. Site 1 consists of approximately 247 acres of this currently undeveloped property and contains primarily maritime chaparral and coastal scrub vegetation. The property is relatively hilly, but there are no steep grades or environmental constraints known that would preclude development. The City has been pursuing development to allow both market rate and affordable residential uses on the site. The site is currently zoned to allow commercial and visitor-serving uses.

- For the purposes of this Housing Element, the City is focused on determining adequate area of vacant land that can be used for construction of the RHNA needs as identified in Table 3-1 and 3-2. The large area of available land in Site 1 ensures adequate land area to meet RHNA, including 5th Planning Cycle and 4th Planning Cycle carry over.

- The City has taken a number of actions to allow development on the site over the past decades. The City adopted a Redevelopment Plan for the former Fort Ord Property in 2004. The project may be developed in phases, concurrent with governmental approvals and infrastructure development. Background materials that more fully describe development entitlements include the following:
  - The City General Plan and Certified EIR, which is available from the City.
  - The Fort Ord Reuse Plan and Certified EIR which is available from FORA.

- The property has direct access from South Boundary Road which feeds into both General Jim Moore Boulevard and Canyon Del Rey (Highway 218). Canyon Del Rey connects to State Highway 68, a main highway connecting the Monterey Peninsula cities to the City of Salinas. Canyon Del Rey (Highway 218) also connects directly to State Highway 101. General Jim Moore Boulevard provides the major north-south thoroughfare through the former base; this road also travels through the northern section of the City of Seaside and is a major thoroughfare leading to the City of Salinas. South Boundary Road forms the southern boundary of the site and offers indirect access to State Highway 68.

- According to the FORA BRP, residential is not a specifically allowed land use. However, the City has made significant progress toward development and is currently working with FORA to allow for housing on this site. Previous approvals include a consistency determination from FORA on the adopted Redevelopment Plan.

- Site 1 and 1a will be served by local water, sewer and dry utilities. Planned infrastructure is available and sufficiently accessible to support housing development. The extension of electricity, gas, high speed fiber, sanitary sewer and potable water pipelines and the reconstruction of South Boundary Road are all planned in conjunction with the development of the former Fort Ord property. FORA is overseeing the reconstruction of South Boundary Road and construction is anticipated in 2019-2020.

- The Marina Coast Water District (MCWD), which is responsible for providing water service to the property will design water pipeline concurrently with the road design and construction. The property has an existing water allocation of 242.5 acre-feet per year from the MCWD in accordance with FORA. A Water Supply Assessment was adopted for the property by MCWD identifying uses and water availability to the site.
As part of the former Fort Ord military base, portions of the property had UXO that have since been removed by the Army. In accordance with regulatory restrictions, additional environmental insurance and additional clearance by regulatory agencies as well as restrictive covenants on use of the site are required consistent with the State requirements. FORA, the federally recognized land use authority responsible for transfer of U.S. Army land to private use, has obtained environmental insurance to be allocated for the Del Rey Oaks site.

The City is working to select a developer for Site 1 and recently posted a Request for Qualifications to secure a qualified developer to develop this property. The City will be placing a requirement that affordable housing be provided on Site 1.

Although there are remaining hurdles for use of this property as residential, the City is diligently pursuing this approach. The site is currently zoned for visitor serving/commercial and appropriate approvals will be required to also allow residential use. The City's Redevelopment Plan specifies up to 200 residential units on the former Fort Ord area including on this site. Rezoning and general plan amendments to specifically allow residential designation/uses are needed. An action to initiate a change in zoning designation to provide for the City's required RHNA on the former Fort Ord site 1a and Site 1 is included as a planned program under this Housing Element (see Chapter 7.0).

Site 1a: Additional Discussion of Available Residential Development on City-Owned Portion of Site 1a, south of South Boundary Road (Connected Parcel to Former Fort Ord Property within City of Del Rey Oaks):

This site is identified on Figure 4 as Site 1a and ownership is retained by the City. This site is also within the former Fort Ord property, but is not part of the development area that is planned for development on the north side of South Boundary Road. This is one of the few properties within the City with water rights and vacant land to accommodate residential development capacity.

The site is zoned as C-1-V, so it would need to be rezoned in order for housing development to occur. The parcel is approximately 18.5 acres (807,166 sq. ft) of vacant land. Nearby properties in Del Rey Oaks are the Frog Pond Wetland Preserve to the west, which is owned by Monterey Peninsula Regional Parks District (MPRPD). This parcel also borders the City of Monterey to the south. Environmental issues involve the need to extend services as no water or sewer service is on-site as well as steep grades in portions of the site. The area along South Boundary Road could accommodate higher density housing, such as an apartment complex, but similar to Site 1, this site would need to be rezoned to a residential zoning district which allows residential use.

Services and other factors are similar to discussion above for Site 1.

Site 2: Additional Discussion of Available Residential Development on Site 2, Former Approved Hotel Site within City of Del Rey Oaks:

Site 2 is located southwest of Site 1a, at the boundary of the former Fort Ord military base and Canyon Del Rey at the intersection of General Jim Moore Boulevard and Canyon Del Rey (Highway 218). This site is approximately 17 acres, zoned C-1-V within the City of Del Rey Oaks. The site is currently undeveloped. Since this site was the subject of a citywide referendum identifying this site for visitor use, it is not known whether this site can be used for residential land use without a land use amendment and/or further City action, General Plan Amendment and Rezoning approvals would be needed.
• While Site 2 is planned for development within the General Plan, water allocations are not currently available under the MPMWD allocation system discussed in the following section. To comply with building requirements, the site would require a geotechnical study and engineered analysis to address building on part of the property due to high slope.

• The planned water, sewer and other dry utilities would be served by the local provider. Connection to services for water and sewer are located near the site boundaries, although no services are currently being provided onsite. The primary issue would be water availability for service since the City does not have any remaining allocation for the development and construction of residential units or accessory units within the City other than the former Fort Ord area. However, there may be an alternative water source associated with this property that would allow for development.

• In the past year, this parcel received an unsolicited proposal to purchase the land for development in accordance with its General Plan zoning. The City has also received two development proposals after the Council directed City staff to market the property for development. One proposal was for a small visitor-serving development and the other proposed a mixed-use site with residential and office/commercial uses.

• Portions of Site 2 are not available for building due to environmental constraints such as wetlands and steep slopes. Attached mapping for Site 2 identifies areas within the site that are considered available for building under a maximum building potential. Environmental regulations may require a larger portion of the property to be preserved for parkland or environmental mitigation for future developments. MPRPD previously expressed interest in purchasing the 17-acre parcel because of its vicinity to the Frog Pond Wetland Reserve, which is also owned by MPRPD.

Site 3: Additional Discussion of Available Residential Development on Site 3, Former Golf Driving Range within City of Del Rey Oaks:

• Site 3 is identified on Figure 4 and is owned by the City of Del Rey Oaks. The site was previously leased as a golf driving range for approximately 30 years and is zoned for open space and recreational use. Since the driving range shut down in 2012, a portion of the parcel has been turned into a garden center. There has been discussion of building an extension of the commercial use with residential use above on the City-owned tennis courts adjacent to the center. Other than concept design, no formal development proposal has been brought forward.

• The land is currently zoned for open space and would require both rezoning and an amendment to the General Plan to allow for residential uses. Only a portion of the property would be available for residential use, as the primary use of the garden center would remain. If California American Water (Cal-Am) water service is to be used, development of housing would also depend upon water availability, including existing restrictions of water allocations being lifted and extension of utility service. Thus, the current water provision is not adequate for residential development. However, the property does have an on-site well and this may be repurposed for residential use (subject to MWPMD and State Division of Drinking Water and local environmental health requirements). All other services are currently provided on the site.

• Environmental constraints also include the flood zone within a portion of the property, neighboring Del Rey Creek and wet weather issues over a portion of the site (see Site 2 maps). All the above would require regulatory consideration and engineered plans before any type of development occurs.
Site 4: Accessory Dwelling Units

- Site 4 recognizes the parcels where ADU’s units may be developed. These parcels are on lots where single-family residences already exist, as identified on Figure 4 and additional mapping provided as an attachment to this Appendix, or otherwise appropriately sized lots. According to the City Zoning Ordinance, lots that could accommodate ADU’s within the current zoning restrictions must be greater than 8,000 sq. ft., which is relatively large for Del Rey Oaks. For this Land Use Inventory, in order to address a more robust approach to available land, both residential and commercial lots of this size were identified. A survey of existing parcels identified approximately 185 existing lots (zoned residential and commercial) would meet the minimum lot size requirements for a potential ADU.

- The City reports that no requests for applications for ADUs have been submitted in the past decade. The City’s allocation under the Monterey Peninsula Water Management District (MPWMD) prevents property owners the development of ADUs, even as demand for these units rises. The MPWMD has a stringent allocation program that prohibits the addition of new unit fixtures or new units without an available City allocation for such expansion of uses or fixtures. The City does not have any remaining allocation for the development and construction of residential units or accessory units within the City other than the former Fort Ord area. Until an additional water source is identified by regional efforts and/or additional allocation is available to the City, ADU development is severely constrained. These water supply constraints severely limit production of additional housing on developable land in the City within the MPWMD boundaries.

Vacant Land Inventory and Ability to Meet RHNA

State law requires that local governments zone sufficient vacant land for residential use at standards and densities appropriate to meet housing needs of all economic segments, as identified above; sites should also have available public facilities and services.

The City currently faces a shortage of vacant land designated for residential development until the General Plan is amended to reflect the additional land annexed from the former Fort Ord. However, the analysis above identifies parcels that could be developed for ADUs. There are no remaining water allocation credits in Del Rey Oaks and no water is available within the allocation system to the City. The City is working toward meeting its requirement for needed affordable housing through development of the former Fort Ord property where water availability is not constrained as are the other areas in the City. The analysis conducted indicates there is combined capacity in Sites 1, 1a, 2, and 3 of up to 288 units, which is adequate to meet RHNA in all income categories.

However, given the current water constraints on properties within the MPWMD, the City is focused on Site 1a and Site 1, for provision of affordable housing.

Site 1a has adequate land available, a water allocation and can accommodate the RHNA needs for very-low and low-income households per Chapter 7.0 (Table 7-1).

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2 MPWMD has established criteria by which water credits are allocated for new development. Residential water credits are based on the number of plumbing fixtures. To build an accessory unit on an existing lot, the number of plumbing fixtures must be maintained for both the main and subordinate accessory units, making the addition of a full functioning unit difficult. To build housing in commercial zones, the existing commercial use must be reduced in size to provide water credits for the units.
Supplemental Maps
EXHIBIT "A"

FOR THE LEGAL DESCRIPTIONS OF PARCEL A, PARCEL B, PARCEL C, PARCEL D

TENTATIVE PARCEL MAP

FOR THE
CITY OF DEL REY OAKS COMMUNITY DEVELOPMENT
LOT 36, BLOCK 4 IN VOLUME 5 OF CITIES & TOWNS AT PAGE 22
RECORDS OF MONTEREY COUNTY
APN 012-491-010-000 PER DOCUMENT: 2011035428
CITY OF DEL REY OAKS  COUNTY OF MONTEREY  STATE OF CALIFORNIA

LUCIDO SURVEYORS
Boundary and Construction Surveyors  Topographic and Photogrammetric Mapping
A.T.A. Surveyors and GIS Database Management  Land Planning and Consulting
HOME OFFICE  2930 MOUNTAIN RD.
MONTEREY, CALIFORNIA 93940
PHONE: 831-373-7997  FAX: 831-373-7999
FIELD OFFICE  5960 HOLLAND RD.
MONTEREY, CALIFORNIA 93940
PHONE: 831-373-7997  FAX: 831-373-7999

SCALE: 1"=100'  PROJECT No. 1360  MAY 2014
EXHIBIT A

PROPERTY LEGAL DESCRIPTION

Parcel A of Tentative Parcel Map dated May 14, 2014, consisting of 20.00 acres

Parcel B of Tentative Parcel Map dated May 14, 2014, consisting of 140.22 acres

Parcel C of Tentative Parcel Map dated May 14, 2014, consisting of 95.72 acres

Parcel D of Tentative Parcel Map dated May 14, 2014, consisting of 16.98 acres

The parcel identified as Volume 20 Surveys Page 110 in Tentative Parcel Map dated May 14, 2014, consisting of 18.00 acres, and containing Parcels E31a (5 acres), E31b (3 acres), E31c (4 acres), and E36 (6 acres)

The parcel identified as the Cal Trans Right of Way parcel, identified in Tentative Parcel Map dated May 14, 2014, consisting of 36.83 acres

Parcel A of Tentative Parcel Map dated May 14, 2014, consisting of 20.00 acres

Parcel D of Tentative Parcel Map dated May 14, 2014, consisting of 16.98 acres

The parcel identified as the Cal Trans Right of Way parcel, identified in Tentative Parcel Map dated May 14, 2014, consisting of 36.83 acres
Site 2 - Aerial

Parcel Boundaries

0 125 250 500 750 1,000 Feet

259011025000
Information in this map was adapted from the Draft Supplemental Environmental impact Report for the Proposed Oak Meadow Inn Project. Original Figure 6 Ground Stability Map did not match existing parcel lines therefore the accuracy of the estimated acreage is not guaranteed. These acreages and areas cited for potential buildings or development are estimates only for purpose of City Housing Element Land Inventory Analysis, 2019.

Max. Potential Dev. Area: ~7.75 Acres
Questionable Building Area: ~2.37 Acres
Special Construction Area: ~0.24 Acres
Building Area not Recommended: ~4.28 Acres

Possible Reclassification

Date: August 2019
Del Rey Oaks Parcels

Area (Sq. Ft.)

- Yellow: 0 - 7,999
- Dark Blue: >8000

Lots Over 8000 Sq. Ft. Potential to Accommodate Accessory Dwelling Unit

Del Rey Oaks Parcel Map
Land Use Inventory Parcels

ADU Areas
Site 4
Attachment C

Available Land Use Inventory Map
Available Land Inventory

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<thead>
<tr>
<th>Site</th>
<th>Description</th>
<th>Acres</th>
<th>Address</th>
<th>Use</th>
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</thead>
<tbody>
<tr>
<td>Site 1</td>
<td>Former Fort Ord Property (Vacant)</td>
<td>247</td>
<td>031-191-007</td>
<td>Commercial Vacant</td>
</tr>
<tr>
<td>Site 1A</td>
<td>Former Approved Hotel Site (Vacant)</td>
<td>18.5</td>
<td>031-091-012</td>
<td>City</td>
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<tr>
<td>Site 2</td>
<td></td>
<td>17</td>
<td>259-011-025</td>
<td>Commercial Vacant</td>
</tr>
<tr>
<td>Site 3</td>
<td>Existing Commercial and Open Space (Partially Developed)</td>
<td>23.5</td>
<td>012-551-006</td>
<td>Public/City Parkland in Use as a Tennis Court, Open Space, and Commercial</td>
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<tr>
<td>Site 4</td>
<td>Existing Developed Residential Lots (Over 8,000 Sq. Ft. Minimum Lot Size)</td>
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<tr>
<td>Site 4</td>
<td>Existing Developed Non-Vacant Commercial Lots (Over 8,000 Sq. Ft. Minimum Lot Size)</td>
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Zoning Map for the City of Del Rey Oaks
Attachment E

Land Use Designation Map
City of Del Rey Oaks General Plan