

ORDINANCE NO. 3604 C.S.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY

**REZONING THE OLD CAPITOL SITE FROM PLANNED COMMUNITY
TO OPEN SPACE**

WHEREAS, the Old Capitol site encompasses 135 acres and is generally located south of Highway 1. Several City streets bisect the property including Viejo, Sylvan, Barnet Segal, and Iris Canyon Roads. The Pebble Beach Company currently owns the property;

WHEREAS, the Pebble Beach Company proposes to dedicate the 135-acre Old Capitol Site to the City of Monterey for parkland purposes. To support this effort, the General Plan and Zoning Map designations need to change to support parkland uses;

WHEREAS, to support the dedication effort, the City of Monterey proposes to rezone the Old Capitol Site from Planned Community to Open Space;

WHEREAS, the proposed rezoning is consistent with the proposed General Plan Map amendment from Very Low Density Residential to Parks and Open Space;

WHEREAS, approval of a zoning map amendment qualifies as a project under the California Environmental Quality Act (CEQA);

WHEREAS, a Notice of Intent to Adopt a Negative Declaration was posted according to the California Environmental Quality Act (CEQA) Section 15072 and a Draft Initial Study and Negative Declaration (IS/ND) were circulated for public review for a period in excess of the required 20-day public review period, from September 17, 2019 to October 21, 2019 (CEQA Section 15073), during which time all related documents were made available at the Monterey City Hall Planning Office and on the City's website. In addition, notices were posted onsite, mailed to adjacent property owners and advertised in the local newspaper.

The City received multiple comment letters on the proposed project. California Native Plant Society, supports the project. The letter also recognized the high quality of the site's habitat. Mr. Cry stated that a management plan is needed now, questioned how police and fire response times will be affected, city finances and deadlines. Mr. Seth Bates, Charles and Janet Bates, David Hughes, and LandWatch support the project. Mr. Forester-Bates (Monterey Pine Forest Watch) support the project and highlighted the importance of the local pine forest. Ms. Malkin expressed concerns about the lack of public outreach, costs, impacts to police services and city staffing levels, and affordable housing. The Monterey Audubon Society supports the project and recognizes that it will permanently protect a critically important ecological resource. The Monterey County Resource Management Agency (RMA) and Environmental Health Bureau (EHB) provided a letter stating that it has no comment on the Negative Declaration. The Naval Support Activity Monterey identified no anticipated concerns but in the future would like the opportunity to evaluate future development plans. Ms. Nine expressed concerns about maintenance, the need to study ecological impacts of homeless on the site and the need for substantial additional funding. Ms. O'Neal expressed concerns about the cost of maintenance, clean up, and police services, and wants the 200 housing unit capacity of the site under its current zoning to be retained or replaced. Mr. Pekin is requesting a written commitment from PBC to pay for cleanup after dedication and site condition and requirements for cleanup and a written commitment from the City for low income housing; and he also states that parks are an unacceptable City liability. The Ventana Chapter Sierra Club supports the project and highlighted the importance of preserving the Monterey Pine Forest and Oak Woodlands.

No physical changes are proposed to the property. Periodic fire and police services will continue to be needed as the City is currently responsible for this area. The City will develop a maintenance strategy for the site. The comments are appropriate for consideration in City budgeting decisions. The comments do not result in changes to the IS/ND.

WHEREAS, the Planning Commission, at a properly noticed public hearing on October 22, 2019, carefully considered all of the information presented to it, including the agenda report and information submitted at the public hearing by interested persons and recommended the City Council adopt the IS/ND for the project;

WHEREAS, the City Council, at a properly noticed public hearing on November 5, 2019, carefully considered all of the information presented to it, including the agenda report, written comments and information submitted at the public hearing by interested persons and adopted the IS/ND.

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1: The Old Capitol Site is hereby rezoned from Planned Community (PC) to Open Space (O) as shown in Exhibit A;

SECTION 2: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this 19th day of November, 2019, by the following vote:

AYES:	4	COUNCILMEMBERS:	Albert, Haffa, Smith, Roberson
NOES:	1	COUNCILMEMBERS:	Williamson
ABSENT:	0	COUNCILMEMBERS:	None
ABSTAIN:	0	COUNCILMEMBERS:	None

APPROVED:

ATTEST:

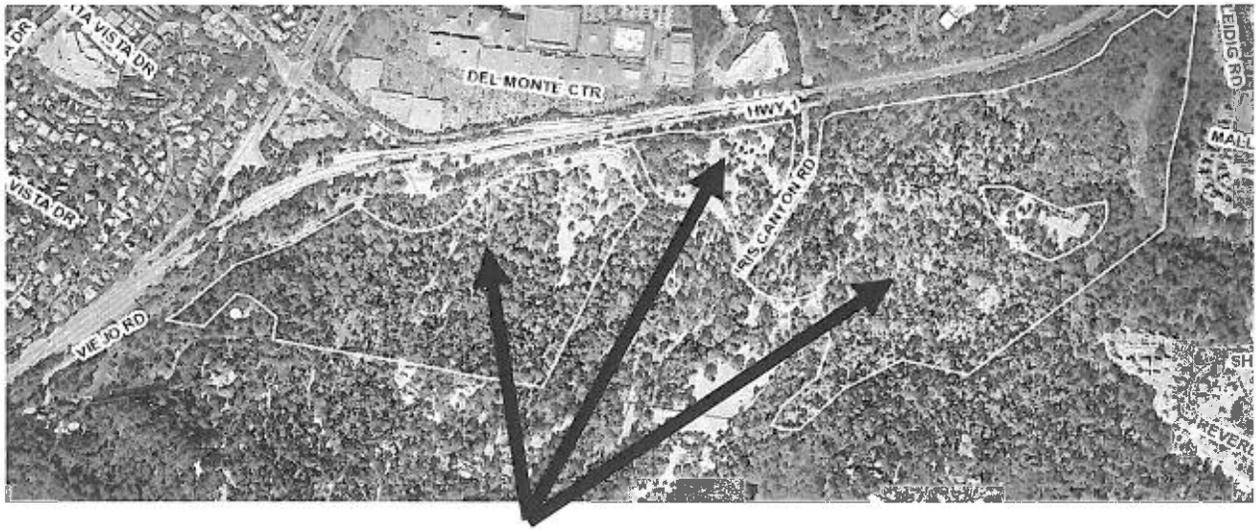


Mayor of said City



City Clerk thereof





Map Amendment Changing the Zoning from Planned Community to Open Space