ORDINANCE NO. 5439

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING TITLE 20 (COASTAL ZONING) OF THE MONTEREY COUNTY CODE RELATING TO VACATION RENTALS

County Counsel Summary

This Ordinance amends numerous definition and zoning district use sections of Title 20 and adds Section 20.64.290 to the Monterey County Code to regulate the short-term vacation rental of residential property. This Ordinance aims to strike a balance, allowing residents of unincorporated Monterey County to benefit from the tourism economy while ensuring that residential neighborhoods are protected from the potential negative social and behavioral impacts of short-term vacation rentals. This Ordinance details which zoning districts allow short-term vacation rentals. This Ordinance requires a coastal development permit for commercial vacation rentals that have similar land use impacts to a visitor/serving use, such as hotels, motels, inns, and lodges. This Ordinance further requires that short-term vacation rentals meet certain operational requirements and safety and health standards that reflect their potential impacts. Lastly, this Ordinance contains the process for phasing out unpermitted commercial short-term vacation rentals.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Findings and Declarations.

A. Pursuant to Article XI, Section 7 of the California Constitution, the County of Monterey ("County") may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its residents.

B. This Ordinance is intended to provide regulations, standards, and circumstances under which short-term vacation rentals may be allowed in certain residential unincorporated areas of Monterey County.

C. The intent of this Ordinance is to distinguish between three types of short-term vacation rentals, commercial vacation rentals, limited vacation rentals, and homestays, such that commercial vacation rentals require a discretionary land use entitlement while limited vacation rentals and homestays are defined in a manner to be similar in character, density, and intensity to residential use, are not anticipated to remove long-term housing from the market, and therefore are allowed uses, where applicable, with a vacation rental operation license, business license, and transient occupancy tax certificate.

D. Regulation of commercial vacation rentals is necessary because they have the potential to impact the character and intensity of an otherwise residential use. Impacts include, removing long-term housing from the market, or posing hazards to public health, safety and general welfare in areas known to have infrastructure limitations. Commercial vacation rental uses, therefore, may be allowed, where applicable, only with a discretionary coastal development permit, vacation rental operation license, business license, and transient occupancy tax certificate. This Ordinance recognizes that unique neighborhoods with existing developments were established with the intent of managed short-term rentals, such as Monterey Dunes Colony, and these developments are exempt from the regulations set forth in this Ordinance, including the need to apply for a vacation rental operation license. Such developments are not exempt from compliance with Chapter 5.40, requiring payment of transient occupancy tax, and Chapter 7.02, requiring a business license.

E. Homestays, commercial vacation rentals, and limited vacation rentals do not count towards any visitor-serving units or guestroom caps established by Monterey County Code, Monterey County Coastal Implementation Plan, or Monterey County Land Use Plan.

F. This Ordinance establishes the requirement for a coastal development permit for commercial vacation rental activities to enable evaluation of the impacts of such activities, in recognition that commercial vacation rentals may have similar land use impacts as other recreational/visitor-serving uses such as hotels, motels, and bed and breakfast facilities and deserve similar evaluation as such visitor-serving uses.

G. Because the nature and extent of short-term vacation rentals have been transformed in the last several years due to the advent of online platforms, this Ordinance intends to establish regulations for limited vacation rentals, commercial vacation rentals, and homestays. Accordingly, this ordinance intends to add Section 20.64.290 to the Monterey County Code to establish regulations for vacation rentals.

H. To allow for a reasonable amortization of investment for existing short-term vacation rental operations, this Ordinance provides an initial defined time period during which an unpermitted vacation rental may continue to operate, provided the vacation rental activity was established prior to the effective date of the Ordinance and the operator is pursuing all necessary County permits, licenses, and entitlements pursuant to Section 20.64.290 of the Monterey County Code.

I. The County has reviewed the Final Environmental Impact Report ("EIR") for the project, which consists of the Draft EIR and the responses to comments on the Draft EIR. The County has exercised independent judgment in accordance with Public Resources Code section 21082.1(c)(3) in retaining its own environmental consultant in the preparation of the EIR, as well as reviewing, analyzing, and revising material prepared by the consultant. Having received, reviewed, and considered the information in the Final EIR, as well as all other information in the record, the County hereby makes findings pursuant to and in accordance with Public Resources Code sections 21081, 21081.5, and 21081.6. In accordance with California Environmental Quality Act ("CEQA") and the CEQA Guidelines, the County agrees that no findings of fact is

required because no impacts were identified with the implementation of the proposed regulations. The Final EIR for the Vacation Rental Ordinances project (SCH # 2022080643) has been completed and certified in compliance with CEQA prior to the adoption of this Ordinance and reflects the independent judgment and analysis of the County of Monterey.

J. The County intends to carry out the amendments in a manner fully in conformity with the Coastal Act.

K. This Ordinance amends the Monterey County Coastal Implementation Plan, which is part of the County's Local Coastal Program. Pursuant to the Coastal Act, the County may amend the certified Local Coastal Program provided the County follows certain procedures. The procedures include the following: the County's Planning Commission holds a notice public hearing and make a recommendation to the Board of Supervisors on the proposed amendment; the Board of Supervisors holds a noticed public hearing, adopts a resolution of intent, and submits the proposed amendment to the California Coastal Commission for certification together with materials sufficient for a thorough and complete review; the Coastal Commission certifies the amendment; the Board of Supervisors takes subsequent final action on the ordinance after the Coastal Commission acts; and the Coastal Commission confirms the County's action. Accordingly, this Ordinance will not go into effect until after the Coastal Commission certifies the amendment and confirms the Board's action.

SECTION 2. Section 20.06.620 of the Monterey County Code is amended to read as follows:

"Guesthouse" means an attached or detached living quarters of a permanent type of construction lacking internal circulation with the main dwelling, without kitchen or cooking facilities, clearly subordinate and incidental to the main structure, on the same lot, and not to be separately rented, let, or leased, whether compensation is direct or indirect.

SECTION 3. Section 20.06.985 is added to the Monterey County Code to read as follows:

"Rooming or boarding" means shared living quarters, with or without separate kitchen and bathroom facilities for each room or unit, intended to meet short-term shelter and/or other immediate housing needs for not more than two persons for the purpose of work, school, research, medical care, or employment that requires a person's physical presence in Monterey County, or other similar non recreational activity. Rooming or boarding does not include residential care facilities, day care homes, family day care centers, convalescent hospitals, hotels, motels, bed and breakfast facilities, inns, vacation rentals, labor camps, or single-occupancy housing.

SECTION 4. Section 20.06.990 of the Monterey County Code is amended to read as follows:

"Roominghouse or boardinghouse" means shared living quarters, with or without separate kitchen and bathroom facilities for each room or unit, intended to meet short-term shelter and/or other immediate housing needs for three or more persons for the purpose of work, school, research, medical care, or employment that requires a person's physical presence in the County, or other similar non recreational activity. Roominghouse or boardinghouse does not include residential care facilities, day care homes, family day care centers, convalescent hospitals, hotels, motels, bed and breakfast facilities, inns, vacation rentals, labor camps, or single-occupancy housing.

SECTION 5. Section 20.06.1305 of the Monterey County Code is amended to read as follows:

"Transient" means temporary, limited duration to a period of 30 consecutive calendar days or fewer.

SECTION 6. Subsection (DD) is added to Section 20.10.050 of the Monterey County Code [High Density Residential District] to read as follows:

DD. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 7. Subsection (DD) is added to Section 20.12.050 of the Monterey County Code [Medium Density Residential District] to read as follows:

DD. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 8. Subsection (FF) is added to Section 20.14.050 of the Monterey County Code [Low Density Residential District] to read as follows:

FF. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 9. Subsection (VV) is added to Section 20.16.050 of the Monterey County Code [Rural Density Residential District] to read as follows:

VV. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 10. Subsection (PP) is added to Section 20.17.050 of the Monterey County Code [Watershed And Scenic Conservation District] to read as follows:

PP. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 11. Subsection (RR) is added to Section 20.18.060 of the Monterey County Code [Coastal General Commercial] to read as follows:

RR. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 12. Subsection (X) is added to Section 20.20.060 of the Monterey County Code [Moss Landing Commercial District] to read as follows:

X. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 13. Subsection (BB) is added to Section 20.22.060 of the Monterey County Code [Visitor-Serving Commercial District] to read as follows:

BB. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 14. Subsection (GG) is added to Section 20.30.050 of the Monterey County Code [Coastal Agriculture Preserve] to read as follows:

GG. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 15. Subsection (KK) is added to Section 20.32.050 of the Monterey County Code [Agricultural Conservation] to read as follows:

KK. Commercial Vacation Rentals, pursuant to Section 20.64.290 (ZA).

SECTION 16. Subsection (Q) is added to Section 20.60.090 of the Monterey County Code to read as follows:

Q. Outdoor signs, pursuant to Section 7.120.040.H.

SECTION 17. Section 20.64.290 is added to the Monterey County Code to read as follows:

A. Purpose: It is the purpose of this Section to:

1. Preserve and enhance the residential character of the coastal zoning districts established in Title 20 and the sense of security and safety in stable neighborhoods of residential properties.

2. Provide opportunity for visitors to access public areas of the unincorporated areas of Monterey County through Vacation Rental opportunities, benefiting the local economy while preserving the housing supply and quality of life, and protecting public health, safety, and general welfare.

3. Establish regulations that provide opportunity for homeowners and residents to offer Vacation Rentals for visitors that have the potential to provide financial benefits to offset the high cost of living in Monterey County.

4. Establish that Limited Vacation Rental and Homestay uses are similar in character, density, and intensity to residential use, are not anticipated to convert long-term housing to nonresidential use.

5. Establish regulations to address Commercial Vacation Rental uses that have the potential to impact the character, density, and intensity of residential uses, convert long-term housing to nonresidential use, or pose hazards to public health, safety, and general welfare in areas known to have infrastructure limitations.

B. Definitions: The definitions in Chapter 20.06 shall apply. Unless otherwise expressly stated, whenever used in this Section, the following words shall have the meanings set forth below:

1. "Bedroom" means any habitable room of a dwelling unit which is: 1) 70 square feet or greater in size for the first individual in a bedroom and 50 square feet of space for each additional individual in the room; 2) has an exterior door or window for egress meeting health and safety code standards at the time the dwelling was constructed; and 3) has a closing door that separates the room from other areas of the dwelling. The following shall not be considered a bedroom: Any interior room that must be passed through to access another bedroom; a hallway; bathroom; kitchen; living room; dining room; family room; breakfast nook; pantry; laundry room; or closet/dressing room opening off a bedroom.

2. "Commercial Vacation Rental" means a Vacation Rental that is Non-hosted and rented for more than three times per 12-month period.

3. "County" means County of Monterey.

4. "Effective Date" means the date on which the Ordinance adding this Section 20.64.290 to the Monterey County Code took effect.

5. "Homestay" means a Vacation Rental in which the Owner occupies at least one Bedroom within the Vacation Rental while it is being rented as a Vacation Rental. The Vacation Rental must be the Owner's Primary Residence.

6. "Limited Vacation Rental" means a Vacation Rental that is Non-hosted and rented for not more than three times per 12-month period.

7. "Non-hosted" means that an Operator does not occupy the Vacation Rental while it is being rented.

8. "Operator" means a person who operates the Vacation Rental and, if not the Owner, a person, who has the legal permission of the Owner to operate the Vacation Rental on the subject real property.

9. "Owner" means the person or persons who hold fee title to the real property upon which a Vacation Rental is operated.

10. "Owner's Primary Residence" means a Residential Property lived in by the Owner for at least 183 days, which is documented by at least two of the following: motor vehicle registration, voter registration, homeowner's exemption on their property taxes, or a utility bill.

11. "OWTS" means an onsite wastewater treatment system, also referred to as a septic system, as regulated by Chapter 15.20 of the Monterey County Code.

12. "Property Manager" means the person who is designated by the Operator as being responsible for managing the Vacation Rental operation and it may include the Owner, professional property manager, realtor, other resident, or nonresident owner of the subject property.

13. "Residential Property" means improved property, used or occupied, or intended to be used or occupied, for residential purposes.

14. "Vacation Rental" means the use, by any person, of Residential Property for transient lodging where the term of occupancy, possession, or tenancy of the property by the person entitled to such occupancy, possession, or tenancy for a period of 30 consecutive calendar days or fewer, counting portions of calendar days as full days. "Vacation Rental" includes Commercial Vacation Rentals, Homestays, and Limited Vacation Rentals. "Vacation Rental" does not include a bed and breakfast facility, hotel, motel, hostel, inn, roominghouse, boardinghouse, rooming or boarding.

C. Applicability: This Section applies in the unincorporated coastal zone of the County of Monterey.

D. Regulations for Homestays:

1. Homestays are allowed and exempt from a Coastal Development Permit pursuant to 20.70.120(S), in the following zoning districts, subject to the requirements of this Section:

a. High Density Residential (HDR(CZ));
b. Medium Density Residential (MDR(CZ));
c. Low Density Residential (LDR(CZ));
d. Rural Density Residential (RDR(CZ));
e. Watershed and Scenic Conservation (WSC(CZ));
f. Coastal General Commercial (CGC(CZ));
g. Moss Landing Commercial (MLC(CZ));
h. Visitor-Serving Commercial (VSC(CZ));
i. Coastal Agriculture Preserve (CAP(CZ)); and
j. Agricultural Conservation (AC(CZ)).

2. Homestays shall be prohibited in any other zoning district.

E. Regulations for Limited Vacation Rentals:

1. Limited Vacation Rentals are allowed and exempt from a Coastal Development Permit pursuant to 20.70.120(T), in the following zoning districts, subject to the requirements of this Section:

a. High Density Residential (HDR(CZ));
b. Medium Density Residential (MDR(CZ));
c. Low Density Residential (LDR(CZ));
d. Rural Density Residential (RDR(CZ));
e. Watershed and Scenic Conservation (WSC(CZ));
f. Coastal General Commercial (CGC(CZ));
g. Moss Landing Commercial (MLC(CZ));
h. Visitor-Serving Commercial (VSC(CZ));
i. Coastal Agriculture Preserve (CAP(CZ)); and
j. Agricultural Conservation (AC(CZ)).

2. Limited Vacation Rentals shall be prohibited in any other zoning district.

F. Regulations for Commercial Vacation Rentals:

1. Commercial Vacation Rentals are allowed with a Coastal Development Permit in the following zoning districts, subject to the requirements of this Section:

a. High Density Residential (HDR(CZ));
b. Medium Density Residential (MDR(CZ));
c. Low Density Residential (LDR(CZ));
d. Rural Density Residential (RDR(CZ));
e. Watershed and Scenic Conservation (WSC(CZ));
f. Coastal General Commercial (CGC(CZ));
g. Moss Landing Commercial (MLC(CZ));
h. Visitor-serving Commercial (VSC(CZ));
i. Coastal Agriculture Preserve (CAP(CZ)); and
j. Agricultural Conservation (AC(CZ)).

2. Commercial Vacation Rentals shall be prohibited in any other zoning district.

3. Commercial Vacation Rentals are subject to the following additional limitations based on a maximum allowable limit of permitted Commercial Vacation Rentals not to exceed four percent of the total single family residential dwelling unit count:

a. Big Sur Coast Land Use Plan Area as follows: Commercial Vacation Rentals are prohibited within the Big Sur Coast Land Use Plan area.

b. Carmel Area Land Use Plan Area as follows:

i. Commercial Vacation Rentals are prohibited in LDR(CZ) zoning districts within the Carmel Areal Land Use Plan area.

ii. A total of 118 maximum Coastal Development Permits shall be issued at any given time for Commercial Vacation Rental uses within the Carmel Area Land Use Plan area, excluding LDR(CZ) zoning districts.

c. North County Coastal Land Use Plan Area as follows: A total of 157 maximum Coastal Development Permits shall be issued at any given time for Commercial Vacation Rental uses within the North County Coastal Land Use Plan area.

d. Del Monte Forest Land Use Plan Area as follows: A total of 57 maximum Coastal Development Permits shall be issued at any given time for Commercial Vacation Rental uses within the Del Monte Forest Land Use Plan area.

e. Moss Landing Community Plan as follows:

i. Commercial Vacation Rentals are prohibited in LDR(CZ) and MDR(CZ) zoning districts within the Moss Landing Community Plan area.

ii. A total of two maximum Coastal Development Permits shall be issued at any given time for Commercial Vacation Rental uses within the Moss Landing Community Plan area, excluding LDR(CZ) and MDR (CZ) zoning districts.

f. All existing transient use of a property for remuneration as a similar use to a Bed and Breakfast facility or other visitor-serving uses (such as hotels, motels, and inns) permits or entitlements issued prior to the Effective Date of this Chapter will count against their respective Land Use Plan cap. If upon the permit or entitlement expiration date or within seven years of the Effective Date of this Chapter, the Operator does not make an application for all permits, licenses, certificates, or other entitlements required by County regulations; the count will be added back to the Land Use Plan cap.

4. A Commercial Vacation Rental that is not accessible directly from a public road shall be subject to Monterey County Code Chapter 16.80. Upon making an application with the County for Vacation Rental use, the Operator shall be required to

mail notice to all properties with ownership or access rights to the private road to inform them of the proposed Vacation Rental use and shall include the application reference number, location of the vacation rental, name and contact information for the Property Manager; and procedures and contact information for the County.

5. Commercial Vacation Rentals must demonstrate that response times for County emergency services for fire and emergency medical will be adequate. Adequate is defined as 5-8 minutes within Community Areas, Community Plans, and Sphere of Influence, 12 minutes within Rural Centers, and 45 minutes for all other areas. Commercial Vacation Rentals must provide contact information for County emergency services for fire and emergency medical. Notice of emergency services contact information shall be included in rental contracts and posted within the unit in a prominent place within six feet of the front door. The notice shall identify the average response time for emergency services to reach the subject property and describe the onsite fire protection systems (such as fire breaks, alarms and/or water storage tanks) available.

6. Commercial Vacation Rentals shall provide parking as required for the dwelling type by Section 20.58.040, or the applicable parking regulations at the time the dwelling was built.

7. Only one Commercial Vacation Rental shall be allowed per legal lot of record, regardless of the number of dwellings on the legal lot of record, except in the development types and zoning districts specified below. This provision does not apply to other types of developments, such as planned unit developments or similar cluster residential subdivisions. This provision does not apply to Coastal General Commercial (CGC(CZ)), Moss Landing Commercial (MLC(CZ)), and Visitor-Serving Commercial (VSC(CZ)) zoning districts. These districts shall be allowed more than one Commercial Vacation Rental per legal lot of record and shall not exceed the number of residential units per legal lot of record.

8. A Commercial Vacation Rental served by an OWTS shall maintain the system in good working order and ensure it is functioning properly at all times. The OWTS shall comply with Chapter 15.20 of this Code.

9. If the Commercial Vacation Rental is served by an OWTS, the Operator shall submit evidence that the system is in good working order and functioning properly by providing a performance evaluation report completed by a qualified OWTS professional in the form and manner required by the County. Any OWTS component noted to be in unacceptable condition shall be repaired or replaced prior to County approval of a Coastal Development Permit.

10. The Owner of the Vacation Rental shall only have an ownership interest in one Commercial Vacation Rental real property within the unincorporated Monterey County at a time.

11. Required Findings. To grant a Coastal Development Permit for a Commercial Vacation Rental, the Appropriate Authority must find, based on substantial evidence, that the Commercial Vacation Rental complies with all findings required for a Coastal Development Permit pursuant to Chapter 20.70 and complies with all requirements of this Section.

12. Time Limits. All Coastal Development Permits issued for Commercial Vacation Rentals shall be subject to the following time limits on the use authorized by the Coastal Development Permit:

a. The initial Coastal Development Permit shall be issued for a term of no more than seven years.

b. The Operator may apply to extend the Coastal Development Permit prior to the expiration date of the Coastal Development Permit pursuant to Section 20.70.110. The extension application shall be made at least 30 days prior to the expiration of the Coastal Development Permit. The Coastal Development Permit shall be extended by the Appropriate Authority by seven years upon each renewal, unless the Appropriate Authority finds that the operation is subject to revocation or modification accordingly to the criteria set forth in Section 20.70.060.

c. The Operator shall maintain a valid business license pursuant to Chapter 7.02 and a valid Vacation Rental Operation License pursuant to Chapter 7.120 of this Code throughout the permitted term of the Commercial Vacation Rental use.

d. The purpose of the seven-year term limit is to provide adequate ongoing review of the Commercial Vacation Rental to ensure that the use continues to meet the standards of this Section.

G. Phasing Out Unpermitted Operations:

1. To provide time for Operators of Vacation Rentals that were unpermitted prior to the Effective Date to bring the Vacation Rental into compliance with this Section, an Operator who can demonstrate that a Vacation Rental use was established and operating on the subject property prior to the Effective Date may continue the operation for a limited period of time.

2. For unpermitted Vacation Rental uses, the Operator has two months from the Effective Date to make an application for all permits, licenses, certificates, or other entitlements required by this Code. The Operator will be allowed to continue to operate as a Vacation Rental for up to two months from the Effective Date, or until County takes action on the Operator's application for all required permits, licenses, and entitlements made pursuant to this Code, whichever is later, unless County requires earlier termination

of the Vacation Rental use due to a risk to public health, safety and welfare. The Operator must diligently pursue the approval and issuance of the required permits, licenses, and entitlements, or the County can require earlier termination of the Vacation Rental.

3. Nothing in this Section prohibits the County from taking enforcement action, which may lead to shutting down a Vacation Rental operation during the phasing out period if the Vacation Rental creates an immediate or imminent threat to life, public health, or safety.

4. Pending applications for transient use of a property for remuneration as a similar use to a Bed and Breakfast facility or other visitor-serving uses (such as hotels, motels, and inns), submitted by a qualified applicant to the County, pursuant to Title 20, that have not been approved by the Appropriate Authority prior to the Effective Date shall be required to comply with this Section.

H. Phasing Out Previously Permitted Operations:

1. All existing transient use of a property for remuneration as a similar use to a Bed and Breakfast facility or other visitor-serving uses (such as hotels, motels, and inns) permits or entitlements issued prior to the Effective Date shall be required to comply with this Section upon expiration of their existing permits or entitlements. If the prior use is no longer allowed pursuant to this Section, the Operator must cease operations at the time of the expiration of their permit or entitlement.

2. All existing transient use of a property for remuneration as a similar use to a Bed and Breakfast facility or other visitor-serving uses (such as hotels, motels, and inns) permits or entitlements issued prior to the Effective Date without expiration dates shall be required to comply with this Section within seven years of the Effective Date.

3. Nothing in this Section prohibits the County from taking enforcement action, which may lead to shutting down a Vacation Rental operation during the phasing out period if the Vacation Rental creates an immediate or imminent threat to life, public health, or safety.

I. Exemption: The regulations set forth in this Section do not apply to unique neighborhoods with existing developments that were established with the intent of managed Vacation Rentals. The existing permitted unique neighborhoods with managed Vacation Rentals must operate according to the regulations and conditions approved through its original land use entitlement.

SECTION 18. Subsection (S) is added to Section 20.70.120 of the Monterey County Code to read as follows:

S. Homestays, pursuant to Section 20.64.290, are exempt in the following zoning districts: High Density Residential (HDR(CZ)); Medium Density Residential (MDR(CZ)); Low

Density Residential (LDR(CZ)); Rural Density Residential (RDR(CZ)); Watershed and Scenic Conservation (WSC(CZ)); Coastal General Commercial (CGC(CZ)); Moss Landing Commercial (MLC(CZ)); Visitor-Serving Commercial (VSC(CZ)); Coastal Agriculture Preserve (CAP(CZ)); and Agricultural Conservation (AC(CZ)).

SECTION 19. Subsection (T) is added to Section 20.70.120 of the Monterey County Code to read as follows:

T. Limited Vacation Rentals, pursuant to Section 20.64.290, are exempt in the following zoning districts: High Density Residential (HDR(CZ)); Medium Density Residential (MDR(CZ)); Low Density Residential (LDR(CZ)); Rural Density Residential (RDR(CZ)); Watershed and Scenic Conservation (WSC(CZ)); Coastal General Commercial (CGC(CZ)); Moss Landing Commercial (MLC(CZ)); Visitor-Serving Commercial (VSC(CZ)); Coastal Agriculture Preserve (CAP(CZ)); and Agricultural Conservation (AC(CZ)).

SECTION 20. SEVERABILITY. If any Section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each Section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more Sections, subsections sentences, clauses, or phrases are declared invalid.

SECTION 21. EFFECTIVE DATE. This Ordinance shall become effective on the thirty-first day following its adoption by the County if certified by the California Coastal Commission or thereafter upon certification by the California Coastal Commission.

PASSED AND ADOPTED on this 23rd day of September 2025 by the following vote:

AYES	Supervisors Church, Root Askew, and Daniels
NOES	Supervisors Alejo & Lopez
ABSENT	None
ASTAIN	None

Motion Passed 3 to 2

Chris Lopez, Chair
Monterey County Board of Supervisors

ATTEST

VALERIE RALPH
Clerk of the Board of Supervisors

By: Emmanuel H. Santos
Deputy Emmanuel H. Santos

APPROVED AS TO FORM:

Kelly L. Donlon

KELLY L. DONLON
Chief Assistant County Counsel