

MONTEREY COUNTY PLANNING COMMISSION

Meeting: November 14, 2012 Time: 10:30 A.M.	Agenda Item No.: 6
Project Description: Workshop to consider and provide direction on the proposed Green Zoning Ordinance (REF110057) for the unincorporated areas of the County of Monterey that would promote sustainable land use planning. The purpose of the workshop is to seek public input and receive direction from the Planning Commission.	
Project Location: Inland Areas of the Unincorporated County of Monterey	APN: Inland Areas of the Unincorporated County of Monterey
Planning File Number: REF110057	Owner: N/A
Planning Area: Inland Areas of the Unincorporated County of Monterey	Flagged and staked: N/A
Zoning Designation: Varies	
CEQA Action: Statutory Exempt per Section 15262 (Feasibility and Planning Studies)	
Department: RMA - Planning Department, Long Range Planning Team	

RECOMMENDATION:

Hold a Workshop to consider and provide direction on the proposed Green Zoning Ordinance (REF110057) for the unincorporated areas of the County of Monterey that would promote sustainable land use planning. The purpose of the workshop is to seek public input and receive direction from the Planning Commission to be incorporated in the drafting of the Green Zoning regulations.

PROJECT OVERVIEW:

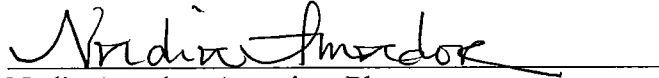
The RMA – Planning Department has begun working on *Green Zoning Regulations*. The purpose is to promote green practices at a zoning level. The primary goal is to include provisions in appropriate County zoning ordinances, future planning documents, and other regulations that promote sustainable land use planning and site design strategies that will help reduce energy consumption, minimize greenhouse gas emissions, reduce vehicle miles traveled and foster healthier environments.

An important objective is for the provisions to be understandable to staff and the public, be able to be readily implemented, and are economically and environmentally achievable. Currently, Green Zoning regulations are required to be part of the Rural Center and Community Plans per the 2010 General Plan (Policy OS.10.10). Aside from Rural Centers and Community Plans, staff has identified other “green zoning” policies within the 2010 General Plan and a “green zoning” section within a State code.

Staff’s analysis of the applicable General Plan policies and Government Code Section as related to the County’s existing codes and regulations and the Long Planning Work Program items underway or anticipated, has resulted in the proposed 4-component approach to a Green Zoning program. Staff has identified that amendments to inland zoning texts should be considered, since the implementing green zoning policies are derived from the 2010 General Plan which has jurisdiction over inland unincorporated areas of the County.

See **Exhibit A** for *Discussion* of the 4-component approach to green zoning provisions.

/S/ PROJECT PLANNER NAME



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November 6, 2012

cc: Front Counter Copy; Planning Commission; Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; Alternative Energy & Environment Committee (AEE); County Streamlining Task Force c/o Ernie Mill; Marti Noel, RMA Planning; Jacqueline R. Onciano, Planning Services Manager; Nadia Amador, Project Planner; The Open Monterey Project; LandWatch; Planning File REF110057.

Attachments: Exhibit A Discussion
 Exhibit B Excerpt of 2010 General Plan Policy LU-1.19
 Exhibit C Excerpt of 2010 General Plan Policy OS-10.10

This report was reviewed by Jacqueline  Onciano, Planning Services Manager, Long Term Planning Team.

EXHIBIT A DISCUSSION

What are Green Zoning Practices:

Promoting green practices at a zoning level would help reduce energy consumption, minimize greenhouse gas emissions, reduce vehicle miles traveled and foster healthier environments. Green Zoning practices include, but are not limited to the following:

- Lot orientation to maximize the energy gains from solar and/or wind resources and minimize energy losses;
- Clustering development to conserve energy and/or promote energy efficient site planning;
- Consideration of solar building orientation, solar roofs, cool pavements and planting of shade trees during project review; and
- Prioritized parking within new commercial and retail areas for carpool/ vanpool, electrical vehicles, hybrid vehicles, bicycles, and other alternative fuel vehicles to promote this type of transportation method.

Applicability to Existing Regulatory Documents:

The *Green Zoning Ordinance* is an implementing action of the following 2010 General Plan Policies (which applies to the inland area only):

- LU-1.19 Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable and quantitative method for decision-makers to evaluate developments of five or more lots or units and development of equivalent or greater traffic, water or wastewater intensity...
(Please refer to **Exhibit B** for full excerpt of Policy LU-1.19)
- OS-9.4 Lots shall be oriented to maximize the energy gains from solar and/or wind resources in order to minimize energy losses where possible;
- OS-9.5 Clustered development is favored where such development will conserve energy;
- OS-9.6 Development shall incorporate features that reduce energy used for transportation, including pedestrian and bicycle pathways, access to transit, and roadway design as appropriate.
- OS-10.10 In the design of future development within Community Areas and Rural Centers, the following sustainable land use strategies shall be considered to reduce energy consumption, minimize greenhouse gas emissions, and foster healthier environments for people:...
(Please refer to **Exhibit C** for full excerpt of Policy OS-10.10)
- OS-10.12 (bullets 4 and 5)
Bullet 4: The County shall require consideration of solar building orientation, solar roofs, cool pavements, and planting of shade trees in development review of

new commercial and industrial projects and new residential projects of 6 units or more;

Bullet 5: Prioritized parking within new commercial and retail areas for electric vehicles, hybrid vehicles, bicycles and alternative fuel vehicles shall be provided for new commercial and institutional developments

The Green Zoning Ordinance requirements can also be linked to *California Government Code 66473.1- Subdivision Map Act*:

- (a) The design of a subdivision for which a tentative map is required pursuant to section 66426 shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision [continues to item (e)]

Proposed Approach/Concept:

Staff's analysis of the applicable General Plan policies and Government Code Sections cited above, as related to the County's existing codes and regulations and the Long Planning Work Program items underway or anticipated, has resulted in a proposed 4-component approach.

Essentially, it has been determined that Green Zoning regulations should be incorporated into four existing or planned documents as described below. Since the preparation of these documents are on different schedules, the Green Zoning regulations will be developed over time as the applicable ordinances and documents are prepared.

Preparation of Component 4) below is currently underway and therefore warrants discussion at this time.

- 1) Amendments to Title 19, Inland Subdivision Ordinance to incorporate lot design standards to address orientation and clustered development provisions that maximize solar energy gains and/or wind resources and minimize energy losses;
- 2) Within Community Areas and Rural Centers and Community plans will be developed for each area consistent with General Plan (Policy OS-10.10). These plans will include specific policies and development standards to address lot layout, site design, building design in a manner to promote energy efficiencies and other "green development/construction techniques as appropriate for that plan area;
- 3) Outside of Community areas and Rural Centers, a Development Evaluation System (DES) will be developed pursuant to General Plan Policy LU-1.19. The DES will incorporate sustainable zoning techniques in the criteria for evaluating proposed projects;
- 4) In order to apply Green Zoning requirements on projects located within industrial, commercial and/or visitor serving zoning designations, where items 1-3 above would not apply, the following zoning code amendments in Title 21 (inland zoning ordinance) should be made:
 - Amendments to the *General Development Plan* requirements and *Site Development Standards* of the:
 - ✓ *Light Commercial (Chapter 21.18)*
 - ✓ *Heavy Commercial (Chapter 21.20)*

- ✓ *Visitor Serving/Professional Office (Chapter 21.22)*
- ✓ *Agricultural Industrial (Chapter 21.24)*
- ✓ *Light Industrial (Chapter 21.26)*
- ✓ *Heavy Industrial (Chapter 21.28)*

- *Chapter 21.58, Regulations for Parking*

It is anticipated that the amendments would require at a minimum consideration of sustainable land use techniques with requirements to include preferential parking for carpool and alternative fuel vehicles and solar orientation of buildings (if feasible), and provisions to encourage solar and/or wind energy generation features.

The County Streamlining Task Force:

On November 2, 2012, staff presented the Green Zoning 4-component approach to the County Streamlining Task Force. Their comments were as follows:

- Concern about applying regulation to industrial uses in South County (i.e. oil drilling);
- Need to provide incentives to get applicants to include green techniques;
- Need to identify incentives that developers will want;
- Make sure to compare Green Zoning regulations with CalGreen and LID standards in order to avoid overlap and/or potential conflicting policies;
- Address routine agricultural as exemption;
- Clarify that the requirements would apply to General Development Plans already required in certain zoning districts (i.e. no new General Development Plans required in other zoning districts that currently do not require General Development Plans).

Alternative Energy & Environment Committee (AEE):

On November 8, 2012, staff will be presenting the Green Zoning 4-component approach to the AEE for input. At the Planning Commission Workshop on November 14, 2012, staff will present the AEE's comments for consideration.

Conclusion:

At the conclusion of the workshop, staff would like to receive input on the proposed approach which will be considered in the drafting of the Green Zoning regulations.

Exhibit B

LU-1.19 Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or wastewater intensity. The Monterey County General Plan Land Use Element October 26, 2010 Page LU-6 system shall be a pass-fail system and shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria shall include but are not limited to:

- a. Site Suitability
- b. Infrastructure
- c. Resource Management
- d. Proximity to a City, Community Area, or Rural Center
- e. Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element
- f. Environmental Impacts and Potential Mitigation
- g. Proximity to multiple modes of transportation
- h. Jobs-Housing balance within the community and between the community and surrounding areas
- i. Minimum passing score

Residential development shall incorporate the following minimum requirements for developments in Rural Centers prior to the preparation of an Infrastructure and Financing Study, or outside of a Community Area or Rural Center:

- 1) 35% affordable/Workforce housing (25% inclusionary; 10% Workforce) for projects of five or more units to be considered.
- 2) If the project is designed with at least 15% farmworker inclusionary housing, the minimum requirement may be reduced to 30% total.

This Development Evaluation System shall be established within 12 months of adopting this General Plan.

Exhibit C

OS-10.10 In the design of future development within Community Areas and Rural Centers, the following sustainable land use strategies shall be considered to reduce energy consumption, minimize greenhouse gas emissions, and foster healthier environments for people:

- Take an integrated approach to siting, design, and operation of buildings and infrastructure
- Incorporate multiple-uses for infrastructure (e.g., recreational fields designed to capture stormwater and reduce urban runoff)
- Design development to take advantage of solar orientation
- Recycle brownfield sites
- Employ individual and systematic water conservation measures (e.g., native vegetation, bioswales, graywater reuse, high efficiency appliances)
- Promote Transit Oriented Development (TOD) to increase mobility and reduce auto dependency
- Provide preferential carpool/vanpool parking spaces
- Implement a parking surcharge for single occupant vehicles
- Provide for shuttle/mini bus service
- Provide bicycle storage/parking facilities and shower/locker facilities
- Provide onsite child care centers
- Provide transit design features within the development
- Develop park-and-ride lots
- Employ a transportation/rideshare coordinator
- Implement a rideshare program
- Provide incentives to employees to rideshare or take public transportation
- Implement compressed work schedules
- Implement telecommuting program
- Provide bicycle paths within major subdivisions that link to an external network
- Provide pedestrian facilities within major subdivisions
- Locate development of new sensitive land uses (schools, hospitals, facilities for the elderly) at least 500 feet from a freeway carrying more than 100,000 vehicles per day.

Future development shall be designed to maximize energy efficiency to the extent feasible and accommodate energy infrastructure (i.e., transmission lines, power plants and pipelines, and fueling stations), including the potential for distributed renewable generation.