

**Board of Supervisors
County of Monterey, State of California**

**Resolution of the Monterey County)
Board of Supervisors adopting the)
2006 Monterey County General)
Plan.)
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I. Recitals

The 2006 General Plan came on for public hearing before the Monterey County Board of Supervisors on January 3, 2007. Having certified an Environmental Impact Report that included analysis of this project and also having considered all the written and documentary evidence, the administrative record, the Planning Commission recommendations, the staff report, oral testimony, and other evidence presented, the Board of Supervisors hereby adopts this resolution with reference to the following facts and circumstances:

County's Initial Efforts To Prepare a Comprehensive General Plan

- A. State law provides that if it deems it to be in the public interest, the legislative body of a County or City may amend all or part of an adopted general plan.

- B. On September 30, 1982, the Monterey County Board of Supervisors adopted a comprehensive General Plan update of the 1968 General Plan. This Plan included policies that applied county-wide. Subsequent amendments to the 1982 General Plan established the Toro Area Plan (December 13, 1983), Carmel Valley Master Plan (July 31, 1984), Greater Monterey Peninsula Area Plan (December 17, 1984), North County Area Plan (July 2, 1985), Greater Salinas Area Plan (October 14, 1986), Central Salinas Valley Area Plan (November 24, 1987), South County Area Plan (December 15, 1987), and Cachagua Area Plan (November 29, 1988). Within the Coastal area, the County also adopted the North County Coastal Land Use Plan (April 28, 1982), Del Monte Forest Land Use Plan (July 5, 1983), Carmel Area Land Use Plan (October 19, 1982), and Big Sur Coast Land Use Plan (November 5, 1985) as part of what became a certified Local Coastal Program (LCP) in 1987.

- C. The County desires to replace the 1982 Monterey County General Plan and subsequent amendments including Area Plans through a comprehensive update of the Plan and its Area Plans with the exception of the area plans that are part of the LCP.

D. On or about November 1999, the Board of Supervisors directed County staff to undertake preparation of a comprehensive General Plan to update and replace the adopted 1982 General Plan.

E. In accordance with the Board's direction, County staff prepared a first draft of a comprehensive General Plan update entitled "21st Century Monterey County General Plan" ("2001 Draft GPU"). On or about December 18, 2001, the County published and circulated the 2001 Draft GPU. A Draft Environmental Impact Report, dated March 27, 2002 ("2002 DEIR"), on the 2001 Draft GPU was published and circulated for public review and comment between April 1, 2002 and May 28, 2002.

F. Between April 17, 2002 and August 26, 2002, the Monterey County Planning Commission held multiple duly noticed hearings to consider the 2001 Draft GPU. Having considered the draft, all of the testimony and comments, and the 2002 DEIR, the Planning Commission formulated recommendations on the 2001 Draft GPU and forwarded its recommendations to the Board of Supervisors.

G. Between July 15, 2002 and November 26, 2002, the Board of Supervisors held multiple duly noticed public hearings on the 2001 Draft GPU. Having considered the 2002 DEIR and 2001 Draft GPU, the Board of Supervisors received and considered public testimony, and considered the Planning Commission recommendations. The Board directed staff to revise the 2001 Draft GPU in accordance with various recommendations.

H. In April 2003, a Preliminary Discussion Draft of the 21st Century Monterey County General Plan ("GPU 2") was provided to the Board of Supervisors in order for the Board to review certain draft revisions and to give further direction to staff. The Board of Supervisors considered GPU 2 at a series of public workshops between May and October 2003. On October 7, 2003 and October 28, 2003, the Board of Supervisors and the Planning Commission held joint workshops to provide further direction to staff.

I. On November 4, 2003, after duly noticed public hearings before the Planning Commission and the Board of Supervisors, the Board of Supervisors adopted Housing Element 2002-2008, which updates the housing element of the General Plan. In January 2004, the state Department of Housing and Community Development certified the Housing Element.

J. On or about January 21, 2004, the Public Review Draft of the 21st Century Monterey County General Plan ("GPU 3") was published and circulated for public review. A draft EIR on GPU 3 ("2004 DEIR") was published on or about February 17, 2004 and circulated for public review between February 17 and April 2, 2004. The Planning Commission held a series of duly noticed public hearings on GPU 3 between March 3, 2004 and April 28, 2004. On April 28, 2004, having considered the 2004 DEIR, the draft GPU 3, and all of the comments and testimony received, the Planning Commission recommended that the Board of Supervisors make certain changes to GPU 3 and further recommended that, subject to making those changes and certifying a FEIR on GPU 3, the Board of Supervisors adopt GPU 3 with modifications. On May 18, 2004, the Board of Supervisors rejected the proposed schedule regarding adoption of

GPU3 and directed staff to return with options and a modified approach to updating the General Plan.

Preparation of the 2006 Monterey County General Plan

K. At a series of meetings beginning May 25, 2004, and continuing through November 9, 2004, the Board gave direction to staff on an approach to for updating the General Plan and preparing a revised draft EIR.

L. On or about February 1, 2005, staff established a schedule for implementing the Board's direction and commenced work on a General Plan update that constitutes, essentially, an amendment of the 1982 General Plan.

M. In 2005, on February 23, March 31, April 1, April 19, May 5, May 19, May 24, June 20, July 7, and July 21, the Board conducted several public workshops and study sessions. The purpose of these workshops was to review major policy issues and provide tentative direction to staff as to how to address said issues in the 2006 General Plan update.

N. The 2005 workshops were followed by additional workshops on September 19, October 31, November 14, November 28, December 12, and December 13, 2005 and January 6, and February 14, 2006, during which the Board reviewed draft language presented by staff in response to policy direction.

O. At the conclusion of the workshops, an initial draft of the 2006 Monterey County General Plan was released to the public on or about March 21, 2006. A corrected draft was issued on or about August 1, 2006.

P. The 2006 General Plan provides a framework for future growth in the unincorporated inland areas of the County through the year 2030. The 2006 General Plan contains all of the statutorily mandated elements, including a Land Use Element, Circulation Element, Conservation and Open Space Element (including the mandatory Conservation and Open Space elements), Safety Element (including the mandatory Noise Element), and Public Services Element. The Plan also includes two optional elements, the Agriculture Element and the Economic Development Element. The County adopted and HCD has certified a Housing Element for the 2002-2008 planning cycle. The 2006 General Plan integrates the adopted Housing Element. The Housing Element is intended to be updated in the next housing planning cycle.

Q. The General Plan also updates and includes the Cachagua, Central Salinas Valley, Greater Monterey Peninsula, Greater Salinas, South County, Toro, and North County/non-coastal Area Plans and Carmel Valley Master Plan and also includes the previously-adopted Fort Ord Master Plan.

R. The 2006 General Plan leaves in place and is not intended to amend or in any way modify the County's coastal Land Use Plans, consisting of the Big Sur, Del Monte Forest, Carmel, and North County Coastal Land Use Plans.

S. An Agricultural Winery Corridor Plan ("AWCP") is included as part of the draft 2006 General Plan. While part of the 2006 Plan, the AWCP was drafted so that it could be adopted separately as an amendment to the General Plan. Concurrent with the action herein adopting the 2006 General Plan, the Board will consider adopting the AWCP by separate action as an amendment to the General Plan (Resolution No. **INSERT AWCP RESO #**). The Board intends the AWCP to take effect as part of the 1982 General Plan and to continue in effect, either as part of the 1982 General Plan or as part of the 2006 General Plan when the 2006 General Plan takes effect

Preparation of the Environmental Impact Report on the 2006 General Plan

T. On February 9, 2006, the County issued an Amended Notice of Preparation (NOP) on the revised 2006 General Plan. The Amended NOP was sent to the State Clearinghouse (SCH No. 2006021054), responsible agencies, and interested groups and individuals for a 30-day review period from February 13, 2006 to March 15, 2006. Availability of the Amended NOP was advertised through certified, direct mailing to federal agencies (including the military), state agencies, regional agencies, local agencies (including cities and counties, local districts, school districts, water agencies), other special districts and agencies, as well as private groups and individuals requesting notification. The Amended NOP was also published in local newspapers consisting of the Monterey County Herald, Watsonville Register-Pajaronian, South County News, and Salinas Californian, and posted on the County's website.

U. The County held an EIR scoping meeting on February 21, 2006 to provide information about the 2006 General Plan, the potential environmental impacts and the CEQA review process, as well as a schedule for General Plan adoption and implementation. Members of the public and other interested parties had the opportunity to ask questions and express their concerns and interests regarding environmental issues surrounding the 2006 General Plan early in the EIR process.

V. On August 18, 2006, the Draft EIR was published and distributed to the State Clearinghouse as well as responsible and trustee agencies for a 49-day comment period, ending on October 6, 2006. A copy of the Draft EIR was made available on Monterey County's website where it could be downloaded for review. In addition, printed copies as well as compact disks were provided at various local public libraries. A Notice of Completion ("NOC") and Notice of Availability ("NOA") of the Draft EIR were prepared, published, and distributed, as required by CEQA (Guidelines Sections 15085 and 15087).

W. The NOC and NOA were circulated to the State Clearinghouse, responsible agencies and interested parties, including any person who had filed a written request for such a notice. The NOA was posted with the County Clerk and published in newspapers of general circulation, including the "Salinas Californian," "Watsonville Register-Pajaronian," "South

County News,” and “Monterey County Herald.” Printed copies of the Draft EIR with a compact disc of the 2006 General Plan were sent directly to a number of federal and responsible agencies. A copy of the entire Draft EIR, 2006 General Plan, Area/Master Plans, Agricultural Winery Corridor Plan, and all related notices were made available on the County’s website.

X. The Final Program Environmental Impact Report on the Monterey County 2006 General Plan (SCH #2006021054) was issued on December 20, 2006 and errata to the FEIR were issued prior to the Board’s certification of the Final EIR on January 3, 2007 (Resolution No. **FILL IN EIR RESO #**). The Final EIR includes all comment letters received during the public comment period, Responses to Comments, clarifying information, and an Errata that revises the text of the Draft EIR. Copies of the Final EIR were sent to public agencies that submitted comments on the Draft EIR, including but not limited to U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, California Coastal Commission, California Department of Toxic Substances Control, California Public Utilities Commission, CalTrans, Association of Monterey Bay Area Governments, Monterey Bay Unified Air Pollution Control District, Monterey Regional Waste Management District, the Transportation Agency of Monterey County, Monterey Local Agency Formation Commission, County of San Benito, Monterey County Cities (12), Pajaro Valley WMA, Monterey-Salinas Transit. Any person or organization who filed written comments received a Notice of Availability indicating how the Final EIR could be obtained including but not limited to making the document available on the Monterey County’s website. Copies were also made available for public review on request.

Consultation with Agencies and Other Parties

Y. On or about March 21, 2006, the draft General Plan was referred for review and comment to federal agencies (including the military), State agencies, regional agencies, local agencies (including cities and counties, local districts, schools, water agencies), and other special districts and agencies.

Z. The draft 2006 General Plan was forwarded, with offer for consultation, to counties on March 29, 2006 and incorporated cities on March 30, 2006. As part of the consultation, County staff conducted a general meeting for all 12 cities within Monterey County on April 18, 2006. Upon request, County staff also attended Planning Commission and/or City Council meetings at the cities of: Salinas (August 15, 2006), Marina (September 12, 2006), Monterey (September 26, 2006), Seaside (November 2, 2006), and Gonzales (November 6, 2006) to address their specific issues.

AA. A Tribal Consultation List Request was faxed to the Native American Heritage Commission in Sacramento, California on February 15, 2006. The County received a list of all California Native American Tribes within the project area (Monterey County) on March 7, 2006. The draft 2006 General Plan was forwarded, with offer for consultation, to the California American Native Tribes on March 30, 2006. Staff initiated consultation with interested California Native American Tribes in April 2006, and attended meetings with the Ohlone/Costanoan-Esselen Nation (OCEN) on April 20, 2006 and July 10, 2006. A letter was received from the Amah Mutsun Tribal Band on September 14, 2006 regarding the Agricultural

Winery Corridor Plan (AWCP). All requests were considered as part of the Planning Commission's review.

Planning Commission and Advisory Committee Hearings

BB. The draft 2006 General Plan was presented by staff to the Planning Commission for its review and recommendation pursuant to State law beginning on March 30, 2006.

CC. The Planning Commission held duly noticed public hearings on the draft 2006 General Plan on July 19, August 16, August 23, August 30, September 13, September 14, September 20, September 27, September 28, October 4, October 5, October 11, October 12, October 18, October 19, October 24, and October 25, 2006. Because the regular Planning Commission meeting time is during weekday hours (9:00 am to 5:00 pm), evening meetings (6:00 pm to 9:00 pm) were held on September 14, September 28, October 4, October 5, October 12, October 18, and October 19, 2006 in order to provide greater ability for the general public to attend. Notices for these hearings were published in the Monterey County Herald, Salinas Californian, Watsonville Register-Pajaronian, and South County News on or about July 8, August 3, and October 13, 2006. In addition, the Commission included an agenda item to discuss the schedule as first order of business at most hearings. A schedule of meetings was included on the County's website and continuously updated to reflect what had been considered and what was scheduled for subsequent agendas. The Monterey County Planning Commission complied with the Americans with Disabilities Act by offering to make information and material available in alternative formats for persons with disabilities, and offered to provide information and material in other languages; however, no formal requests to do so were made.

DD. During the Planning Commission review period, other advisory committees held public and community meetings to address particular issues identified in the draft 2006 General Plan including the following:

- *Agricultural Advisory Committee* (AAC) held public meetings on April 27, August 24, and September 28, 2006 to address issues relative to the Agricultural Element and the Agricultural Winery Corridor Plan;
- *Land Use Advisory Committees* (LUAC) held public community meetings to review respective Area Plans in August and September, 2006, and submitted comments to the Planning Commission for consideration on or before September 27, 2006; and
- *Housing Advisory Committee* (HAC) held public meetings on September 7 and September 27, 2006 to review the relationship between the adopted and certified 2002-2008 Housing Element with the draft 2006 General Plan.

EE. On October 24, and 25, 2006, the Planning Commission held its final noticed public hearings on the draft 2006 General Plan. At least 10 days before the final public hearing before the Planning Commission, notices of these hearings were published in the Monterey County Herald, Salinas Californian, Watsonville Register-Pajaronian, and South County News. On October 25, 2006, having considered the draft EIR, the draft General Plan, and all of the comments and testimony, the Planning Commission adopted Planning Commission Resolution

No. 06053 recommending that the Board of Supervisors: 1) make certain changes to the draft, as indicated in the Planning Commission October 25, 2006 draft of the 2006 General Plan; 2) make certain changes to the text of the Agricultural Winery Corridor Plan as indicated in the Planning Commission October 25, 2006 draft of the 2006 General Plan ; 3) make certain changes to the rural center boundaries and include certain property owner requests in the plan; and 4) adopt the 2006 General Plan, as recommended to be modified, subject to completion of the Final EIR and the Board of Supervisors' certification of the Final Environmental Impact Report.

FF. On November 27 and December 18, 2006, the Monterey County Airport Land Use Commission (ALUC) considered the consistency of the draft 2006 Monterey County General Plan with the adopted Comprehensive Land Use Plans (CLUPs) for the public airports under their jurisdiction (Monterey, Marina, Salinas, and King City). A letter with the ALUC recommendations was forwarded to the Board of Supervisors on December 19, 2006. The ALUC determined that policies within the 2006 Monterey County General Plan are consistent with current CLUPs. The ALUC also made specific recommendations on two Property Owner Requests:

- 1) Jefferson - Property Owner Request #13. The proposed land designation change from "Farmland" to "Special Treatment Area" in order to allow up to 16 single family homes over 150 acres would be consistent. Specific design criteria were outlined in the ALUC letter to avoid potential conflict with the Marina Airport.
- 2) Paquin - Property Owner Request #90. Although the Board is not currently entertaining this Request, the ALUC reviewed the concept for high density affordable housing at this location. The ALUC expressed concerns if such a land use is to be considered by the Board.

The ALUC requested to be consulted on any land use change or proposed development on these parcels. Until the CLUPs are updated, the ALUC indicated their intent to utilize the latest "California Airport Land Use Planning Handbook" published by Caltrans for development standards.

Board of Supervisors' Hearings and Certification of the FEIR

GG. The Board of Supervisors held duly noticed public hearings on the draft 2006 General Plan on November 14, November 21, December 5, December 6, December 12, and December 19, 2006 and January 3, 2007. Notice of the November 14 hearing and the tentative hearing schedule was published on November 3, 2006 in the Monterey County Herald, and the Watsonville Register-Pajaronian, on November 4, 2006 in the Salinas Californian, and on November 8 in the South County News. Additional notice of the January 3 hearing was published on December 19, 2006 in the Monterey County Herald and on or about December 20 in the in the Salinas Californian. Notice was also published in the Watsonville Register-Pajaronian and South County News prior to the January 3 hearing. The Board continued the hearing to each subsequent date as needed.

HH. Having considered the draft 2006 General Plan, the Planning Commission's recommendations to the Board on the draft 2006 General Plan, the mitigation measures proposed by the draft EIR, and public testimony and comment on the draft General Plan and EIR, the

Board of Supervisors gave tentative direction to staff, subject to completion and certification of the Final EIR and final review of the plan, to clarify and modify the text of the draft General Plan so as to incorporate many of the recommendations of the Planning Commission, include feasible mitigation measures, and respond to public comment. A draft of the General Plan incorporating this direction is set forth in the volume entitled “2006 General Plan - Monterey County,” dated January 3, 2007, which volume is incorporated herein by reference as if set forth in full.

II. The 2006 General Plan balances the competing interests and needs of a diverse County by reasonable policies that:

- Focus development toward population centers where adequate facilities and services exist or can be provided. Policies are designed to direct new development towards incorporated cities. For the unincorporated County lands, development would be directed to designated areas called Community Areas (primary) and Rural Centers (secondary). Community Areas policies designed to create balanced and sustainable communities. Rural Center policies are designed to potentially accommodate additional growth that can help meet the County’s long term housing goals, while still retaining their village character.
 - Maximize the development of critically needed affordable housing in the County by, among other policies, encouraging affordable housing in Community Areas and Rural Centers. Policy LU-2.12 outlines development of a Residential Evaluation System. This system would be designed to prioritize affordable/workforce housing.
 - Enable the agricultural industry to remain viable into the future. An optional Agricultural Element includes policies for Routine and Ongoing Agricultural Activities as well as buffers to help protect prime agricultural lands from encroaching development. The Agricultural Element also includes polices setting forth creation of an Agricultural Winery Corridor to facilitate planned development of the wine industry.
 - Address traffic impacts from new development by, among other policies, committing the County to develop and adopt traffic impact fees to address impacts on County facilities as well as regional roadways.
 - Protect the natural beauty and unique resources of the County while being respectful of private property.
 - Incorporate requirements for development of adequate facilities and infrastructure concurrent with development to ensure that new development contributes its fair share to infrastructure improvements needed to address the impacts of the new development.

- Mitigate potential environmental impacts to the greatest extent feasible. Mitigation measures identified in the Program EIR for this project have been incorporated into the final General Plan document.

JJ. The County is not amending the County’s certified Local Coastal Program (LCP) as part of the 2006 General Plan. In the period between the adoption of the 2006 General Plan and an update of the LCP, the certified Land Use Plans will continue to govern in their respective areas in the coastal zone of the County. This approach is intended to leave in place in the coastal zone regulatory framework in effect prior to the adoption of the 2006 General Plan until the County has reviewed and amended the Coastal Land Use Plans and the Coastal Commission has certified major amendments to the LCP, subject to all appropriate procedures including public hearing and separate action by the Board of Supervisors and Coastal Commission. In accordance with the California Coastal Act (Public Resources Code section 30000 et seq.), this approach recognizes that the coastal zone is a distinct and valuable natural resource that requires unique planning considerations, has unique procedural requirements, and may require different standards and policies than may apply in the inland areas of the County.

KK. On January 3, 2007, the Board of Supervisors held a duly noticed public hearing to consider certification of the Final EIR, adoption of the General Plan, and adoption of the Agricultural Winery Corridor Plan. At the close of the January 3, 2007 hearing, the Board of Supervisors, by Resolution No. **FILL IN EIR RESO #**, certified the Final Program Environmental Impact Report on the Monterey County 2006 General Plan (SCH #2006021054) pursuant to the California Environmental Quality Act (Public Resources Code section 21000 et seq.), evaluated the suggested mitigation measures and alternatives to the General Plan and made findings concerning the feasibility of those measures and effectiveness of the measures as proposed to be modified, and adopted a Statement of Overriding Considerations supporting adoption of the 2006 Monterey County General Plan.

LL. The Board of Supervisors independently reviewed the EIR, the recommendations of the Planning Commission, staff reports, and all evidence including comment and testimony from the public at numerous duly noticed workshops, study sessions, and public hearings.

II. Decision of the Board of Supervisors

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Monterey finds and decides as follows:

1. The Monterey County 2006 General Plan consists of the bound volume dated January 3, 2007, attached hereto as *Exhibit A* and incorporated herein by reference and errata distributed on January 3, 2007, attached hereto as *Exhibit B* and incorporated herein by reference].

2. The Monterey County 2006 General Plan is a comprehensive, long-term plan for the physical development of the County of Monterey which seeks to and does balance the competing interests and needs of a diverse County.

3. The Monterey County 2006 General Plan contains development policies, and diagrams and text setting forth objectives, principles, standards and plan proposals as required under the law.

4. All requirements of Government Code Section 65302 et seq. have been satisfied in the Monterey County 2006 General Plan. The 2006 General Plan contains the mandatory general plan information required under the law. State law requires seven elements, including: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety Elements. The draft 2006 General Plan combines some of the mandatory elements and includes the following required elements: Land Use, Circulation, Conservation and Open Space, Public Services, and Safety (includes Noise). The 2002-2008 Housing Element is incorporated as adopted in November 2003.

5. The 2006 General Plan contains two optional elements which relate to the physical development of the County, namely, the Agriculture Element and the Economic Development Element.

6. The 2006 General Plan, together with inland Area and Master Plans, and the Agricultural Winery Corridor Plan, comprise an integrated, internally consistent, and compatible statement of policies, and satisfies the requirements of the law.

7. The Board intends to adopt the AWCP as part of the 2006 General Plan and also to adopt the AWCP separately from the General Plan in order to allow it to take effect as part of the 1982 General Plan, pending the 2006 General Plan taking effect.

BE IT FURTHER RESOLVED that:

8. The Board of Supervisors hereby replacing the 1982 General Plan and adopts the Monterey County 2006 General Plan, attached hereto as *Exhibit A* and incorporated herein by reference.

PASSED and ADOPTED this 3rd day of January, 2007, upon motion by Supervisor _____, seconded by Supervisor _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, Lew C. Bauman, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page _____ of Minute Book _____, On _____, 2007

Dated: _____, 2007

Lew C. Bauman, Clerk of the Board of Supervisors,
County of Monterey, and State of California.

By _____