

Attachment F

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DRAFT RESOLUTION

Before the Board of Supervisors in and for the County of Monterey, State of California

In the matter of the application of:

**CUMMING JOHN HANSEN & MARIE TRS
ET AL (PLN190243)**

RESOLUTION NO. 26-_____

Resolution of the County of Monterey Board of
Supervisors:

- 1) Finding that the project is Categorically Exempt pursuant to CEQA Guidelines section 15304, and that none of the exceptions apply pursuant to Section 15300.2; and
- 2) Amend the 2010 General Plan, adding Policy CSV-1.8 to the Central Salinas Valley Area Plan.

The CUMMING JOHN HANSEN & MARIE TRS (PLN190243) application came before the County of Monterey Board of Supervisors on April 28, 2026, at a public hearing. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors does hereby with reference to the following facts and findings:

RECITALS

1. On June 18, 2019, the Board of Supervisors adopted Chapters 20.69 and 21.69 of the Monterey County Code (coastal and inland) and created a pilot program (Program) for limited outdoor commercial cannabis cultivation in the Big Sur, Carmel Valley, and Cachagua plan areas.
2. Mr. Cumming's property (APN: 420-063-014-000) is within the Central Salinas Valley Area Plan and is thus not subject to the Outdoor Cannabis Cultivation Pilot Program. Although Mr. Cumming's outdoor cannabis cultivation operation would comply with the requirements of County Code Chapter 21.69, except for the location, there are no existing regulations that would allow Mr. Cumming to legally establish an outdoor cannabis cultivation site.
3. On February 25, 2026, in accordance with Government Code sections 65854 – 65857, as well as Monterey County Code Chapter 21.91, the Planning Commission held a duly noticed hearing and recommended that the Board of Supervisors amend the Central Salinas Valley Area Plan (text) by adding Policy CSV-1.8, which would create a Special Treatment Area (STA) over the Cumming's Ranch (APN: 420-063-014-000), and allow the Applicant/Owner to cultivate up to 20,000 square feet, require that the operator submit compliance testing information to the County upon demand, require the operator to

CUMMING JOHN HANSEN
& MARIE TRS ET AL (PLN190243)

implement best management practices to prevent incompatibility issues, and limit operation to eight years.

4. The Board of Supervisors considered the Planning Commission’s recommendation and removed the term limit as it would not align with the long-term policy framework of the General Plan. The proposed General Plan amendment would amend the text of the Central Salinas Valley Area Plan by adding Policy CSV-1.8: “*Special Treatment Area: The Cumming’s Ranch shall be designated as a “special treatment area” to allow up to 20,000 square feet of outdoor cannabis cultivation, provided the operator obtains a commercial cannabis business permit pursuant to Chapter 7.90 of the Monterey County Code, and the operation complies with the requirements of the Outdoor Cannabis Cultivation Pilot Program pursuant to Chapter 21.29 of the Monterey County Code, except for location. The operator agrees to inform nearby off-site agricultural operations of the on-site cannabis operations and implement best management practices to prevent incompatibility issues. Upon request by the County, the operator agrees to provide testing and compliance information to help better inform appropriate setbacks between on-site cannabis operations and off-site agricultural operations. (APN: 420-063-014-000)*”.
5. The creation of the STA better meets the goals, policies, and text of the General Plan by promoting economic development, allowing the subject property to increase its agricultural viability. However, the introduction of cannabis cultivation also has the potential to impact the viability of other off-site agricultural operations. Therefore, the creation of the STA allows the County to better determine whether a two-mile buffer is appropriate and whether the Central Salinas Valley Area Plan should be included in the Pilot Program, which is set to expire in June 2026. Allowing this property to cultivate cannabis may provide data needed to determinate whether other similarly situated properties with the County can increase their agricultural viability through cannabis cultivation.
6. The Board of Supervisors finds that adoption of the General Plan amendment is Categorically Exempt pursuant to CEQA Guidelines section 15304, as the site has already been utilized for cannabis cultivation between 2014 and 2020, the use would not remove healthy, mature, scenic trees, and none of the exceptions of Section 15300.2 apply.
7. At least 10 days before the public hearing before the Board of Supervisors, notices of the hearing were published in the Monterey County Weekly, provided to all those who requested notice, and were also posted on and near the project site.

DECISION

Based on the above recitals, the written and documentary evidence, the staff reports, oral testimony, and the administrative record as a whole, that the Board of Supervisors does hereby:

1. Find that the project is Categorically Exempt pursuant to CEQA Guidelines section 15304, and that none of the exceptions apply pursuant to Section 15300.2; and
2. Amend the 2010 General Plan, adding Policy CSV-1.8 to the Central Salinas Valley Area Plan, attached hereto as Attachment 1.

CUMMING JOHN HANSEN
& MARIE TRS ET AL (PLN190243)

PASSED AND ADOPTED this 28th day of April, 2026 upon motion of Supervisor _____, seconded by Supervisor _____, and passed by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

I, Valerie Ralph, 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 Minute Book _____ for the meeting on April 28, 2026.

Date:

File Number:

Valerie Ralph, Clerk of the Board of
Supervisors
County of Monterey, State of California

By _____
Deputy

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final

CENTRAL SALINAS VALLEY AREA PLAN

SUPPLEMENTAL POLICIES

1.0 - Land Use

- CSV-1.8 Special Treatment Area: Cummings Ranch - The Cumming's Ranch shall be designated as a "special treatment area" to allow up to 20,000 square feet of outdoor cannabis cultivation, provided the operator obtains a commercial cannabis business permit pursuant to Chapter 7.90 of the Monterey County Code, and the operation complies with the requirements of the Outdoor Cannabis Cultivation Pilot Program pursuant to Chapter 21.29 of the Monterey County Code, except for location. The operator agrees to inform nearby off-site agricultural operations of the on-site cannabis operations and implement best management practices to prevent incompatibility issues. Upon request by the County, the operator agrees to provide testing and compliance information to help better inform appropriate setbacks between on-site cannabis operations and off-site agricultural operations. (APN: 420-063-014-000).