

Exhibit D

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DRAFT RESOLUTION

Before the Planning Commission 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 Planning
Commission recommending that the Board of
Supervisors:

- 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;
- 2) Adopted a Resolution to amend the 2010 General Plan, adding Policy CSV-1.8 to the Central Salinas Valley Area Plan, attached hereto as Attachment 1.

The CUMMING JOHN HANSEN & MARIE TRS (PLN190243) application came before the County of Monterey Planning Commission on February 25, 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 Planning Commission hereby makes a recommendation to the Monterey County Board of Supervisors 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 section 65854 – 65857, as well as Monterey County Code Chapter 21.91, the Planning Commission held a duly noticed hearing to consider recommending 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 over the Cumming's Ranch (APN: 420-063-014-000), and allow the

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Applicant/Owner to cultivate up to 20,000 square feet, require that the operator submit compliance testing information to the County upon demand, and require the operator to implement best management practices to prevent incompatibility issues.

4. 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. Further the STA reflects a change in circumstances being that the Pilot Program is set to expire in June 2026, research to better determine whether the Program should be amended to include the Central Salinas Valley Area Plan have yet to occur, no cultivators have taken advantage of the Program, and the subject property meets all Program requirements but is excluded simply due to location within the Central Salinas Valley Area Plan.
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; and
7. At least 10 days before the public hearing before the Planning Commission, 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; and
8. The Planning Commission consists of ten members, and accordingly, a motion to recommend approval of the amendment requires an affirmative vote of at least six members of the Commission to pass and otherwise fails.

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 Planning Commission does hereby recommend that the Board of Supervisors:

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;
2. Adopted a Resolution to amend the 2010 General Plan, adding Policy CSV-1.8 to the Central Salinas Valley Area Plan, attached hereto as Attachment 1.

PASSED AND ADOPTED on this 25th day of February 2026, upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Melanie Beretti, AICP
Planning Commission Secretary

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).