

Attachment D

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**EXHIBIT D
DRAFT RESOLUTION**

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

In the matter of the application of:

**DEVELOPMENT EVALUATION SYSTEM PROGRAM (REF120030)
RESOLUTION NO.**

Resolution by the Monterey County
Board of Supervisors to:

- a) Consider Addendum No. 3 together with the previously certified Final Environmental Impact Report (FEIR) for the 2010 General Plan (SCH #2007121001) and
- b) Adopt the “Monterey County Development Evaluation System Procedure Manual” (DES Manual).

[Monterey County Development Evaluation System – REF120030/Non-Coastal Unincorporated area of the County, Cachagua Area Plan, Carmel Valley Master Plan, Central Salinas Valley Area Plan, Greater Monterey Peninsula Area Plan, Greater Salinas Area Plan, North County Area Plan, South County Area Plan, and Toro Area Plan]

The Monterey County Development Evaluation System Procedure Manual came on for public hearing before the Monterey County Board of Supervisors on August 25, 2020. 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 hereby finds and decides as follows:

I. RECITALS

WHEREAS, pursuant to Article XI, section 7 of the California Constitution, the County of Monterey 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.

WHEREAS, on October 26, 2010, the Board of Supervisors adopted the 2010 General Plan and certified its accompanying Final Environmental Impact Report (FEIR #07-01, SCH #2007121001) (“FEIR”). On February 12, 2013, the Board of Supervisors adopted Resolution No. 13-029 approving “Addendum No. 1” to the General Plan FEIR and amending Policies CV-1.6, CV-2.17, CV-2.18, CV-3.11, CV-3.22 and CV-6.5 of the 2010 Monterey County General Plan/Carmel Valley Master Plan, and adopted Resolution No. 13-028 approving “Addendum No. 2”

to the General Plan FEIR and amending Policies PS-3.1, PS-3.3 and PS-3.4 of the 2010 Monterey County General Plan.

WHEREAS, Community Areas, Rural Centers, and Affordable Housing Overlay districts have been established as top priority areas for development within the unincorporated non-coastal area of Monterey County. To that end, the 2010 General Plan Land Use Element Policy LU-1.19 requires establishment of a Development Evaluation System 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 outside of those priority areas.

WHEREAS, to implement Policy LU-1.19, staff prepared an ordinance to add Chapter 21.92 to Title 21 (non-coastal zoning ordinance) of the Monterey County Code and amend multiple sections of Title 21 to establish regulations for the Development Evaluation System (DES ordinance); and

WHEREAS, the DES ordinance authorizes the Board of Supervisors, by resolution, to adopt and from time to time amend the “Monterey County Development Evaluation System Procedure Manual” (DES Manual) to explain and implement the DES regulations;

WHEREAS, Addendum No. 3 to the Certified FEIR (“Addendum No. 3”) has been prepared pursuant to Public Resources Code section 21166 and the California Environmental Quality Action (“CEQA”) Guidelines section 15164(d) for the DES ordinance and manual. Substantial evidence in the record shows that the conditions requiring a Subsequent Environmental Impact Report (“EIR”) or Supplement to the EIR have not occurred. The ordinance and implementing manual provide an evaluation tool for developments outside of priority areas to support orderly growth and development and preserve and conserve open-space land and natural resources as addressed in the 2010 General Plan. Implementation of the DES ordinance would not result in an increase to the build-out projections identified in the 2010 General Plan. The ordinance and its implementing manual will not require major revisions to the FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

WHEREAS, on July 8, 2020, the Planning Commission adopted a resolution recommending the Board of Supervisors certify that it considered Addendum No. 3 together with the previously certified Final Environmental Impact Report (FEIR) for the 2010 General Plan (SCH #2007121001); adopt an ordinance to add Chapter 21.92 to Title 21 (non-coastal zoning ordinance) of the Monterey County Code and amend multiple sections of Title 21 to establish regulations for the Development Evaluation System; and approve the County of Monterey Development Evaluation System Procedure Manual;

WHEREAS, on August 25, 2020, the Board of Supervisors conducted a public hearing on the DES ordinance and the DES Manual, and concurrent herewith, the Board adopted the DES ordinance to add Chapter 21.92 to Title 21 (non-coastal zoning ordinance) of the Monterey County Code and amend multiple sections of Title 21 to establish regulations for the Development Evaluation System;

WHEREAS, the DES Manual is intended to assist applicants in understanding the technical requirements contained in the Development Evaluation System ordinance, as the DES Manual contains detailed descriptions and examples to assist in preparing DES submittal packages. The manual explains the specific applicability, procedures and requirements of the DES ordinance and includes the elements of the Development Evaluation System Package for

submittal such as the DES Package Submittal Form, the DES Score Sheet Guide, and the DES Score Sheet.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a. Certify that it considered Addendum No. 3 together with the previously certified Final Environmental Impact Report (FEIR) for the 2010 General Plan (SCH #2007121001); and
- b. Adopt the Monterey County Development Evaluation System Procedure Manual (DES Manual), attached hereto as Attachment 1 and incorporated herein by reference.

PASSED AND ADOPTED on this 25th day of August, 2020, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

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 of Minute Book___ for the meeting on _____.

Dated:

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

By _____
Deputy

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