

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

In the matter of the application of:

RIVER VIEW AT LAS PALMAS LLC (PLN150372)

RESOLUTION NO. 24-349

Resolution by the Monterey County Board of Supervisors amending the Las Palmas Ranch Specific Plan to modify the unit cap from 1,031 units to 1,060 units, to modify figures of the plan to clarify development areas, and to specify that development on Parcel Q of the plan is required to provide 2 dwelling units affordable to moderate income households and 4 dwelling units affordable to low income households onsite.

[River View at Las Palmas Assisted Living Senior Facility, Toro Area Plan, (Assessor's Parcel Number: 139-211-035-000) Referred to herein as 'Parcel Q'.]

An amendment to the Las Palmas Ranch Specific Plan (LPRSP) to amend the text of the policies of the Las Palmas Ranch Specific Plan came on for a public hearing before the Board of Supervisors on June 4, 2024 and August 13, 2024. 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 make the following amendment with reference to the following facts:

RECITALS

1. Section 65300 et seq. of the California Government Code requires each county to adopt a comprehensive, long-term general plan for the physical development of each county.
2. On October 26, 2010, the Board of Supervisors of the County of Monterey ("County") adopted the 2010 Monterey County General Plan for the non-coastal area of the County, including the Toro Area Plan within Chapter 9-I of the 2010 General Plan.
3. Section 65450 of the California Government Code allows counties to prepare a specific plan for the systematic implementation of the general plan for all or part of the area covered by the general plan.
4. On September 20, 1983, the Board of Supervisors adopted the Las Palmas Ranch Specific Plan.
5. Sections 65350 et seq. and 65453 of the California Government Code provide the procedure for amendments to adopted general plans and specific plans, respectively.

6. Policy 5 of Section C (Housing & Residential Land Use) of Chapter II of the Las Palmas Ranch Specific Plan (LPRSP) limits the number of residential units within the Specific Plan area to 1,031 residential units in accordance with Figure D and Figure E of the LPRSP.
7. Policy 5 of Section C (Housing & Residential Land Use) of Chapter II of the Las Palmas Ranch Specific Plan is amended to read as follows (shown in strikethrough and underline text below):

The Specific Plan allows a maximum of ~~1,031~~ 1,060 residential units in accordance with Figure D and Figure E. Parcel Q at Las Palmas Ranch is designated for Medium Density Residential use, as illustrated in Figure E, and based on Policy 11, has an allowed density of 10 units per acre. However, zoning for Parcel Q is Medium Density Residential with a density of 2.61 units per acre. To confirm the allowable use on Parcel Q, the Las Palmas Ranch Specific Plan is hereby amended add:

Parcel Q of Las Palmas Ranch is amended to allow 29 residential units consistent with the Board of Supervisors Resolution 24-350.

8. The proposed amendment would include adding a line of data to Figure D to indicate that Parcel Q is allotted 27 residential lots for development and increase the total amount of residential units from 1,031 to 1,060. Additionally, the subject parcel shown on Figure E would be labeled with a “Q” as it is currently unlabeled.
9. The proposed amendment would include amend Figure H to illustrate that Parcel Q is within the developable area subject to plan policies.
10. In order to achieve consistency with the 2010 General Plan (Land Use Policy LU-2.13), Policy 12 of Section C (Housing & Residential Land Use) of Chapter II of the Las Palmas Ranch Specific Plan is added to read as follows:

Development of Parcel Q shall include 2 dwelling units affordable to moderate income households and 4 dwelling units affordable to low income households onsite.

11. Pursuant to California Government Code Section 65453, the County may amend an adopted specific plan in the same manner as a general plan, provided the County follows certain procedures, including that the County Planning Commission hold a noticed public hearing and make a written recommendation to the Board of Supervisors on the proposed amendment of the specific plan (California Government Code Section 65353), and that the Board of Supervisors hold a public hearing to determine whether to amend the specific plan (California Government Code Section 65355).
12. Pursuant to the California Environmental Quality Act, the County of Monterey prepared an Augmented Subsequent Environmental Impact Report (SEIR) for the River View at Las Palmas Facility, which includes the proposed amendment to the Las Palmas Ranch Specific Plan. The Monterey County Planning Commission considered and recommended

certification of the SEIR concurrent with adopting a recommendation on the proposed LPRSP amendment.

13. A public hearing on the River View as Las Palmas Facility project, including an LPRSP amendment, held by the Planning Commission on March 13, 2024. At least 10 days before the hearing date, notices of the hearing before the Planning Commission were published in the Monterey County Weekly, posted in at least 3 different public places on and near the subject property, mailed to residents within 300 feet of the project site, and mailed or emailed to interested parties.
14. On March 13, 2024, the Monterey County Planning Commission held a duly noticed public hearing to consider and make recommendations to the Board of Supervisors regarding the proposed amendment to the text of the policies of the Las Palmas Ranch Specific Plan. At this hearing the Planning Commission voted eight to one to adopt Resolution No. 24-005, recommending the Board of Supervisors certify the Final Subsequent Environmental Impact Report (FSEIR) as augmented in September 2023 for the River View Project (SCH#2017031025), approve an amendment to the LSRSP and approve a Combined Development Permit consisting of a Vesting Tentative Map to create 27 residential lots, four of which are designated for inclusionary income units, and an open space parcel, a Use Permit to allow Development on slopes in excess of 25%; and adopt a Mitigation Monitoring and Reporting Plan.
15. On June 4, 2024, the Board of Supervisors held a duly noticed public hearing to consider the recommendation of the Planning Commission, consider the Final Subsequent Environmental Impact Report (FSEIR) as augmented in September 2023 for the River View Project (SCH#2017031025), approve an amendment to the LSRSP, and approve a Combined Development Permit consisting of a Vesting Tentative Map to create 27 residential lots, four of which are designated for affordable income units, and an open space parcel, a Use Permit to allow Development on slopes in excess of 25%; and to adopt a Mitigation Monitoring and Reporting Plan (the Project). At the hearing, the Board adopted a motion of intent to approve the Project with a revision that includes development of two lots with a duplex (4 units total) for onsite low income housing and two single family dwellings on two lots for moderate income housing. The revised project returned to the Board of Supervisors for consideration on August 13, 2024.
16. All policies of the 2010 General Plan, Toro Area Plan, and the Las Palmas Ranch Specific Plan have been reviewed to ensure that the proposed amendment to the Las Palmas Ranch Specific Plan is consistent with the 2010 General Plan and does not create any conflict with existing zoning of the site. The Planning Commission specifically found that:
 - a. The project site's land use designation is identified in the Toro Land Use Plan (Figure LU#10 of the 2010 General Plan) as Medium Density Residential, 2.61 units per acre;
 - b. The project site's zoning classification is also Medium Density Residential, 2.61 units per acre;
 - c. The County adopted the project site's current zoning classification on December 8, 1992;

- d. Pursuant to General Plan Policy LU-2.33, land designated for Medium Density Residential use is categorized as Urban Residential Land which is appropriate for residential use;
- e. Pursuant to General Plan Policy LU-2.33, the proposed building coverage will be less than 35 percent of the site. The subdivided parcels would encompass approximately 160,000 square feet of the 15.64 acre project site. The total area of the proposed project encompasses approximately 23.2 percent of the project site;
- f. Lots are clustered pursuant to Section 21.12.060.A of the County Municipal code and the Las Palmas Specific Plan.
- g. Medium Density Residential zoning identifies single family residential use as an allowed use;
- h. The amendment to the text of the policies of the Las Palmas Ranch Specific Plan would facilitate the proposed project by increasing the limit of housing units to 1,060, for the development of 27 lots proposed.
- i. The amendment to the figures of the Las Palmas Ranch Specific Plan includes updating Figure D (Las Palmas Ranch Specific Plan Land Use Table), Figure E (Specific Plan) and Figure H (Frontal Slopes) to include Parcel Q (the subject property) and the 29 residential units, identify Parcel Q on the land use map and delineate Parcel Q as a developable parcel, respectively.
- j. The amendment to the text of the policies of the Las Palmas Ranch Specific Plan would facilitate consistency with the 2010 General Plan (Land Use Plan Policy LU-2.13), the specific plan, and Monterey County Code Chapter 18.40.

DECISION

NOW, THEREFORE BE IT RESOLVED, based on the above findings and evidence and the administrative record, that the Board of Supervisors adopts a resolution amending the text of the policies of the Las Palmas Ranch Specific Plan to modify the unit cap from 1,031 units to 1,060 units, to modify figures of the plan to clarify development areas, and to specify that development on Parcel Q of the plan is subject to a 25% affordable housing requirement which may be satisfied through construction of onsite units or by providing two onsite moderate income units, four onsite low income units and payment of a fee in lieu of providing units onsite.

Said decision is to be in substantial conformance with the attached plan and subject to the attached conditions where are incorporated herein by reference.

PASSED AND ADOPTED on this 13th day of August 2024, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams

NOES: None

ABSENT: None

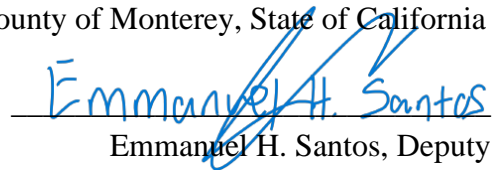
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on August 13, 2024.

Dated: October 17, 2024

File ID: RES 24-140

Agenda Item No. 72

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


Emmanuel H. Santos, Deputy

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.

Attachment 1
Text of Las Palmas Ranch Specific Plan Amendment

LAS PALMAS RANCH SPECIFIC PLAN AMENDMENT LANGUAGE

Policy 5 of Section C (Housing & Residential Land Use) of Chapter II

The Specific Plan allows a maximum of 1,060 residential units in accordance with Figure D and Figure E. Parcel Q at Las Palmas Ranch is designated for Medium Density Residential use, as illustrated in Figure E, and based on subsequent Policy 11, has an allowed density of 10 units per acre. However, zoning for Parcel Q is Medium Density Residential with a density of 2.61 units per acre. To confirm the allowable use on Parcel Q, the Las Palmas Ranch Specific Plan is hereby amended add:

Parcel Q of Las Palmas Ranch is amended to allow up to 27 residential units consistent with the Board of Supervisors Resolution 24-350.

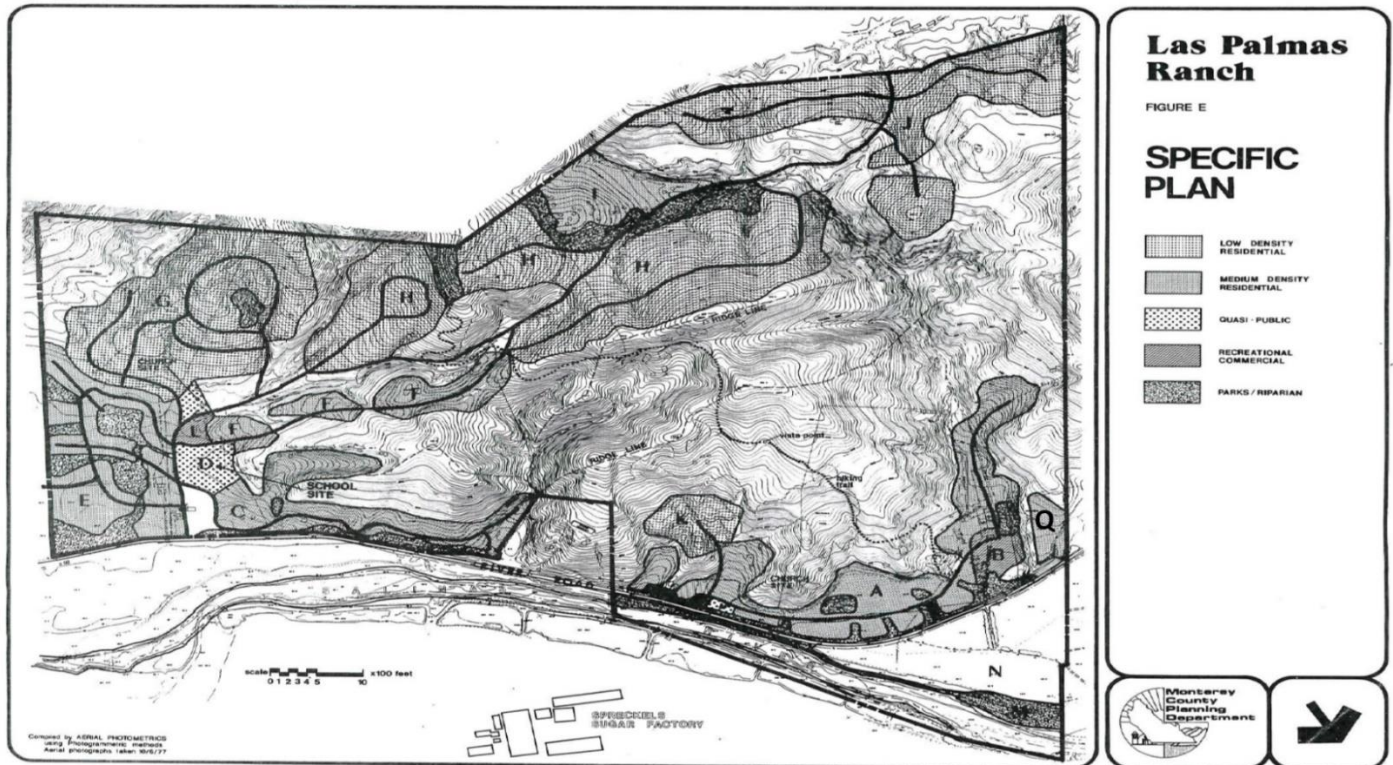
New Policy 12 of Section C (Housing & Residential Land Use) of Chapter II

Development of Parcel Q shall require 25% of new housing units be provided as affordable. At least 20% shall be provided onsite to moderate and low-income levels. The remaining 5% shall be provided through payment of an in-lieu fee.

ADC Policy Plan Areas	Residential Units		Total Units	Other Land Uses	Other Acreage	Total Acres	Density Units/AC
	Multi	Single					
A	312	0	312	Commercial/Recreational	6	104	3.00
B	-	-	-			6	N/A
C	131	0	131	School/Church Sites	15	62	2.11
D	-	-	-			15	N/A
E	0	168	168			76	2.21
F	104	0	104			32	3.25
G	0	80	80			95	.84
H	0	142	142			152	.93
I	0	46	46			28	1.64
J	0	43	43			90	.48
K	0	5	5			11	.45
L	-	-	-				
<i>Parcel Q</i>		<u>29</u>	<u>29</u>			<u>15.64</u>	<u>1.91</u>
M				Commercial	6	6	N/A
N				Open Space:			
O				Riparian Corridor	13		
				Agricultural Land	56		
				Neighborhood/Informal			
				Open Spaces	65		
				Central Open Space			
				& Frontal Slopes	767		
				TOTAL OPEN SPACE		901	N/A
TOTAL	547	484 <u>511</u>	1031 <u>1060</u>			1579 <u>1593.64</u>	.65 AV <u>.66 AV</u>

LAS PALMAS RANCH SPECIFIC PLAN AMENDMENT FIGURE "D"

LAS PALMAS RANCH SPECIFIC PLAN AMENDMENT FIGURE "E"



LAS PALMAS RANCH SPECIFIC PLAN AMENDMENT FIGURE "H"

