

## Attachment B2

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# **LAS PALMAS RANCH SPECIFIC PLAN AMENDMENT RESOLUTION**

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

### **Resolution No.**

Resolution of the Monterey County  
Board of Supervisors amending the text  
of the policies of the Las Palmas Ranch  
Specific Plan.

An amendment to the Las Palmas Ranch Specific Plan to amend the text of the policies of the Las Palmas Ranch Specific Plan came on for a public hearing before the Monterey County Board of Supervisors on July 20, August 31, and October 12, 2021. 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 makes 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 maximum 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. The proposed amendment would add language to Policy 5 of Section C (Housing & Residential Land Use) of Chapter II of the Las Palmas Ranch Specific Plan as follows (the added/amended text is underlined to differentiate from existing Policy 5 text):

The Specific Plan allows a maximum 1,031 residential units in accordance with Figure D and Figure E. In addition to the 1,031 residential units allowed in the Specific Plan, one rest home facility, which may include assisted living and continuum of care facilities, may be constructed within Area A subject to approval of a conditional use permit.

8. 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 noticed public hearing to determine whether to amend the specific plan (California Government Code Section 65355).
9. Pursuant to the California Environmental Quality Act, the County of Monterey prepared and circulated a 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 Board of Supervisors considered and certified the Final SEIR concurrent with taking this action on the proposed LPRSP amendment.
10. On January 29 and February 12, 2020, the Monterey County Planning Commission held duly noticed public hearings to consider and make recommendations to the Board of Supervisors regarding approving the proposed project, including this amendment to the text of the policies of the LPRSP. At least 10 days before the first public 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. The Planning Commission recommended approval of the LPRSP amendment by a vote of 6 to 4 (Planning Commission Resolution No. 20-005). The Planning Commission resolution was transmitted to the Board of Supervisors as part of the July 20, August 31, and October 12, 2021 staff reports.
11. On July 20, 2021, the Monterey County Board of Supervisors held a duly noticed public hearing to consider the River View as Las Palmas Facility project, including the proposed amendment to the text of the policies of the Las Palmas Ranch Specific Plan. At least 10 days before the first public hearing date, notices of the hearing before the Monterey County Board of Supervisors 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.
12. On July 20, 2021, the Board of Supervisors held the public hearing on the project and then continued the public hearing to August 31, 2021.
13. On August 31, 2021, at the request of the applicant, the Board of Supervisors continued the public hearing to October 12, 2021.
14. All policies of the 2010 General Plan, Toro Area Plan, and the Las Palmas Ranch

Specific Plan have been reviewed by the Planning Division staff 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 Board of Supervisors specifically finds 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 and appropriate for public and quasi-public uses;
- e. Pursuant to General Plan Policy LU-2.33, the proposed building coverage will be less than 35 percent of the site. Total structural coverage is proposed at approximately 90,006 square feet or 13.2 percent of the project site, which is also under the public and quasi-public maximum structural/building coverage of 25 percent per General Plan Policy LU-6.1. Total site coverage (including roads, driveways, and parking areas) is proposed at approximately 190,000 square feet or 27.8 percent of the project site.
- f. Medium Density Residential zoning identifies rest homes and assisted living facilities as allowed uses pursuant to the issuance of a Use Permit; however, the Las Palmas Ranch Specific Plan does not explicitly allow nor prohibit rest homes or assisted living facilities within the plan area.
- g. Rest homes and assisted living facilities are similar to other uses and public quasi-public uses currently allowed in the zoning district through the approval of a conditional use permit;
- h. An assisted living facility is considered a public/quasi-public use, not a residential use, because it does not operate or function in a manner like independent residential units.
- i. Rest homes and assisted living facilities are not considered residential units, and are not subject to the current 1,031 residential unit limitation of the Las Palmas Ranch Specific Plan.
- j. The amendment to the text of the policies of the Las Palmas Ranch Specific Plan would facilitate the proposed project by clarifying that rest homes, assisted living and continuum of care facilities, and similar uses are, in fact, an allowed use within Area A of the specific plan area.

### **DECISION**

**NOW, THEREFORE, BASED ON ALL OF THE ABOVE FACTS AND CIRCUMSTANCES, BE IT RESOLVED**, that the Board of Supervisors does hereby:

- A. Certify that the foregoing recitals and findings are true and correct; and
- B. Amend the text of the policies of the Las Palmas Ranch Specific Plan, as shown in Recital 7 above and incorporated herein by reference.

**PASSED AND ADOPTED** upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and carried this 12<sup>th</sup> day of October, 2021, by the following vote, to-wit:

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 October 12, 2021.

Date:

File Number:

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

By \_\_\_\_\_  
Deputy