

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

Resolution No: 23-250

Resolution of the Monterey County Board of Supervisors to:

- a. Find that the Board's acceptance of the Final Map is statutorily exempt from environmental review per section 15268(b)(3) of the CEQA Guidelines;
- b. Approve the Final Map for the Rancho Cañada Village subdivision, which includes the division of subdividing 77 acres into 106 residential lots with common areas and roadways, and approximately 38-acres of habitat preserve on two open space lots in substantial conformance with the Vesting Tentative Map approved by the Board of Supervisors with Resolution No. 21-309;
- c. Approve the Subdivision Improvement Agreement for the Rancho Cañada Village and authorize the Chair to execute the Agreement;
- d. Accept the Drainage Improvement and Reimbursement Agreement;
- e. Accept the Inclusionary Housing Agreement;
- f. Accept the Tax Clearance Certificate;
- g. Accept the Subdivision Title Guarantee;
- h. Accept the Subdivision Deed of Trust;
- i. Direct the Clerk of the Board to submit the Final Map and the Subdivision Improvement Agreement to the County Recorder for filing, subject to the collection of applicable recording fees, and submit the Deed of Trust, Tax Clearance Estimate from the County Assessor, and the Subdivision Title Guarantee as required by the County Recorder's Office; and

The Rancho Cañada Village subdivision final map came on for public hearing before the Monterey County Board of Supervisors on **July 18, 2023**. 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:

WHEREAS, on July 27, 2021, the Board of Supervisors approved a Combined Development Permit with Resolution No. 21-309 (PLN040061-AMD1/ RANCHO CANADA VENTURES) to:

Conditionally approve a Combined Development Permit (“the Project”) for the Rancho Cañada Village “Increased Unit, Greater Affordability Project” (refinement of Alternative 6b of the Second Final EIR), for a 145 unit subdivision, including 40 affordable units consisting of twenty-eight units for moderate income households, six units of Workforce I housing (affordable to households earning between 120% and 150% of County median income) and six units of Workforce II housing (affordable to households earning between 150% and 180% of County median income), with the Combined Development Permit consisting of:

a) Vesting Tentative Map subdividing 77 acres into 106 residential lots with common areas and roadways, and approximately 38-acres of habitat preserve on two open space lots;

b) A blanket Administrative Permit (Site Plan Approval) allowing development on 93 single family residential lots (parcels to be zoned MDR Medium Density Residential), 12 townhomes, and 40 units of affordable/workforce housing (parcels to be zoned HDR High Density Residential) within the S Site Plan Review Zoning Overlay District;

c) An Administrative Permit for development within the S District of a 1.5 acre community park and 8.6 acres of common areas, grading of up to 220,000 cubic yards and infrastructure installation, including installation of a below-grade drainage pipe and culvert to improve areawide flood control and drainage.

d) Use Permit for development in the Carmel Valley Floodplain; and

e) Use Permit for removal of up to 37 trees.

WHEREAS, approval of the Combined Development Permit was contingent upon: (a) the passage of 95 days after the posting by the Monterey County Clerk of a Notice of Determination (NOD) for the approval of the entitlements for the 2021 Proposal without the filing of any litigation challenging those County approvals under any law, including without limitation, either CEQA or Planning and Zoning Law (Gov. Code, § 65000 et seq.); and (b) written notification from the applicant to the County Housing and Community Development Director, within 100 days of posting of the NOD, of the owner/applicant’s intention to proceed with the approvals of the 2021 Project. The zoning amendment passed and adopted by the Board on July 27, 2021 (Ordinance 5281) was also contingent upon these conditions. Both contingencies have been met. No litigation was filed within 95 days of the posting of the NOD by the Monterey County Clerk and the applicant provided written notice of their intent to proceed with the project within 100 days of posting of the NOD.

WHEREAS, Consistent with Government Code Section 66456.1 this Final Map is the only map recordation to complete the project related to the approved Vesting Tentative Map. This action before the Board of Supervisors will create 106 residential parcels, including 12 condominiums with 6 garage parcels, a powerhouse parcel, 2 well parcels, 3 roadway public utility easement parcels, and 11 open space/drainage control parcels. In accordance with Section 66474.1, the final map has been reviewed and found to be in substantial conformance with the approved Vesting Tentative Map.

WHEREAS, in accordance with Government Code Section 66473 and the County of Monterey Condition of Approval and Mitigation Monitoring and Reporting Program (adopted by the Monterey County Board of Supervisors pursuant to Resolution No. 22-311), all conditions of approval requiring compliance prior to recordation of the Final Map have been satisfied.

WHEREAS, the subdivision design is consistent with the Lot Design Standards of Section 19.10.30 of the subdivision ordinance that the minimum lot size, width, and have been provided.

WHEREAS, the Subdivision Improvement Agreement (Attachment D) sets forth the terms and conditions for implementing the required subdivision infrastructure improvements. The Agreement has been reviewed and approved as to form by the Office of the County Counsel. The developer has provided all required securities to guarantee funding to complete the required improvements. The developer has submitted a tax clearance certificate and a subdivision deed of trust, in accordance with Subdivision Map Act Government Code Section 66492 and the Final Map Guarantee in accordance with Government Code Section 66465.

WHEREAS, lots within the subdivision are not officially created until a final subdivision map is recorded. Pursuant to Monterey County Code section 19.04.060 (recording and acceptance of the subdivision map), the Board of Supervisors is the Appropriate Authority to accept a final subdivision map for recording. The final map must be consistent with the approved tentative map and all applicable conditions must be satisfied at the time the final map is accepted for filing with the County Recorder. Staff has reviewed the final subdivision map and found it consistent with the approved tentative map and, all conditions have been or will be satisfied at the time of final map filing with the County Recorder.

WHEREAS, the Board of Supervisors has certified and environmental impact report (SCH#2006081150) for the Rancho Cañada Village Subdivision project prior to granting approving the Project. The EIR was certified on July 21, 2021 with Resolution No. 21-307. The acceptance of this Final Parcel Map is statutorily exempt from environmental review per California Environmental Quality Act (CEQA) Guidelines section 15268(b)(3) as a ministerial project that requires no discretionary action by the appropriate authority.

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

- a. Find that the Board's acceptance of the Final Map is statutorily exempt from environmental review per section 15268(b)(3) of the CEQA Guidelines
- b. Approve the Final Map for the Rancho Cañada Village subdivision, which includes the division of subdividing 77 acres into 106 residential lots with common areas and roadways, and approximately 38-acres of habitat preserve on two open space lots in substantial conformance with the Vesting Tentative Map approved by the Board of Supervisors with Resolution;
- c. Approve the Subdivision Improvement Agreement for the Rancho Cañada Village subdivision and authorize the Chair to execute the Agreement for the Subdivision Improvement Agreement;
- d. Accept the Drainage Improvement and Reimbursement Agreement;
- e. Accept the Inclusionary Housing Agreement;
- f. Accept the Tax Clearance Certificate;
- g. Accept the Subdivision Title Guarantee;
- h. Accept the Subdivision Deed of Trust; and
- i. Direct the Clerk of the Board to submit the Final Map and the Subdivision Improvement Agreement to the County Recorder for filing, subject to the collection of applicable recording fees, and submit the Deed of Trust, Tax Clearance Estimate from the County Assessor, and the Subdivision Title Guarantee as required by the County Recorder's Office.

PASSED AND ADOPTED on this 18th day of July 2023, by roll call vote:

AYES: Supervisors Church, Lopez, Askew, and Adams

NOES: None

ABSENT: Supervisors Alejo & Lopez

Motion passed 3 to 0

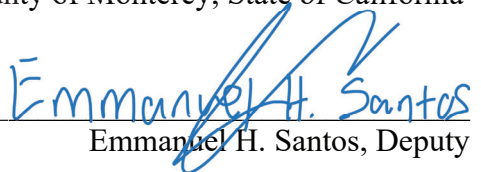
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on July 18, 2023.

Dated: July 19, 2023

File ID: RES 23-131

Agenda Item No. 24

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


Emmanuel H. Santos, Deputy