

MONTEREY COUNTY PLANNING COMMISSION

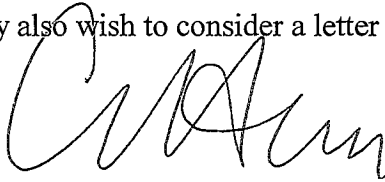
Meeting: August 11, 2010 Time: 10:00 a.m.	Agenda Item No. 4
Project Description: Continued Public Hearing to.	
<ol style="list-style-type: none"> 1) Consider the Draft 2010 General Plan and Environmental Impact Report; and 2) Adopt a Planning Commission recommendation to the Board of Supervisors 	
Project Location: Unincorporated County (non-coastal)	APN: Countywide
Planning File Number: PLN070525	Name: County of Monterey
Plan Area: Cachagua, Carmel Valley, Central Salinas Valley, Greater Monterey Peninsula, Fort Ord, Greater Salinas, North County (Inland), South County, Toro, Agricultural and Winery Corridor	Flagged and staked: N/A
Zoning Designation: : Multiple	
CEQA Action: Environmental Impact Report prepared (EIR #07-01, SCH#: 2007121001)	
Department: RMA - Planning Department	

RECOMMENDATION: Staff recommends that the Planning Commission adopt a resolution recommending adoption of the 2010 Monterey County General Plan and certification of its Environmental Impact Report (**Exhibit A**).

DISCUSSION:

On July 21, 2010, the Planning Commission completed review of the draft 2010 General Plan, and an edited version of the General Plan text was distributed on July 28. Revised versions of the Public Services Element and Glossary were distributed on July 30. A clean version of the draft General Plan with Planning Commission recommendations will be forward under a separate cover prior to the hearing.

Staff has prepared a draft resolution for the Commission to consider (**Exhibit A**). The draft resolution sets forth the history of the County's efforts to update the 1982 General Plan, and contains necessary and appropriate findings and recommendations as required by California General Plan law and the California Environmental Quality Act. The Commission has discussed and may also wish to consider a letter of transmittal to forward along with the Resolution.



 Carl P. Holm, AICP, Assistant Director of Planning
 (831) 755-5103 or holmcp@co.monterey.ca.us
 August 5, 2010

cc: Front Counter Copy; Planning Commission; County Counsel, RMA-Public Works; Water Resources Agency; Environmental Health; Parks Department; RMA-Redevelopment and Housing Office; Agricultural Commissioner; Carl Holm; Alana Knaster, Project File PLN070525; Planning Department Website
 Attachments Ex A-Draft Resolution

**EXHIBIT A
DRAFT RESOLUTION**

**Planning Commission
County of Monterey, State of California**

Resolution No.

Resolution of the Monterey County
Planning Commission recommending
adoption of the 2010 Monterey
County General Plan

The Monterey County Planning Commission (“Planning Commission”) hereby finds, determines, and declares as follows:

I. Recitals and Findings

General Background

A. Monterey County (“County”) is a political subdivision of the State of California, and is located on California’s central coast bounded by the Pacific Ocean to the west, Santa Cruz County to the north, San Benito, Fresno, and Kings Counties to the east, and San Luis Obispo County to the South.

B. Pursuant to Government Code section 65300, each city and county must adopt “a comprehensive, long term general plan for the physical development of the county and city.” The County last comprehensively updated its general plan when, on September 30, 1982, the Board of Supervisors for the County (“Board”) adopted a comprehensive General Plan update of the 1968 General Plan (the “1982 General Plan”). The 1982 General Plan contains countywide policies to address all aspects of future growth, development, and conservation within the County. Subsequent amendments to the 1982 General Plan enacted “Area Plans” for specific geographic areas of the County within the unincorporated inland area of the County, specifically, the Toro Area Plan (December 13, 1983), Carmel Valley Master Plan (July 31, 1984), Greater Monterey Peninsula Area Plan (December 17, 1984), North County Area Plan (July 2, 1985), Greater Salinas Area Plan (October 14, 1986), Central Salinas Valley Area Plan (November 24, 1987), South County Area Plan (December 15, 1987), and Cachagua Area Plan (November 29, 1988). Pursuant to the state Coastal Act (Public Resources Code section 30000 et seq.), for that portion of the County within the coastal zone delineated pursuant to Public Resources Code section 30103, the Board adopted the North County Coastal Land Use Plan (April 28, 1982), Del Monte Forest Land Use Plan (July 5, 1983), Carmel Area Land Use Plan (October 19, 1982), and Big Sur Coast Land Use Plan (November 5, 1985). These coastal Land Use Plans, together with Coastal Implementation Plans for each of these coastal areas, together comprise the County’s Local Coastal Program (LCP) certified by the California Coastal Commission.

C. Pursuant to Government Code section 65358, the Board may amend all or part of the adopted general plan if it deems it to be in the public interest. The 2010 draft Monterey County General Plan (“2010 draft Plan”), attached hereto as **Exhibit 1**, is a comprehensive update of the

EXHIBIT A
DRAFT RESOLUTION

1982 General Plan and Area Plans for the inland unincorporated area of the County. The 2010 draft Plan is intended to amend and replace the 1982 General Plan and the Area Plans for the inland unincorporated area of the County, except for the Housing Element. The Board of Supervisors previously adopted the 2009-2014 Housing Element on June 15, 2010. Action on the 2010 draft Plan does not amend the 2009-2014 Housing Element and would leave the Housing Element in place and in effect. The 2010 draft Plan also would not apply in the coastal zone, and would not amend the County's coastal Land Use Plans.

D. Throughout the development and environmental review of the 2010 draft Plan, the terms "GPU5," "2007 General Plan," "2008 General Plan," "2010 draft Monterey County General Plan," "2010 Monterey County General Plan," and "2010 General Plan" have been used to refer to the plan under review. All of these terms describe various drafts of the General Plan update that is the subject of this resolution.

County's Efforts to Prepare a Comprehensive Update of the 1982 General Plan

E. The 2010 draft Plan is the culmination of more than a decade of effort to prepare a comprehensive update of the 1982 General Plan, which effort is summarized below.

F. On or about November 1999, the Board directed County staff ("Staff") to undertake preparation of a comprehensive General Plan to update and replace the adopted 1982 General Plan. In accordance with the Board's direction, Staff prepared a first draft of a comprehensive General Plan update entitled "21st Century Monterey County General Plan" ("2001 Draft GPU"). On or about December 18, 2001, the County published and circulated the 2001 Draft GPU. A Draft Environmental Impact Report ("DEIR"), dated March 27, 2002 ("2002 DEIR") was published and circulated for public review and comment between April 1, 2002 and May 28, 2002.

G. Between April 17, 2002 and August 26, 2002, the Planning Commission held multiple duly noticed hearings to consider the 2001 Draft GPU. Having considered the draft, all of the testimony and comments, and the 2002 DEIR, the Planning Commission formulated recommendations on the 2001 Draft GPU and forwarded its recommendations to the Board.

H. Between July 15, 2002 and November 26, 2002, the Board held multiple duly noticed public hearings on the 2001 Draft GPU. Having considered the 2002 DEIR and 2001 Draft GPU, the Board received and considered public testimony, and considered the Planning Commission recommendations. The Board directed Staff to revise the 2001 Draft GPU in accordance with various recommendations.

I. In April 2003, Staff provided a revised draft general plan update in accordance with the direction of the Board, entitled "Preliminary Discussion Draft of the 21st Century Monterey County General Plan," also referred to as "GPU 2". The Board considered GPU 2 at a series of public workshops between May and October of 2003. On October 7, 2003 and October 28, 2003, the Board and Planning Commission held joint workshops to provide further direction to Staff.

EXHIBIT A
DRAFT RESOLUTION

J. On November 4, 2003, after duly noticed public hearings before the Planning Commission and the Board, the Board adopted Housing Element 2002-2008, which updated the Housing Element of the 1982 General Plan for the 2002-2008 planning cycle. In January 2004, the state Department of Housing and Community Development certified the 2002-2008 Housing Element.

K. On or about January 21, 2004, a "Public Review Draft" of the 21st Century Monterey County General Plan, or "GPU 3", was published and circulated for public review. A DEIR for GPU 3 ("2004 DEIR") was published on or about February 17, 2004 and circulated for public review between February 17 and April 2, 2004. The Planning Commission held a series of duly noticed public hearings on GPU 3 between March 3, 2004 and April 28, 2004. On April 28, 2004, having considered GPU 3, the 2004 DEIR, and all of the comments and testimony received, the Planning Commission recommended that the Board make certain changes to GPU 3 and further recommended that, subject to making those changes and certifying a Final Environmental Impact Report ("FEIR") for GPU 3, the Board adopt GPU 3 with modifications. On May 18, 2004, however, the Board rejected the recommendation, did not adopt GPU3, and directed Staff to return with options and a modified approach to updating the General Plan.

L. At a series of meetings beginning May 25, 2004, and continuing through November 9, 2004, the Board gave direction to Staff on an approach to for updating the General Plan and preparing a revised DEIR.

M. On February 23, March 31, April 1, April 19, May 5, May 19, May 24, June 20, July 7, and July 21, 2005, the Board conducted public workshops and study sessions. The purpose of these workshops and study sessions was to review major policy issues and provide tentative direction to Staff as to how to address those issues in a new General Plan update. The 2005 workshops were followed by additional workshops on September 19, October 31, November 14, November 28, December 12, and December 13, 2005, and January 6, and February 14, 2006, during which the Board reviewed draft language presented by Staff in response to policy direction.

N. An initial draft of a new General Plan ("2006 General Plan" or "GPU4") was released to the public on or about March 21, 2006. A corrected draft was issued on or about August 1, 2006. The 2006 General Plan provided a framework for future growth in the unincorporated inland areas of the County through the year 2030. It was an update of the 1982 General Plan, inland Area Plans, and the Carmel Valley Master and Fort Ord Master Plans. The 2006 General Plan also included an Agricultural Winery Corridor Plan. The 2006 General Plan did not amend the 2002-2008 Housing Element. The 2006 General Plan also did not apply in the coastal zone and did not amend the County's coastal Land Use Plans.

EXHIBIT A
DRAFT RESOLUTION

O. On or about August 18, 2006, a DEIR for the 2006 General Plan was published and distributed to the State Clearinghouse as well as responsible and trustee agencies for a 49-day comment period, ending on October 6, 2006. The Final Program Environmental Impact Report for the Monterey County 2006 General Plan (SCH #2006021054) was issued on December 20, 2006, and errata to that FEIR were issued prior to its consideration by the Board.

P. On January 3, 2007, the Board certified the FEIR for, and adopted the 2006 General Plan. (Resolution Nos. 07-006 and 07-007, respectively). At the same time, the Board made adoption of the 2006 General Plan subject to voter approval at the June 5, 2007, election.

Q. During the County's preparation of the 2006 General Plan, a citizens' group had circulated and gathered signatures on an initiative measure to amend the 1982 General Plan and North County Land Use Plan. Sufficient signatures were gathered and, pursuant to the California Elections Code, on January 16, 2007, the Board called for the question of whether or not to repeal the 2006 General Plan adopted by the Board, and whether or not to adopt the citizen-circulated general plan initiative to be presented to the electors of the County also on the June 5, 2007, ballot. Additionally, following the Board's adoption of the 2006 General Plan, a referendum petition concerning that action circulated and qualified for the ballot. Pursuant to the California Elections Code, the Board ordered the referendum question to also be submitted to the voters at the June 5, 2007 election. Accordingly, the June 5, 2007, election ballot presented three competing general plan measures to County voters: Measure A, asking whether the citizen-circulated general plan initiative entitled "Amendment of the Monterey County General Plan, Including the North County Land Use Plan" should be adopted; Measure B, asking whether the 2006 County General Plan enacted by the Board of Supervisors on January 3, 2007, should be repealed; and Measure C, asking whether the 2006 County General Plan enacted by the Board of Supervisors on January 3, 2007, should be approved. The election ended in uncertainty with respect to the status of the 2006 General Plan. Measure C was defeated, clearly indicating that the voters did not want to adopt the general plan initiative; however, both Measures A and B also received a majority of "no" votes, showing that the majority of the voters did not want to repeal or adopt the Board-approved 2006 General Plan.

Preparation of the 2010 Monterey County General Plan

R. As a result of the uncertainty created by the June 5, 2007 election, the Board directed Staff to develop modifications to the 2006 General Plan. On July 17, 2007, the Board of Supervisors provided parameters to the Planning Commission to use the 2006 General Plan as a template for proposing possible amendments. On July 18, 2007, the Chairman of the Planning Commission appointed an ad hoc committee to develop recommendations for GPU5 that account for diverse community interests throughout the County. This committee held multiple meetings that included technical input from County staff. On September 12, 2007, the full Planning Commission received the sub-committee's report and voted 9-1 to forward these recommendations to the Board of Supervisors. The Planning Commission also forwarded comment letters it had received from the public for the Board's consideration.

EXHIBIT A DRAFT RESOLUTION

S. On September 25, October 16, and November 6, 2007, the Board conducted duly noticed public hearings to provide direction to Staff regarding revisions to be incorporated into the 2006 General Plan. Based on that direction, a new draft general plan was released to the public on about December 21, 2007, entitled the "draft 2007 Monterey County General Plan" or "GPU5." In September and December 2008, Staff issued "errata" to GPU5 consisting of text and map corrections as well as revisions to correspond to state law requirements.

T. A draft Environmental Impact Report (EIR) on the draft General Plan was prepared and made available for comment between December 6, 2008 and February 2, 2009. The draft EIR for GPU 5 proposed mitigation measures in the form of modifications to the text of GPU5 and new policies to be added. From June through August 2009, while the final EIR for GPU5 was under preparation, the Planning Commission held workshops at which the draft GPU5 policies and proposed mitigations were discussed. In response to issues raised by comments on the draft EIR and in the consultation with cities, and further guided by Planning Commission discussion at workshops and hearings, Staff refined the text of some of the mitigation measures and made other clarifications and corrections to the text and figures (graphics) of GPU5. On or about March 8, 2010, in conjunction with publication of the final EIR, staff released to the public GPU5 as revised to incorporate the errata, corrections, revisions, and proposed mitigation measures, and updated the name to the "2010 draft Monterey County General Plan."

U. The 2010 draft Plan includes the mandatory Land Use Element, Circulation Element, Conservation and Open Space Element (including the mandatory Conservation and Open Space elements), Safety Element (including the mandatory Noise Element and also addressing flooding and other hazards), and Public Services Element (addressing water, wastewater treatment, and other services) and includes two optional elements, the Agriculture Element and Economic Development Element. In addition, the 2010 draft Plan includes and updates the area plans for specific geographic inland areas of the County, including the Cachagua, Central Salinas Valley, Greater Monterey Peninsula (including the inland portion of the Del Monte Forest), Greater Salinas, North County – Inland, South County, and Toro Area Plans, the Carmel Valley Master Plan, and the Fort Ord Master Plan. The 2010 draft Plan also includes an Agricultural and Winery Corridor Plan (AWCP) to provide development policies for agricultural and winery related uses within specific areas of the County.

V. The 2010 draft Plan leaves in place and does not amend the 2009-2014 Housing Element. The County updated its Housing Element through a separate process because of the different planning cycle required by law for the Housing Element. The County's 2002-2008 Housing Element addressed the planning period through August 2009. On June 15, 2010, the Board adopted the 2009-2014 Housing Element for the planning period July 1, 2009 through June 30, 2014. The Housing Element will be labeled Chapter 8 of the General Plan.

W. The 2010 draft Plan leaves in place and does not amend the County's coastal Land Use Plans, consisting of the Big Sur, Del Monte Forest, Carmel, and North County Land Use Plans. To the extent the County's Local Coastal Program relies on the 1982 General Plan, adoption of the 2010 draft Plan is not intended to change that reliance. Accordingly, adoption of the 2010 draft Plan would not rescind the 1982 General Plan as applied in the coastal zone, and

EXHIBIT A DRAFT RESOLUTION

the 1982 General Plan would remain in effect in the coastal zone unless and until the Local Coastal Program is amended and certified by the California Coastal Commission.

Preparation of the Environmental Impact Report for the 2010 draft Plan

X. Under the California Environmental Quality Act (CEQA), the County is the lead agency for 2010 draft Plan. In compliance with CEQA, the County issued a Notice of Preparation (NOP) of a DEIR for GPU 5. The NOP was submitted to the State Clearinghouse (SCH No. 2007121001), all responsible and trustee agencies, and interested groups and individuals on December 3, 2007 for a 34-day review period ending on January 5, 2008. Availability of the NOP was advertised through certified, direct mailing to federal agencies (including the military), state agencies, regional agencies, local agencies (including cities and counties, local districts, school districts, water agencies), other special districts and agencies, as well as private groups and individuals requesting notification. The County also posted the NOP on its website and published it in the following local newspapers: the Monterey County Herald, Watsonville Register-Pajaronian, South County News, and Salinas Californian.

Y. The County held an EIR scoping meeting on December 12, 2007 to provide information about the General Plan, the potential environmental impacts and the CEQA review process, as well as a schedule for General Plan adoption and implementation. Members of the public and other interested parties had the opportunity to ask questions and provide their input as to the scope and content of the environmental information to be addressed in the EIR.

Z. The County published the DEIR for GPU 5 (SCH # 2007121001) and distributed it to the State Clearinghouse as well as responsible and trustee agencies, citizen groups, and individuals for a public review period beginning on September 5, 2008. A Notice of Completion ("NOC") and Notice of Availability ("NOA") of the DEIR were prepared, published, and distributed, as required by CEQA Guidelines Sections 15085 and 15087. Because DEIR Appendix C (traffic data) had been inadvertently omitted from the first publication of the DEIR, a new NOC and NOA were distributed, and the public comment period recommenced on September 13, 2008 and was scheduled to end on October 28, 2008. As a result of public concerns over the availability of reference documents and to correct minor typographical errors, the County re-released the DEIR on December 6, 2008 with a revised Section 11 (citations/references) and other corrections. The County issued a new NOC and NOA and began a second public review period on December 15, 2008, which ended on February 2, 2009. Both versions of the DEIR were submitted to the State Clearinghouse of the Governor's Office of Planning and Research for circulation to state agencies for their review. Copies of the DEIR were available for public review during normal business hours at the County Planning Department in Salinas. Copies of the draft General Plan and DEIR were also available for review at libraries in Monterey County, in the County Permit Centers and on the County's website. . The County distributed notices and documents based on a distribution list ("General Plan Distribution List") that included 9 federal agencies, 13 state agencies, six regional agencies, 12 cities within Monterey County, five neighboring counties, 10 local water agencies, seven local Native American groups, 25 local districts, 16 fire districts, and 19 libraries within Monterey County. Notices and documents have also been posted locally with the County Clerk and on the County

EXHIBIT A DRAFT RESOLUTION

website as well as published in newspapers of general circulation, including the "Salinas Californian," "Watsonville Register-Pajaronian," "South County News," and "Monterey County Herald."

AA. The County received numerous letters commenting on the DEIR and GPU 5 during the public comment period ending on February 2, 2009, totaling almost 1,100 pages. Additionally, the County received a number of letters on the DEIR after the close of the public comment period prior to issuing the FEIR.

BB. The FEIR for GPU 5 (now entitled the 2010 draft Monterey County General Plan) (SCH #2007121001) was issued on March 21, 2010. The FEIR included: all comment letters received on the DEIR during the public comment period and late letters received prior to release of the FEIR; the County's written responses to all significant environmental points raised in the comments; the DEIR; changes to the text of the DEIR made in response to comments; the March 8, 2010 draft Plan; updated references to include references cited in the FEIR; and technical supporting data. The County prepared and circulated a Notice of Availability of the FEIR on March 21, 2010 to all commenters and any person who filed a written request as well as the General Plan Distribution List. The FEIR was made available for public review at the Monterey County RMA- Planning Department (Salinas and Marina offices); Steinbeck Library (City of Salinas); and County libraries and for purchase upon request, and the FEIR was posted on the County's website. In addition, copies of the FEIR were sent to all cities within Monterey County as well as public agencies that submitted comments on the DEIR, including but not limited to U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, California Coastal Commission, California Department of Toxic Substances Control, California Public Utilities Commission, CalTrans, Association of Monterey Bay Area Governments, Monterey Bay Unified Air Pollution Control District, Monterey Regional Waste Management District, the Transportation Agency of Monterey County, Monterey Local Agency Formation Commission, County of San Benito, Monterey County Cities (12), Pajaro Valley WMA, Monterey-Salinas Transit.

Consultation with Agencies and Native American Tribes

CC. On or about March 21, 2006, the draft General Plan (GPU4) was referred for review and comment to federal agencies (including the military), State agencies, regional agencies, local agencies (including cities and counties, local districts, schools, water agencies), and other special districts and agencies. The 2007 draft General Plan (GPU5) was also referred to these agencies on December 21, 2007.

DD. The draft 2006 General Plan (GPU4) was forwarded, with offer for consultation, to counties on March 29, 2006 and incorporated cities on March 30, 2006. As part of the consultation, County staff conducted a general meeting for all 12 cities within Monterey County on April 18, 2006. Upon request, County staff also attended Planning Commission and/or City Council meetings at the cities of: Salinas (August 15, 2006), Marina (September 12, 2006), Monterey (September 26, 2006), Seaside (November 2, 2006), and Gonzales (November 6, 2006) to address their specific issues.

EXHIBIT A DRAFT RESOLUTION

EE. The draft 2010 General Plan GPU5 was forwarded, with offer for consultation, to neighboring counties and incorporated cities on December 21, 2007. As part of the consultation, Staff conducted a general meeting for all 12 cities within the County on January 31, 2008. Upon request, County staff also held separate meetings with individual city representatives.

FF. A Tribal Consultation List Request was faxed to the Native American Heritage Commission in Sacramento, California on February 15, 2006. The County received a list of all California Native American Tribes within the project area (Monterey County) on March 7, 2006. The draft 2006 General Plan (GPU4) was forwarded, with offer for consultation, to the California American Native Tribes on March 30, 2006. Staff initiated consultation with interested California Native American Tribes in April 2006, and attended meetings with the Ohlone/Costanoan-Esselen Nation (OCEN) on April 20, 2006 and July 10, 2006. A letter was received from the Amah Mutsun Tribal Band on September 14, 2006 regarding the Agricultural Winery Corridor Plan (AWCP). All requests were considered as part of the Planning Commission's review.

GG. The draft 2010 General Plan (GPU5) was forwarded, with offer for consultation, to the California American Native Tribes on December 21, 2007. The Ohlone/Costanoan-Esselen Nation (OCEN) attended the EIR Scoping meeting on December 12, 2007. No requests for consultation were received within the 90-day.

HH. In 2006, the ALUC received reports on the 2006 Monterey County General Plan (GPU4). There were a few areas of concern that were identified and addressed in that document. The Board of Supervisors adopted the General Plan, including ALUC language, on January 6, 2007; however, the plan was subject to referenda and ultimately the Board began a revised update process.

II. Monterey County Planning Department released a revised draft 2007 Monterey County General Plan in November 2007 (GPU5). The Draft EIR for GPU5 was released on September 5, 2008. On September 15, 2008, GPU5 was presented to the Airport Land Use Commission (ALUC) for review and consideration as part of the review process. While the language recommend by the ALUC in GPU4 remained unchanged in GPU5, GPU5 added an Affordable Housing Overlay program that specifically identifies 85-acres (only approximately 30 acres are unconstrained for development) on the east side of Highway 68 at Olmstead for potential development of affordable housing at a density of up to 30 units/acre. Part of developing this site included review of the Comprehensive Land Use Plan (CLUP) for Monterey Airport. The ALUC addressed this matter and had no additional recommendations for GPU5.

Planning Commission Workshops and Hearings

JJ. The Planning Commission has held numerous workshops and hearings on the 2010 draft Plan and its FEIR.

EXHIBIT A DRAFT RESOLUTION

KK. On September 10, 2008, during the comment period on the DEIR, the Planning Commission held a workshop to receive a presentation from Staff on GPU 5, errata to the draft Plan, and mitigation measures proposed by the DEIR. Following the close of the public comment period on the DEIR, the Planning Commission held a duly noticed public hearing on February 11 and 25, 2009 to receive a staff report and receive public testimony. In response to comments received on the DEIR, the Planning Commission conducted workshops on May 27, June 10, July 8, and July 29, 2009 to consider draft General Plan policies and mitigation measures proposed by the DEIR, and possible revisions to policies and mitigation measures. Additionally, the Planning Commission regularly included an agenda item to discuss the schedule and hearing process for the draft General Plan.

LL. Following publication of the FEIR, the Planning Commission conducted a workshop on the 2010 draft Plan and FEIR on March 31, 2010.

MM. Subsequently, pursuant to Government Code section 65353, the Planning Commission held a duly noticed public hearing on the 2010 draft Plan and FEIR beginning on April 14, 2010 and continuing on April 28, 2010, May 12, 2010, May 26, 2010, June 9, 2010, June 30, 2010, July 14, 2010, July 21, 2010, July 28, 2010, and August 11, 2010. Notice of the April 14, 2010 hearing was published as 1/8-page display ads in the "Salinas Californian" and "Monterey County Herald" on March 20 and March 21, 2010 (respectively), at least 10 days prior to the hearing. Notice of the hearing was also provided on the County webpage for the General Plan. At the hearing on April 14 and at the hearing on each of the above dates listed until the close of the hearing on August 11, 2010, the Planning Commission continued the hearing to the following date certain. At each of the hearings, the Planning Commission considered the 2010 draft Plan and FEIR, discussed possible revisions to the draft Plan, and took public testimony. The Planning Commission complied with the Americans with Disabilities Act by offering to make information and material available in alternative formats for persons with disabilities, and offered to provide information and material in other languages; however, no formal requests to do so were made.

NN. The 2010 draft Plan, attached hereto as Exhibit 1, includes all changes made to GPU 5 since the initial release of its DEIR in December of 2007, including errata, changes in response to comments received from the public, changes in response to mitigation measures and changes to text recommended in the DEIR, changes in response to comments received on the DEIR, and changes made by the Planning Commission.

Findings

OO. The Planning Commission has reviewed and considered the DEIR and FEIR, has reviewed and considered the mitigation measures proposed in both, and has reviewed and considered the alternatives presented in both. The FEIR proposes mitigations in the form of new, additional policies to be placed in the appropriate element of the General Plan, and in the form of modifications to policies already in the General Plan. The new policies and modifications to policies are reflected in the 2010 draft Plan now before the Planning Commission, and include feasible mitigation measures.

EXHIBIT A
DRAFT RESOLUTION

PP. The responses to comments made on the DEIR, the revisions to the DEIR and 2010 draft Plan made as part of the FEIR, and the revisions and corrections to GPU 5 resulting in the 2010 draft Plan recommended by the Planning Commission, merely clarify and amplify the analysis presented in the legally adequate EIR and do not trigger the need to revise and recirculate the EIR per CEQA Guidelines section 15088.5.

QQ. The 2010 draft Plan will have significant unavoidable impacts as identified in the FEIR.

RR. GPU 5 has been revised, resulting in the 2010 draft Plan now before the Planning Commission. Many of the revisions are intended to clarify the text and make grammatical and other corrections without changing the substantive meaning of the original draft language. Other revisions are the result of policy discussion and deliberation and public input. In the case of revisions to proposed mitigation measures, the proposed revisions are intended to make the mitigation equally or more effective. None of the revisions recommended by the Planning Commission would result in a new significant environmental impact or result in a substantial increase in the severity of an environmental impact not already addressed in the final EIR and do not trigger the need to recirculate the EIR per CEQA Guidelines section 15088.5.

SS. The 2010 draft Plan will be a comprehensive, long-term plan for the physical development of the inland unincorporated area of the County of Monterey which seeks to and does balance the competing interest and needs of a diverse County.

QQ. The 2010 draft Plan contains development policies and diagrams and text setting forth objectives, principles, standards and plan proposals as required under the law.

RR. All requirements of Government Code section 65302 et seq. have been satisfied in the 2010 draft Plan. The 2010 draft Plan contains the mandatory general plan information required under the law. State law requires seven elements, including: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety Elements. The 2010 draft Plan combines some of the mandatory elements and includes the following required elements: Land Use, Circulation, Conservation and Open Space, Public Services, and Safety (includes Noise). The 2010 draft Plan also contains additional optional elements, area plans, master plans, and an Agricultural and Winery Corridor Plan, as described above.

SS. The 2009-2014 Housing Element was separately adopted by the Board on June 15, 2010, and the adoption of the 2010 draft Plan does not amend the 2009-2014 Housing Element. The 2010 draft Plan together with the Housing Element includes all of the elements of a general plan mandated by Government Code section 65302 and will comprise the General Plan for the inland unincorporated area of the County. As found by the Planning Commission when it recommended adoption of the Housing Element, and as found by the Board when it adopted the Housing Element, the Housing Element is consistent with the 2010 draft Plan. If inconsistencies between the Housing Element and the 2010 draft Plan are identified or emerge during the General Plan update proceedings, it is the intent of staff and recommendation of the Planning

EXHIBIT A
DRAFT RESOLUTION

Commission that the Board would resolve any such inconsistencies through amending the Housing Element to achieve consistency with the 2010 draft Plan. No such inconsistencies have been identified to date, and amendments to the Housing Element are not proposed as part of the action to adopt the 2010 draft Plan.

TT. The County is not amending the County's certified Local Coastal Program as part of the 2010 General Plan. Adoption of the 2010 draft Plan does not amend the governing plans in the coastal zone, which include the certified Local Coastal Program and the 1982 General Plan to the extent the LCP relies on the 1982 General Plan. This approach recognizes, in accordance with the California Coastal Act (Public Resources Code section 30000 et seq.), that the coastal zone is a distinct and valuable natural resource that requires unique planning considerations, has unique procedural requirements, and may require different standards and policies than may apply in the inland areas of the County.

UU. Based on all of the foregoing, the 2010 draft Monterey County General Plan, as proposed to be revised by the Planning Commission and together with the 2009-2014 Housing Element, comprises an integrated, internally consistent, and compatible statement of policies governing the inland unincorporated area of the County and satisfies all requirements of the law.

II. Decision

NOW, THEREFORE, having independently reviewed and considered the FEIR for the 2010 draft Monterey County General Plan, and having reviewed and considered the 2010 draft Monterey County General Plan and all evidence including all of the comments and testimony received, be it resolved by the Planning Commission of the County of Monterey as follows:

1. The foregoing findings and recitals are true and correct.
2. The Planning Commission recommends that:
 - A. pursuant to Government Code section 65354, the Board adopt the 2010 draft Monterey County General Plan attached hereto as Exhibit 1;
 - B. the Board certify that the final EIR for the 2010 Monterey County General Plan has been completed in compliance with CEQA and that the final EIR reflects the County's independent judgment and analysis;
 - C. the Board make all findings required by CEQA prior to adoption of the 2010 Monterey County General Plan, including findings for every significant impact of the 2010 General Plan identified in the EIR and for each alternative evaluated in the EIR, including an explanation of the rationale for each finding, that 1) changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR; 2) such changes or alterations are within the responsibility and jurisdiction of another public agency and not the County and that such

EXHIBIT A
DRAFT RESOLUTION

changes have been adopted by such other agency or can and should be adopted by such other agency; or 3) specific economic, legal, social technological, or other consideration, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR;

D. the Board balance the economic, legal, social, technological or other benefits of the 2010 Monterey County General Plan against its unavoidable risks, and, that prior to adopting the Plan, the Board adopt a statement of overriding considerations supported by substantial evidence stating the specific reasons supporting its action based on the FEIR and other information in the record; and

E. the Board adopt a Mitigation Monitoring and Reporting Plan to include the mitigation measures and project revisions as identified in the FEIR and Exhibit 1

3. Staff is directed to transmit to the Board this resolution together with the recommended 2010 draft Monterey County General Plan, attached hereto as Exhibit 1.

PASSED and ADOPTED this 11th day of **August**, 2010, upon motion by Commission _____, seconded by Commissioner _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN: