

**EXHIBIT M
DEVELOPMENT AGREEMENT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

Resolution No. _____)
Resolution of the Monterey County)
Planning Commission recommending)
approval of a Development Agreement)
between East Garrison Partners, I, LLC)
and Monterey County to the Monterey)
County Board of Supervisors)

I. RECITALS:

A proposed development agreement between the County and East Garrison Partners I, LLC came on for hearing on July 13, 2005 before the Monterey County Planning Commission. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission forwards the following recommendation to the Board of Supervisors with reference to the following facts:

1. California Government Code sections 65864-65869.5 and Chapter 18.62 of the Monterey County Code authorize the County to enter into development agreements with persons having legal or equitable interests in real property for the development of the property.
2. The County and East Garrison Partners I, LLC (“EGP”) have negotiated that certain development agreement (“Development Agreement”), attached hereto as Attachment A and incorporated herein by reference, relating to proposed development of that certain real property consisting of approximately 244 acres of land located within the Fort Ord Reuse Plan area, generally known as East Garrison Track 0.
3. Section 18.62.11 of Chapter 18.62 of the Monterey County Code requires the Planning Commission to hold at least one noticed public hearing to consider a proposed development agreement and to make a recommendation by written resolution to the Board of Supervisors concerning the proposed development agreement.
4. At a duly noticed public hearing on July 15, 2005, the Planning Commission, among other actions, considered and recommended that the Board of Supervisors take the following actions: certify a Final Environmental Impact Report (FEIR) prepared for the draft East Garrison Specific Plan and Combined Development Permit Project, which analyzed the project that is the subject of the proposed development agreement; approve the draft East Garrison Specific Plan, related general plan and zoning ordinance

amendments, the Combined Development Permit, approve water allocation; and adopt the proposed Development Agreement ordinance.

5. Pursuant to Government Code section 65867.5 and Section 18.62.12 of the Monterey County Code, which require that any such development agreement be approved by ordinance, a proposed ordinance to approve the development agreement has been prepared that contains the findings required for approval of a development agreement. The proposed ordinance is attached to this Resolution as Attachment B and incorporated herein by reference. In connection with its consideration of the Development Agreement, the Planning Commission reviewed the proposed ordinance and the findings therein and incorporates by reference herein the findings and declarations set forth in the proposed ordinance.

II. DECISION:

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends that the Board of Supervisors make the following findings:

1. The provisions of the agreement are consistent with the County's General Plan, any applicable area plan, and any applicable specific plan;
2. If the development agreement includes a proposed subdivision as defined by Government Code Section 66473.7, the development agreement provides that any tentative map prepared for the subdivision comply with the provisions of Government Code Section 66473.7;
3. The development agreement is in the public interest;
4. The development agreement provides public improvements and benefits that would not otherwise be obtained through other applicable development approval processes.
5. The development agreement is consistent with all of the requirements of Monterey County Code Chapter 18.62.

BE IT FURTHER RESOLVED THAT the Planning Commission recommends that the Board of Supervisors adopt the attached Ordinance approving the Development Agreement between the County of Monterey and East Garrison Partners I, LLC for the East Garrison Project.

Passed and adopted on this 13th day of July, 2005, upon motion of Commissioner _____, seconded by Commissioner _____, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

By _____
DALE ELLIS, SECRETARY

**ATTACHMENT A
DEVELOPMENT AGREEMENT**

(To be sent under separate cover)