

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

In the matter of the application of:

SEPTEMBER RANCH PARTNERS (CARMEL RESERVE LLC) (PLN110173)

RESOLUTION NO. 23-008

Resolution by the Monterey County Planning
Commission recommending the Board of
Supervisors:

1. Consider the Certified Final Revised Environmental Impact Report (SCH No. 1995083033) for the September Ranch Subdivision Project and find adoption of the General Plan Amendment and rezone ordinance does not warrant a subsequent EIR pursuant to CEQA Guidelines Section 15162;
2. Adopt a resolution amending the Monterey County 2010 General Plan to reclassify the land use designation of:
 - a. The northerly portion of Parcel A (APN: 015-172-013-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Open Space;
 - b. The southerly portion of Parcel A (APN: 015-172-013-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - Acres/Unit to Open Space;
 - c. All of Parcel B (APN: 015-172-015-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Open Space;
 - d. All of Parcel C (APN: 015-172-016-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Open Space;
 - e. The northerly portion of Parcel D (APN: 015-172-017-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Open Space;

- f. The southerly portion of Parcel D (APN: 015-172-017-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 – 1 Acres/Unit to Open Space;
 - g. The northerly portion of Lot 22 (APN: 015-172-042-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Residential – Low Density 5 - Acres/Unit; and
 - h. The southerly portion of Lot 29 (APN: 015-172-049-000) and Lot 30 (APN: 015-172-050-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Residential – Rural Density 5+ Acres/Unit; and
- 3. Adopt an ordinance amending Monterey County Code Section 21-17A of the Sectional District Maps Section 21.08.060 to rezone:
 - a. The northerly portion of Parcel A (APN: 015-172-013-000), from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
 - b. The southerly portion of Parcel A (APN: 015-172-013-000), from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
 - c. All of Parcel B (APN: 015-172-015-000), from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
 - d. All of Parcel C (APN: 015-172-016-000), from Low Density Residential,

- 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
- e. The northerly portion of Parcel D (APN: 015-172-017-000), from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
 - f. The southerly portion of Parcel D (APN: 015-172-017-000), from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
 - g. Parcel E and Lots 1-22, 39, 40 and 73 from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Low Density Residential with Building Site, Design Control and Site Plan Review overlays or “LDR/B-6-D-S”; and
 - h. Lots 23-33 from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ” to Rural Density Residential with Building Site, Design Control and Site Plan Review overlays or “RDR/B-6-D-S”.

[Approximately 2.5 miles east of Highway 1 on the north side of Carmel Valley Road, between Canada Way and Valley Greens Drive, Carmel Valley (Assessor's Parcel Numbers -015-172-013-000, 015-172-015-000, 015-172-016-000, 015-172-017-000, 015-172-018-000, 015-172-021-000, 015-172-022-000, 015-172-023-000, 015-172-024-000, 015-172-025-000, 015-172-

026-000, 015-172-027-000, 015-172-028-000, 015-172-029-000, 015-172-030-000, 015-172-031-000, 015-172-032-000, 015-172-033-000, 015-172-034-000, 015-172-035-000, 015-172-036-000, 015-172-037-000, 015-172-038-000, 015-172-039-000, 015-172-040-000, 015-172-041-000, 015-172-042-000, 015-172-043-000, 015-172-044-000, 015-172-045-000, 015-172-046-000, 015-172-047-500, 015-172-048-000, 015-172-049-000, 015-172-050-000, 015-172-051-000, 015-172-052-000, 015-172-053-000, 015-172-054-000, 015-172-055-000 and 015-172-056-000), Carmel Valley Master Plan.]

The SEPTEMBER RANCH PARTNERS (CARMEL RESERVE LLC) General Plan amendment and rezone (PLN110173) came on for a public hearing before the Monterey County Planning Commission on February 22, 2023. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Planning Commission finds and decides as follows:

RECITALS

WHEREAS, on November 9, 2010, by Resolution Number 10-312, the Board approved a Combined Development Permit (CDP) for the September Ranch Subdivision Project consisting of: (1) a Vesting Tentative Map (VTM) for the subdivision of 891 acres into 73 market-rate residential lots and 22 affordable housing lots (15 inclusionary and 7 deed restricted workforce housing lots) for a total of 95 residential lots; (2) a 20.2 acre existing equestrian facility and accessory structures related to that use (Parcel E); (3) 300.5 acres of common open space (Parcels A & C); (4) 242.9 acres of public open space for donation/dedication (Parcel D); 250.7 acres of private open space (conservation and scenic easement) on each lot outside of the building envelope; and (5) 6.9 acres of open space reserved for future public facilities (Parcel B); and

WHEREAS, on December 8, 2020, by Board Order, the Board of Supervisors approved the Final Map for Phase 1 of the September Ranch Subdivision which includes a dividing 540-acres of the total 891 acres into 40 parcels consisting of 33 conforming lots to be developed with market-rate homes, a parcel for inclusionary housing (Parcel F), the equestrian parcel (Parcel E), public use parcel (Parcel B), open space parcels (Parcel A & D), park parcel (Parcel C), and a parcel for future Phase 2 which may be used for inclusionary housing (Parcel G); and

WHEREAS, in compliance with Monterey County Code Chapter 21.91 and Condition of Approval No. 30 of Board of Supervisors Resolution 10-312, the agent for the owner, Carmel Reserve LLC, filed a formal request to proceed with the General Plan amendment to redesignate Parcels A, B, C and D to “Open Space”; and

WHEREAS, as specified in, and approved by the September Ranch CDP, Parcels A and C are intended for common open space, Parcel B is intended for open space reserved for future public facilities and Parcel D is intended for public open space for donation/dedication. The current Land Use Designation of these parcels, as illustrated in Carmel Valley Master Plan Figure LU3, are *Residential – Rural Density 5+ Acres/Unit* and/or *Residential – Low Density 5 - Acres/Unit*; and

WHEREAS, in order to achieve consistency between the Land Use Designation of Parcels A, B, C and D to be consistent with the intended use, a General Plan amendment shall be approved to reclassify their Land Use Designation to *Open Space*; and

WHEREAS, as illustrated in Carmel Valley Master Plan Figure LU3, the Land Use Designation for Lots 22, 29 and 30 are *Residential – Rural Density 5+ Acres/Unit* and *Residential – Low Density 5 - Acres/Unit*. To avoid confusion during future development of these lots, the General Plan amendment includes cleaning up the designation so that each lot is wholly within a single land use designation; and

WHEREAS, in compliance with Condition of Approval No. 37 of Board of Supervisors Resolution 10-312, the agent for the owner, Carmel Reserve LLC, filed a formal request to rezone the northerly 494 acres (Lots 22-33) from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays “RDR/10-D-S-RAZ” to Rural Density Residential with Building Site, Design Control and Site Plan Review overlays “RDR/B-6-D-S” and the southerly 393 acres (Parcel E and Lots 1-22 and lots 39, 40 and 73) currently zoned Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlay “LDR/2.5-D-S-RAZ” need to be rezoned to Low Density Residential with Building Site, Design Control and Site Plan Review overlay “LDR/B-6-D-S”; and

WHEREAS, in order for the zoning designation of Parcels A, B, C and D to be consistent with the amended land use designation of *Open Space*, the Planning Commission considers and recommends the Board of Supervisors adopt a rezone of these parcels from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ” and Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”; and

WHEREAS, on November 9, 2010, the Board of Supervisors certified the Final Revised Environmental Impact Report (FEIR) (SCH No. 19950803033) for the September Ranch Subdivision Project as memorialized in Board of Supervisors Resolution No. 10-312. Change of use, designation and zoning were anticipated and analyzed in this FEIR; and

WHEREAS, in forwarding this recommendation to the Board of Supervisors, the Planning Commission has considered the Certified Final Revised Environmental Impact Report (FEIR) (SCH No. 19950803033) for the September Ranch Subdivision Project and finds adoption of the General Plan amendment and rezone ordinance does not warrant a subsequent EIR pursuant to CEQA Guidelines Section 15162; and

WHEREAS, on February 22, 2023, in accordance with Government Code sections 65358 and 65854 – 65857, as well as Monterey County Code Chapter 21.91, the Planning Commission held a duly noticed hearing to consider recommending to the Board of Supervisors on the following:

1. A resolution to redesignate Parcels A-D and Lots 22, 29 and 30 (Attachment 1);
and
2. An ordinance (Attachment 2) to rezone Parcels A-E and Lots 1-33, 39, 40 and 73;
and

WHEREAS, at least 10 days before the public hearing before the Planning Commission, notices of the hearing were published in the Monterey County Weekly, provided to all those who requested notice, and were also posted on and near the project site.

DECISION

NOW, THEREFORE, be it resolved, based on the above recitals, the written and documentary evidence, the staff reports, oral testimony, and the administrative record as a whole, that the Planning Commission does hereby recommend that the Board of Supervisors:

- a. Consider the Certified Final Revised Environmental Impact Report (SCH No. 1995083033) for the September Ranch Subdivision Project and find adoption of the General Plan amendment and rezone ordinance does not warrant a subsequent EIR pursuant to CEQA Guidelines Section 15162;
- b. Adopt a resolution amending the Monterey County 2010 General Plan to reclassify the land use designation of:
 - a. The northerly portion of Parcel A (APN: 015-172-013-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Open Space;
 - b. The southerly portion of Parcel A (APN: 015-172-013-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - Acres/Unit to Open Space;
 - c. All of Parcel B (APN: 015-172-015-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Open Space;
 - d. All of Parcel C (APN: 015-172-016-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Open Space;
 - e. The northerly portion of Parcel D (APN: 015-172-017-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Open Space;
 - f. The southerly portion of Parcel D (APN: 015-172-017-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 – 1 Acres/Unit to Open Space;
 - g. The northerly portion of Lot 22 (APN: 015-172-042-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Residential – Low Density 5 - Acres/Unit; and
 - h. The southerly portion of Lot 29 (APN: 015-172-049-000) and Lot 30 (APN: 015-172-050-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Residential – Rural Density 5+ Acres/Unit; and
- c. Adopt an ordinance amending Section 21-17A of the Sectional District Maps of Monterey County Code Section 21.08.060 to rezone:
 - a. The northerly portion of Parcel A (APN: 015-172-013-000), from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
 - b. The southerly portion of Parcel A (APN: 015-172-013-000), from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
 - c. All of Parcel B (APN: 015-172-015-000), from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation

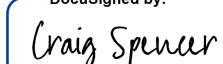
Zone overlays or “LDR/2.5-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;

- d. All of Parcel C (APN: 015-172-016-000), from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
- e. The northerly portion of Parcel D (APN: 015-172-017-000), from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
- f. The southerly portion of Parcel D (APN: 015-172-017-000), from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Open Space with Design Control and Site Plan Review overlays or “O-D-S”;
- g. Parcel E and Lots 1-22, 39, 40 and 73 from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Low Density Residential with Building Site, Design Control and Site Plan Review overlays or “LDR/B-6-D-S”; and
- h. Lots 23-33 from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ” to Rural Density Residential with Building Site, Design Control and Site Plan Review overlays or “RDR/B-6-D-S”.

All in substantial conformance with the attached documents (**Attachments 1 and 2**).

PASSED AND ADOPTED this 22nd day of February, 2023 upon motion of Commissioner Monsalve, seconded by Commissioner Getzelman, by the following vote:

AYES: Daniels, Getzelman, Gonzalez, Mendoza, Roberts, Work, Monsalve
NOES: None
ABSENT: Coffelt, Diehl
ABSTAIN: None

DocuSigned by:

188DB67A496B450...
Craig Spencer, Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **FEB 24 2023**.

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
DRAFT RESOLUTION**

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

In the matter of the application of:

SEPTEMBER RANCH PARTNERS (CARMEL RESERVE LLC) (PLN110173)

RESOLUTION NO. 23—

Resolution by the Monterey County Board of
Supervisors:

1. Considering the Certified Final Revised Environmental Impact Report (SCH No. 1995083033) for the September Ranch Subdivision Project and find adoption of the General Plan amendment and rezone ordinance does not warrant a subsequent EIR pursuant to CEQA Guidelines Section 15162;
2. Adopting a resolution amending the Monterey County 2010 General Plan to reclassify the land use designation of:
 - a. The northerly portion of Parcel A (APN: 015-172-013-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Open Space;
 - b. The southerly portion of Parcel A (APN: 015-172-013-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - Acres/Unit to Open Space;
 - c. All of Parcel B (APN: 015-172-015-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Open Space;
 - d. All of Parcel C (APN: 015-172-016-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Open Space;
 - e. The northerly portion of Parcel D (APN: 015-172-017-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Open Space;

- f. The southerly portion of Parcel D (APN: 015-172-017-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 – 1 Acres/Unit to Open Space;
- g. The northerly portion of Lot 22 (APN: 015-172-042-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Residential – Low Density 5 - Acres/Unit; and
- h. The southerly portion of Lot 29 (APN: 015-172-049-000) and Lot 30 (APN: 015-172-050-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Residential – Rural Density 5+ Acres/Unit.

[Approximately 2.5 miles east of Highway 1 on the north side of Carmel Valley Road, between Canada Way and Valley Greens Drive, Carmel Valley (Assessor's Parcel Numbers: 015-172-017-000, 015-172-042-000, 015-172-049-000, and 015-172-050-000), Carmel Valley Master Plan.]

The SEPTEMBER RANCH PARTNERS (CARMEL RESERVE LLC) General Plan amendment and rezone (PLN110173) came on for a public hearing before the Monterey County Board of Supervisors on [DATE]. 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 finds and decides as follows:

RECITALS

WHEREAS, on November 9, 2010, by Resolution Number 10-312, the Board approved a Combined Development Permit (CDP) for the September Ranch Subdivision Project consisting of: (1) a Vesting Tentative Map (VTM) for the subdivision of 891 acres into 73 market-rate residential lots and 22 affordable housing lots (15 inclusionary and 7 deed restricted workforce housing lots) for a total of 95 residential lots; (2) a 20.2 acre existing equestrian facility and accessory structures related to that use (Parcel E); (3) 300.5 acres of common open space (Parcels A & C); (4) 242.9 acres of public open space for donation/dedication (Parcel D); 250.7 acres of private open space (conservation and scenic easement) on each lot outside of the building envelope; and (5) 6.9 acres of open space reserved for future public facilities (Parcel B); and

WHEREAS, on December 8, 2020, by Board Order, the Board of Supervisors approved the Final Map for Phase 1 of the September Ranch Subdivision which includes a dividing 540-acres of the total 891 acres into 40 parcels consisting of 33 conforming lots to be developed with market-rate homes, a parcel for inclusionary housing (Parcel F), the equestrian parcel (Parcel E),

public use parcel (Parcel B), open space parcels (Parcel A & D), park parcel (Parcel C), and a parcel for future Phase 2 which may be used for inclusionary housing (Parcel G); and

WHEREAS, in compliance with Monterey County Code Chapter 21.91 and Condition of Approval No. 30 of Board of Supervisors Resolution 10-312, the agent for the owner, Carmel Reserve LLC, filed a formal request to proceed with the General Plan amendment to redesignate Parcels A, B, C and D to “Open Space”; and

WHEREAS, as specified in, and approved by the September Ranch CDP, Parcels A and C are intended for common open space, Parcel B is intended for open space reserved for future public facilities and Parcel D is intended for public open space for donation/dedication. The current Land Use Designation of these parcels, as illustrated in Carmel Valley Master Plan Figure LU3, are *Residential – Rural Density 5+ Acres/Unit* and/or *Residential – Low Density 5 - Acres/Unit*; and

WHEREAS, in order to achieve consistency between the Land Use Designation of Parcels A, B, C and D to be consistent with the intended use, a General Plan amendment shall be approved to reclassify their Land Use Designation to *Open Space*; and

WHEREAS, as illustrated in Carmel Valley Master Plan Figure LU3, the Land Use Designation for Lots 22, 29 and 30 are *Residential – Rural Density 5+ Acres/Unit* and *Residential – Low Density 5 - Acres/Unit*. To avoid confusion during future development of these lots, the General Plan amendment includes cleaning up the designation so that each lot is wholly within a single land use designation; and

WHEREAS, on February 22, 2023, in accordance with Government Code sections 65358 and 65854 – 65857, as well as Monterey County Code Chapter 21.91, the Planning Commission held a duly noticed hearing to consider recommending to the Board of Supervisors on the following:

1. A resolution to redesignate Parcels A-D and Lots 22, 29 and 30 (Attachment 1); and
2. An ordinance (Attachment 2) to rezone Parcels A-E and Lots 1-33, 39, 40 and 73; and

WHEREAS, on November 9, 2010, the Board of Supervisors certified the Final Revised Environmental Impact Report (FEIR) (SCH No. 19950803033) for the September Ranch Subdivision Project as memorialized in Board of Supervisors Resolution No. 10-312. Change of use, designation and zoning were anticipated and analyzed in this FEIR; and

WHEREAS, the Board of Supervisors has considered the Certified Final Revised Environmental Impact Report (FEIR) (SCH No. 19950803033) for the September Ranch Subdivision Project and finds adoption of the General Plan amendment and rezone ordinance does not warrant a subsequent EIR pursuant to CEQA Guidelines Section 15162; and

WHEREAS, at least 10 days before the public hearing before the Board of Supervisors, notices of the hearing were published in the Monterey County Weekly, provided to all those who requested notice, and were also posted on and near the project site.

DECISION

NOW, THEREFORE, be it resolved, based on the above recitals, the written and documentary evidence, the staff reports, oral testimony, and the administrative record as a whole, that the

Board of Supervisors:

- a. Considers the Certified Final Revised Environmental Impact Report (SCH No. 1995083033) for the September Ranch Subdivision Project and find adoption of the General Plan Amendment and rezone ordinance does not warrant a subsequent EIR pursuant to CEQA Guidelines Section 15162;
- b. Adopts a resolution amending the Monterey County 2010 General Plan to reclassify the land use designation of:
 - a. The northerly portion of Parcel A (APN: 015-172-013-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Open Space;
 - b. The southerly portion of Parcel A (APN: 015-172-013-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - Acres/Unit to Open Space;
 - c. All of Parcel B (APN: 015-172-015-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Open Space;
 - d. All of Parcel C (APN: 015-172-016-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Open Space;
 - e. The northerly portion of Parcel D (APN: 015-172-017-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Open Space;
 - f. The southerly portion of Parcel D (APN: 015-172-017-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 – 1 Acres/Unit to Open Space;
 - g. The northerly portion of Lot 22 (APN: 015-172-042-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Rural Density 5+ Acres/Unit to Residential – Low Density 5 - Acres/Unit; and
 - h. The southerly portion of Lot 29 (APN: 015-172-049-000) and Lot 30 (APN: 015-172-050-000), as shown in Carmel Valley Master Plan Figure LU3, from Residential – Low Density 5 - 1 Acres/Unit to Residential – Rural Density 5+ Acres/Unit.

All in substantial conformance with the attached documents (**Exhibit 1**).

PASSED AND ADOPTED on this ___ day of _____ 2023 by the following vote:

AYES: Supervisors

NOES:

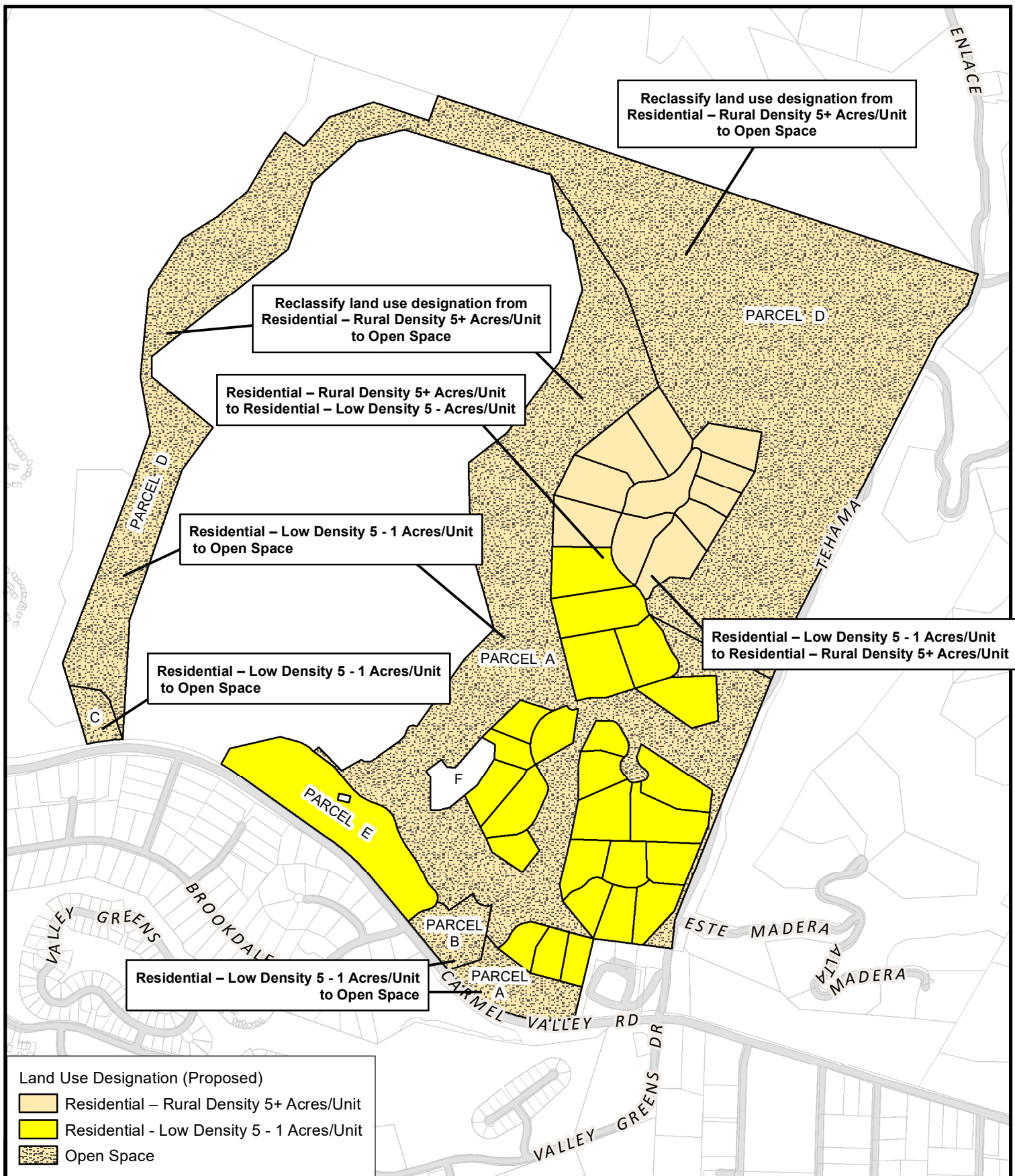
ABSENT:

ABSTAIN:

Luis Alejo, Chair,
Monterey County Board of Supervisors

Attest:
FIRST LAST NAME,
Clerk of the Board of Supervisors

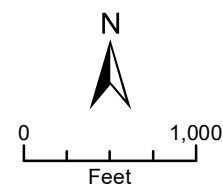
By: _____
Deputy



Monterey County 2010 General Plan Amendment

PROJECT: PLN110173 SEPTEMBER RANCH PARTNERS

APN: 015-172-013-000, 015-172-015-000, 015-172-016-000, 015-172-017-000, 015-172-042-000, and 015-172-049-000



ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA
AMENDING SECTIONAL DISTRICT MAP 21-17A OF SECTION 21.08-060 OF THE
MONTEREY COUNTY CODE TO AMEND THE ZONING CLASSIFICATION OF
CERTAIN PROPERTIES IN THE COUNTY OF MONTEREY**

County Counsel Summary

This ordinance amends Section 21-17A of the District Zoning Maps of Title 21 (non-coastal zoning) to rezone Parcel A (APN: 015-172-013-000) from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays "RDR/10-D-S-RAZ" and Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays "LDR/2.5-D-S-RAZ" to Open Space or Open Space Design Control and Site Plan "O-D-S"; Parcels B (APN: 015-172-015-000) and C (APN: 015-172-016-000) from Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays "LDR/2.5-D-S-RAZ" to Open Space or "O-D-S"; Parcel D (APN: 015-172-017-000) from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays "RDR/10-D-S-RAZ" and Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays "LDR/2.5-D-S-RAZ" to Open Space or "O-D-S"; Lots 23-33 (APN: 015-172-043-000, 015-172-044-000, 015-172-045-000, 015-172-046-000, 015-172-047-500, 015-172-048-000, 015-172-049-000, 015-172-050-000, 015-172-051-000, 015-172-052-000, 015-172-053-000) from Rural Density Residential, 10 acre per unit with a Design Control, Site Plan Review and Residential Allocation Zone overlays or "RDR/10-D-S-RAZ" to Rural Density Residential with Building Site, Design Control and Site Plan Review overlays or "RDR/B-6-D-S"; and Parcel E (APN: 015-172-018-000) and Lots 1-22, 39, 40 and 73 (APN: 015-172-021-000, 015-172-022-000, 015-172-023-000, 015-172-024-000, 015-172-025-000, 015-172-026-000, 015-172-027-000, 015-172-028-000, 015-172-029-000, 015-172-030-000, 015-172-031-000, 015-172-032-000, 015-172-033-000, 015-172-034-000, 015-172-035-000, 015-172-036-000, 015-172-037-000, 015-172-038-000, 015-172-039-000, 015-172-040-000, 015-172-041-000, 015-172-042-000, 015-172-054-000, 015-172-055-000, 015-172-056-000) from Low Density Residential, 2.5 units an acre, with Design Control, Site Plan Review, and Residential Allocation Zone overlays or "LDR/2.5-D-S-RAZ" to Low Density Residential with Building Site and Design Control overlays or "LDR/B-6-D-S". The properties are located directly between Canada Way and Valley Greens Drive, Mid-Carmel Valley area.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. Findings and declarations.

A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. On November 9, 2010, the Board of Supervisors adopted Resolution 10-312 approving a Combined Development Permit (CDP) for the September Ranch Subdivision Project consisting of: (1) a Vesting Tentative Map (VTM) for the subdivision of 891 acres into 73 market-rate residential lots and 22 affordable housing lots (15 inclusionary and 7 deed restricted workforce housing lots) for a total of 95 residential lots; (2) a 20.2 acre existing equestrian facility and accessory structures related to that use (Parcel E); (3) 300.5 acres of common open space (Parcels A & C); 242.9 acres of public open space for donation/dedication (Parcel D); (4) 250.7 acres of private open space (conservation and scenic easement) on each lot outside of the building envelope; and (5) 6.9 acres of open space reserved for future public facilities (Parcel B).

C. On December 8, 2020, the Board of Supervisors approved the Final Map for Phase 1 of the September Ranch Subdivision which includes a dividing 540-acres of the total 891 acres into 40 parcels consisting of 33 conforming lots to be developed with market-rate homes, a parcel for inclusionary housing (Parcel F), the equestrian parcel (Parcel E), public use parcel (Parcel B), open space parcels (Parcel A & D), park parcel (Parcel C), and a parcel for future Phase 2 which may be used for inclusionary housing (Parcel G).

D. The purpose of this ordinance is to comply with Condition of Approval Nos. 30 and 37, as adopted by Board of Supervisors Resolution 10-312 for the September Ranch Subdivision Project.

E. Compliance with Condition No. 30 requires redesignating Parcels A, B, C to Open Space for the purposes of common open space, future public facilities and public open space for donation/dedication. On [DATE], the Board of Supervisors adopted Resolution [No.], redesignating these parcels from “Residential – Rural Density 5+ Acres/Unit” and/or “Residential – Low Density 5 - Acres/Unit” to “Open Space”. The current zoning of these parcels, as illustrated in Section 21-17A of the Sectional District Maps of Section 21.080.060 are as follows:

1. Parcel A (northerly portion): Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ”;

2. Parcel A (southerly portion): Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ”;

3. Parcel B: Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ”;

4. Parcel C: Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ”;

5. Parcel D: (northerly portion) Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ”; and

6. Parcel D: (southerly portion) Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ”.

F. Condition of Approval No. 37 requires rezoning the September Ranch residential parcels to include the Building Site overlay district. The purpose of the Building Site overlay district is to establish specific regulations for lot size and structure setbacks, and to ensure that the lots shown on the recorded final map may not be further subdivided. The current zoning of these parcels, as illustrated in Section 21-17A of the Sectional District Maps of Section 21.080.060 are as follows:

1. Lots 22-33 (northerly 494 acres): Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays “RDR/10-D-S-RAZ”; and

2. Parcel E and Lots 1-22, 39, 40 and 73 (southerly 393 acres): Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlay “LDR/2.5-D-S-RAZ”.

G. The Board of Supervisors has considered the Certified Final Revised Environmental Impact Report (FEIR) (SCH No. 19950803033) for the September Ranch Subdivision Project and finds adoption of this ordinance does not warrant a subsequent EIR pursuant to CEQA Guidelines Section 15162.

SECTION 2. ZONING DISTRICT MAP. Section 21-17A, of the Sectional District Maps of Section 21.08.060 of the Monterey County Code is hereby amended to change the zoning of the following and as shown on the map attached hereto to as **Exhibit 1**:

A. Parcel A (A.P.N: 015-172-013-000): from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays “RDR/10-D-S-RAZ” and Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays “LDR/2.5-D-S-RAZ” to Open Space or Open Space Design Control and Site Plan Review overlay “O-D-S”;

B. Parcels B and C (A.P.N: 015-172-015-000 and A.P.N: 015-172-016-000): from Low Density Residential, 2.5 acres per unit with Design Control and Site Plan Review and Residential Allocation Zone overlays “LDR/2.5-D-S-RAZ” to Open Space or “O-D-S”;

C. Parcel D (A.P.N: 015-172-017-000): from Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays “RDR/10-D-S-RAZ” and Low Density Residential, 2.5 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays “LDR/2.5-D-S-RAZ” to Open Space or “O-D-S”;

D. Lots 23-33 (APN: 015-172-043-000, 015-172-044-000, 015-172-045-000, 015-172-046-000, 015-172-047-500, 015-172-048-000, 015-172-049-000, 015-172-050-000, 015-172-051-000, 015-172-052-000, 015-172-053-000) from Rural Density Residential, 10 units an acre with Design Control, Site Plan Review and Residential Allocation Zone overlays or “RDR/10-D-S-RAZ” to Rural Density Residential with Building Site, Design Control and Site Plan Review overlays or “RDR/B-6-D-S”; and

E. Parcel E (APN: 015-172-018-000) and Lots 1-22 (APN: 015-172-021-000, 015-172-022-000, 015-172-023-000, 015-172-024-000, 015-172-025-000, 015-172-026-000, 015-172-027-000, 015-172-028-000, 015-172-029-000, 015-172-030-000, 015-172-031-000, 015-172-032-000, 015-172-033-000, 015-172-034-000, 015-172-035-000, 015-172-036-000, 015-172-037-000, 015-172-038-000, 015-172-039-000, 015-172-040-000, 015-172-041-000, 015-172-042-000), 39,40 and 73 (APN: 015-172-054-000, 015-172-055-000, 015-172-056-000, 015-172-018-000) from Low Density Residential, 2.5 units an acre, with Design Control, Site Plan Review and Residential Allocation Zone overlays or “LDR/2.5-D-S-RAZ” to Low Density Residential with Building Site, Design Control and Site Plan Review overlays or “LDR/B-6-D-S”.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 4. This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED on this ____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Luis A. Alejo, Chair
Monterey County Board of Supervisors

ATTEST:

VALERIE RALPH
Clerk of the Board of Supervisors

By: _____

APPROVED AS TO FORM BY:



Kelly L. Donlon
Assistant County Counsel

