



Board Report

File #: PC 23-013, Version: 1

PLN110173 - SEPTEMBER RANCH PARTNERS (CARMEL RESERVE LLC)

Public hearing to consider a recommendation to the Board of Supervisors on a General Plan amendment and rezone to comply with Conditions of Approval Nos. 30 and 37 adopted as part of the September Ranch Subdivision Project, Board of Supervisors Resolution 10-312.

Proposed CEQA Action: Consider the Certified Final Revised Environmental Impact Report (FEIR) (SCH No. 1995083033) for the September Ranch Subdivision Project and find the General Plan Amendment and rezone consistent with the FEIR pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162.

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution recommending 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:
 - 1) 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;
 - 2) 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;
 - 3) 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;
 - 4) 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;
 - 5) 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;
 - 6) 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;
 - 7) 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
 - 8) 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:
 - 1) 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";
 - 2) 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”;
- 3) 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”;
 - 4) 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”;
 - 5) 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”;
 - 6) 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”;
 - 7) 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
 - 8) 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”.

The attached draft resolution includes recitals for a recommendation that the Board of Supervisors approve the General Plan amendments and re-zone (**Exhibit A**).

PROJECT INFORMATION:

Planning File Number: PLN110173

Owners: September Ranch Partners

Plan Area: Carmel Valley Master Plan

Project Location: The property is located approximately 2.5 miles east of Hwy 1 on the North Side of Carmel Valley Road between Canada Way and Valley Greens Drive, Mid-Carmel Valley area, Carmel Valley Master Plan.

APN: 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.

SUMMARY/DISCUSSION:

The September Ranch Subdivision project (PLN050001) was approved by the Board of Supervisors on

November 9, 2010 (Resolution 10-312) and consists of a Vesting Tentative Map and Combined Development Permit for a 95 residential lot subdivision with an equestrian facility parcel and common/public open space parcels as well as tree removal, grading and development on slopes for subdivision improvements. Resolution 10-312 and adopted Condition of Approval Nos. 30 and 37 are attached as **Exhibit C**. The project was subsequently extended (PLN110173 and PLN110173-EXT1) by the Planning Commission on March 27, 2013 and April 13, 2022, respectively (Resolutions 13-010 and 22-007).

September Ranch Condition of Approval No. 30 requires that Parcels A, B, and C be rezoned to Open Space or “O” to maintain and preserve the open space. The existing underlying land use designations of these parcels are residential and in order for the zoning to be consistent, a General Plan amendment is required to change the designation to Open Space. In addition, Lots 22, 29 and 30 are designated 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 changes the designation so that each lot is wholly within a single land use designation. See **Exhibit A, Attachment 1**. The redesignation of the large residential parcels to Open Space will provide regulations for the protection, preservation and enhancement of common open space of Monterey County. Further Government Code section 65860 requires zoning to be consistent with an adopted General Plan.

Condition of Approval No. 37 requires residential parcels be rezoned to add a Building Site-6 or “B-6” overlay district. The condition specifically identifies that:

- The northerly 494 acres zoned Rural Density Residential, 10 acres per unit with Design Control, Site Plan Review and Residential Allocation Zone overlays or "RDR/10-D-S-RAZ" be rezoned to Rural Density Residential with Building Site, Design Control, Site Plan Review, and Residential Allocation Zone overlays "RDR/B-6-D-S-RAZ "; and
- The southerly 393 acres zoned 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” be rezoned to Low Density Residential with Building Site, Design Control, Site Plan Review, and Residential Allocation Zone overlays or “LDR/B-6-D-S-RAZ” (see **Exhibit A, Attachment 2**).

The purpose of the B-6 overlay district is to provide a district which by specific designation on a Sectional District Map will establish specific regulations for lot size and structure setbacks. Further, this district provides a manner in which areas of approved subdivisions and areas impacted by public facility constraints may be identified. The intent of adding the B-6 zoning overlay to ensure that the lots shown on the recorded final map may not be further subdivided. However, lot line adjustments may be allowed subject to approval of an Administrative Permit.

The purpose of the RAZ zoning overlay is to provide a district to denote that a specific area is subject to policies or ordinances which specify limitations on the number of lots or units which may be created in a given period of time. Because the B-6 overlay already prohibits further subdivision of the lots, the RAZ overlay is no longer necessary. As such, the rezone of the lots includes the B-6, but not the RAZ.

On June 26, 2018, Denise Duffy and Associates, Inc., on behalf of Carmel Reserve, LLC, submitted a written request (**Exhibit B**) that the County of Monterey proceed with the re-zoning of the September Ranch Phase I site pursuant to Condition Nos. 30 and 37.

CEQA:

As described above, the General Plan amendment and rezone are required to fulfill compliance with adopted

conditions of approval for which a project included certifying a Final Revised Environmental Impact Report (FEIR). Therefore, the Planning Commission's recommendation and subsequent Board of Supervisors action were considered in the FEIR and no subsequent EIR would be required pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162.

NEXT STEPS:

After the Planning Commission adopts a recommendation to the Board of Supervisors, County staff will schedule the amendment before the Board of Supervisors for a final decision in accordance with Government Code sections 65358 and 65854 - 65857, as well as Monterey County Code Chapter 21.91.

Prepared by: Marlene Garcia, Assistant Planner, x5114

Reviewed by: Anna Quenga, AICP, Principal Planner

Approved by: Craig Spencer, HCD Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Draft Planning Commission Resolution recommending the Board of Supervisors approve the General Plan Amendment and Rezone

- Attachment 1 - Draft Resolution Amending Carmel Valley Master Plan Figure LU3 Map of General Plan
 - Exhibit 1 - General Plan Amendment Map
- Attachment 2 - Draft Ordinance to Rezone
 - Exhibit 1 - Map of Rezone

Exhibit B - Letter dated June 26, 2018 from Denise Duffy and Associates, Inc.

Exhibit C - Board of Supervisors Resolution 10-312

cc: Front Counter Copy; Planning Commission, County Counsel; Marlene Garcia, Planner; Anna Quenga, AICP, Principal Planner; September Ranch Partners, Property Owners; Denise Duffy and Associates, Inc, Agent; The Open Monterey Project; LandWatch (Executive Director); Planning File PLN110173