



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: RES 23-044

March 21, 2023

Introduced: 3/13/2023

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Resolution

PLN110173 - SEPTEMBER RANCH PARTNERS (CARMEL RESERVE LLC)

Public hearing to consider:

- a. A Resolution amending Figure LU3 of the 2010 Monterey County General Plan, to change the land use designations on 377.69 acres in Carmel Valley from Low Density Residential and Rural Density Residential to Open Space consistent with the approved Vesting Tentative Map for the September Ranch Subdivision (Condition of approval No. 30 in Resolution No. 10-312); and
- b. An Ordinance amending Section 21-17A of the Sectional Maps of Section 21.08.060 of Title 21 (zoning) of the Monterey County Code to rezone portions of the September Ranch property from “RDR/10-D-S-RAZ” (northern half) and “LDR/2.5-D-S-RAZ” (southern half) to “O-D-S” (377.69 acres), add a Building Site 6 (B-6) Zoning Overlay Designation to properties designated for residential development in the September Ranch Vesting Tentative Map (Resolution No. 10-312, “condition of approval No. 37), and remove the Residential Allocation Zoning (“RAZ”) zoning overlay from the zoning designations. The resulting zonings will include 4 properties zoned O-S-D, 11 residential lots zoned RDR/B-6-D-S (northern properties) and 27 properties zoned LDR/B-6-D-S (southern properties).

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 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 draft resolution is attached for consideration (**Attachment 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:

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 and grading and development on slopes for subdivision improvements. Condition of Approval Nos. 30 and 37 of the approval were included that require reclassification of land use designations and zoning consistent with the approved maps. 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 of the subdivision be rezoned to Open Space or “O”; and Condition of Approval No. 37 requires residential parcels be rezoned to add a Building Site-6 or “B-6” overlay district which precludes future subdivision of these lots. Consistent with the conditions, the applicant has requested that the County process the General Plan amendments and rezoning for Phase 1 of the subdivision.

DISCUSSION:

Open Space: 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. 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 by adjusting the boundary between the Rural Density Residential and Low Density Residential slightly aligning with new property lines. See **Attachment A**.

Condition of Approval No. 37 requires residential parcels be rezoned to add a Building Site-6 or “B-6” overlay district (see **Attachment B**). 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”.

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 February 22, 2023, the Planning Commission passed and adopted Resolution No. 23-008 which recommends the Board of Supervisors approve a resolution amending the General Plan Land Use designations and adopt an ordinance amending the zoning for the parcels. The Planning Commission recommendation is attached as **Attachment C**.

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 subsequent Board of Supervisors action on these amendments were considered in the FEIR and no subsequent EIR would be required pursuant to California

Environmental Quality Act (CEQA) Guidelines Section 15162.

OTHER AGENCY INVOLVEMENT:

County Counsel
Planning Commission

FINANCING:

Funding for staff time associated with processing condition compliance for this project was included in the FY22-23 Adopted Budget for HCD-Planning. A deposit was submitted by the applicant for this project and staff costs associated with this project are debited from the deposit fee amounts.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our HCD customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources.

Check the related Board of Supervisors Strategic Initiatives:

- Administration
- Economic Development
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Marlene Garcia, Assistant Planner
Reviewed by: Craig Spencer, HCD Chief of Planning
Approved by: Erik Lundquist, AICP, Director of Housing and Community Development EV

The following attachments are on file with the Clerk of the Board:

- Attachment A - Draft Resolution Approving the General Plan Amendment, including:
 - o Exhibit 1 - General Plan Amendment Map
- Attachment B - Draft Ordinance to Rezone
 - o Exhibit 1 - Map of Rezone
- Attachment C - Monterey County Planning Commission Resolution No. 23-008

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