

ORDINANCE NO. 5445

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SECTIONAL DISTRICT MAP 17C 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 17C of the Sectional District Maps of Section 21.08.060 of Title 21 (Sectional District Maps) of the Monterey County Code to amend the zoning classification of a 4.47 acre parcel from Low Density Residential, 2.5 acres per unit, Design Control zoning overlay, Site Plan Review zoning overlay, and Residential Allocation Zoning overlay [LDR/2.5-D-S-RAZ] to High Density Residential, 5 units per acre, Building Site 6 zoning overlay, Design Control zoning overlay, and Site Plan Review zoning overlay [HDR/5-B-6-D-S]. This Property is located 0.15 miles north of Carmel Valley Road, between Canada Way & Valley Greens Drive, [No Address Assigned to Parcel] (Assessor's Parcel Number 015-171-019-000), Carmel Valley Master Plan. This change is to facilitate the construction of inclusionary housing units, as required by the September Ranch Subdivision Project.

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 ("Board") adopted Resolution No. 10-312 approving a Combined Development Permit for the September Ranch Subdivision Project ("September Ranch") 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; (3) 300.5 acres of common open space; 242.9 acres of public open space for donation/dedication; (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.

C. On December 8, 2020, the Board approved the Final Map for Phase 1 of September Ranch, which included 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. On March 21, 2023, the Board adopted Ordinance No. 5400 and Resolution No. 23-102 to rezone and reclassify certain parcels and lots to reflect their intended uses, and as required by Condition of Approval Numbers 30 and 37, as adopted by Resolution No. 10-312. Pursuant to Condition of Approval 30, Parcels A, B, C, and D were rezoned to Open Space, Design Control zoning overlay, and Site Plan Review zoning overlay. Pursuant to Condition No. 37, Lots 22 and 33 were rezoned to Rural Density Residential, Building Site 6 overlay, Design Control zoning overlay, and Site Plan Review zoning overlay, and Lots 1-22, 39, 40, and 73 were rezoned and reclassified to Low Density Residential, Building Site 6 overlay, Design Control zoning overlay, and Site Plan Review zoning overlay. Condition 37 also requires Parcel F (a 4.47-acre parcel, APN:015-171-019-000) to be rezoned, but it was not considered in Ordinance No. 5400 or Resolution No. 23-102.

E. The subject property, Parcel F, is intended for inclusionary housing. The current zoning, per Sectional District Map 17C, is Low Density Residential, 2.5 acres per unit, Design Control zoning overlay, Site Plan Review zoning overlay, and Residential Allocation Zoning overlay, which only allows the construction of 1 unit on Parcel F, and thus conflicts with September Ranch's requirement of 22 inclusionary housing units. Despite being intended for inclusionary housing, Condition 37 also incorrectly required Parcel F to be rezoned to Low Density Residential, Building Site 6 overlay, Design Control zoning overlay, and Site Plan Review zoning overlay, which also would not allow 22 inclusionary housing units.

F. To facilitate the construction of these inclusionary housing units and comply with Condition 37 as intended, the Board adopted a resolution currently with this Ordinance to redesignate Parcel F from Residential – Low Density 5-1 acres/unit to Residential – High Density 5-20 units/acre. To ensure compliance with this updated land use designation, this Ordinance rezones Parcel F from LDR/2.5-D-S-RAZ to High Density Residential, 5 units per acre, Building Site 6 zoning overlay, Design Control zoning overlay, and Site Plan Review zoning overlay [HDR/5-B-6-D-S].

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 that the adoption of this Ordinance does not warrant a subsequent Environmental Impact Report pursuant to CEQA Guidelines Section 15162.

SECTION 2. ZONING DISTRICT MAP. Section 17C 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, as shown on the maps attached hereto as **Exhibits 1** and incorporated by this reference:

- A. A 4.47-acre parcel from Low Density Residential, 2.5 acres per unit, Design Control zoning overlay, Site Plan Review zoning overlay, and Residential Allocation Zoning overlay [LDR/2.5-D-S-RAZ] to High Density Residential, 5 units per acre, Building Site 6 zoning overlay, Design Control zoning overlay, and Site Plan Review zoning

overlay [HDR/5-B-6-D-S]. This Property is located 0.15 miles north of Carmel Valley Road, between Canada Way & Valley Greens Drive, [No Address Assigned to Parcel] (Assessor's Parcel Number 015-171-019-000), Carmel Valley Master Plan.

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. EFFECTIVE DATE. This Ordinance shall become effective on the thirty-first day following its adoption.

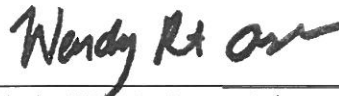
PASSED AND ADOPTED on this 28th day of April 2026, by the following vote:

AYES: Supervisor Alejo, Lopez, Root Askew and Daniels

NOES:

ABSENT:

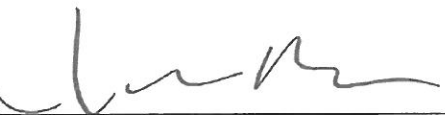
ABSTAIN: Supervisor Church



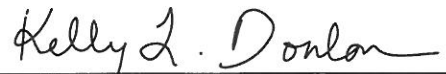
Chair, Wendy Root Askew
Monterey County Board of Supervisors

A T T E S T:

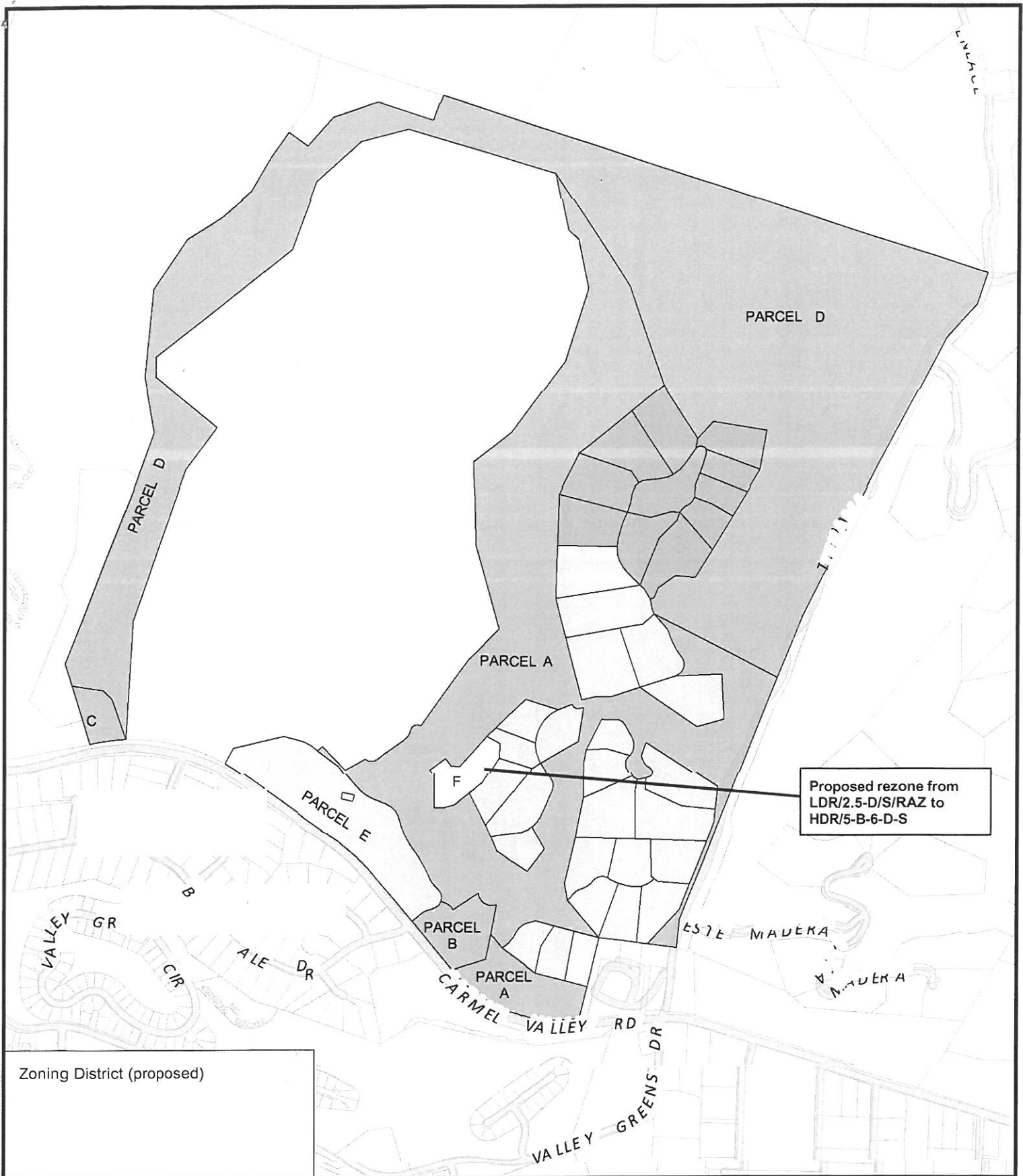
VALERIE RALPH
Clerk of the Board

By: 
Deputy

APPROVED AS TO FORM BY:



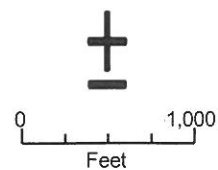
Kelly L. Donlon
Chief Assistant County Counsel



Zoning District (proposed)

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



Date: 2/9/2023