County of Monterey
Planning Commission

Agenda Item No.3

Legistar File Number: PC 26-073

Item No.3

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

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PLN220125 - MONTEREY COUNTY SHERIFFS POSSE
Public hearing to consider allowing hosting of eight concerts per year, and memorializing of existing legal nonconforming public and private recreational events, equestrian and livestock events, and family gatherings at the Monterey County Sheriff's Posse grounds.
Project Location: 395 Old Natividad Road, Salinas.
Proposed CEQA Action: Find that the project qualifies for Class 1 and Class 23 Categorical Exemptions pursuant to CEQA Guidelines sections 15301 and 15323, and that no exceptions pursuant to section 15300.2 apply.

RECOMMENDATION
It is recommended that the County of Monterey Planning Commission adopt a resolution:

1. Finding that the project qualifies for Class 1 and Class 23 Categorical Exemptions pursuant to CEQA Guidelines sections 15301 and 15323, and that no exceptions pursuant to section 15300.2 apply;
2. Approving a Use Permit to allow hosting of eight concerts per year, and memorializing of existing legal nonconforming public and private recreational events, equestrian and livestock events, and family gatherings at the Monterey County Sheriff's Posse grounds.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit A**). Staff recommends approval subject to 9 conditions.

PROJECT INFORMATION
Property Owner: Monterey County Sheriff's Posse
Agent: Dale Ellis
APN: 211-061-028-000
Zoning: Public/Quasi-Public
Parcel Size: 47.57 acres
Flagged and Staked: Not Applicable
Project Planner: Taylor Price, Senior Planner
PriceT1@countyofmonterey.gov, 831-784-2179

SUMMARY:
The project site, approximately 47.57 acres, is located at the corner of Natividad Road and Old Natividad Road, within the Greater Salinas Area Plan. The subject property is designated and zoned Public/Quais-Public. Surrounding land uses include agriculturally zoned Farmland parcels, to the west and southwest of the parcel and residentially zoned parcels to the north, east, and southeast zoned

Low Density Residential. The project proposes to allow the applicant to host up to eight concerts per calendar year with a maximum attendance of 3,000. The project proposes to memorialize the Monterey County Sheriff's Posse's existing legal nonconforming events/land uses that have been occurring at the property ("Monterey County Sheriff's Posse grounds") since its founding in 1939. These legal nonconforming events have included public and private recreational uses, such as equestrian and livestock events, family gatherings, and 4-H events. The Posse grounds also host private events that are hosted by the Sheriff's Posse staff. These staff-hosted events include the Sheriff's Posse Car Show, Junior Rodeo, and the Big Hat BBQ, and have been previously recognized by the County as allowed use that may continue (see **Exhibit E**).

In addition to the existing legal nonconforming events, the Posse grounds host, on average, six concerts per year with a maximum concert attendance of 2,500 attendees (ranging between 1,200 and 2,500 attendees). These concerts have occurred without the benefit of a Use Permit. The Applicant is now seeking approval of a Use Permit to allow up to eight concerts per calendar year.

Public recreational uses that serve the public at large, such as concerts, are allowed in PQP zoning, subject to the granting of a Use Permit. Therefore, the proposal recognizes the previous site's historical and ongoing public and private recreational events (e.g., equestrian and livestock events, family gatherings, 4-H events, concerts, and Sheriff's Posse staff events). The proposal also allows up to eight concerts per calendar year and a maximum of 3,000 concert attendees. This project does not authorize any development, construction, or land disturbance.

This project does not modify or alter the previously authorized legal nonconforming uses. Given the existing legal nonconforming status of these events, staff does not recommend that the Planning Commission reconsider or apply discretion to these existing events. They have been included in this discussion to provide transparency on the total number and types of events that may occur at the Posse Grounds with implementation of this Use Permit.

Based on staff analysis, the project is consistent with all rules and regulations pertaining to zoning uses and all other applicable provisions of the 2010 County of Monterey General Plan, the Greater Salinas Area Plan, and the Inland Zoning Ordinance (Title 21).

DISCUSSION:

Site History

The subject property was established as the Salinas Rodeo Rider's & Sheriff's Posse (now known as the Monterey County Sheriff's Posse (MCSP)) in 1939 and has been holding both member events (private) and events where the MCSP facilities are rented by members of the public at large (public). In 1983, the MCSP applied for a Use Permit (PC-4727) to allow mini-bike racing. This Use Permit was approved by the Planning Commission and expired in 1984. In 1992, the County of Monterey Zoning Administrator issued a letter (see **Exhibit B**) confirming the legal nonconforming status of the MCSP and noted that, on average, up to 100 events per year occur at the facility, with attendance in line with what has historically occurred at MCSP, and that this was in line with the number of historic events that occurred at the facility. Additionally, this letter notes that MCSP may be used for events that have historically occurred at the location, but that concerts would require a Use Permit.

This letter has authorized MCSP to continue to operate the legal nonconforming events that they do today, except for concerts. There is no proposed change in the number or type of legal nonconforming events authorized in the 1992 letter. Although the 1992 letter required the issuance of a Use Permit for the hosting of any concerts, MCSP has hosted numerous concerts since at least 1990 without the benefit of a Use Permit. MCSP provided the County with documentation that between 2017 and 2024 (see **Exhibit E**), MCSP hosted on average 5.8 concerts per year* (*This excludes 2020 and 2021, which occurred during the COVID-19 pandemic when the Governor of the State of California issues multiple Executive Orders [including Executive Orders N-60-20, N-33-20, N-07-21] related to banning or limiting large event gatherings and ordering individuals to shelter in place at their place of residence). MCSP now seeks a Use Permit to allow for concerts. Granting this Use Permit would allow the existing concerts to continue, but would increase the number of concerts historically held at the site from six to eight and increase the maximum attendance from 2,500 to 3,000 individuals.

Allowed Use

The proposed use of MCSP for public and private recreational uses, such as concerts, is in keeping with the purpose of PQP zones, which is to allow designated areas for public/quasi public uses and uses that serve the public at large. The MCSP facility currently operates with events for members only and allows rentals of the facility for family gatherings, equestrian and livestock events, fundraisers, and concerts. While some of these events are private members only events, the majority of the events on the MCSP site serve local and regional non-profits, families, companies, and all members of the Monterey County community. These events allow for anyone within the County and region to attend events at the MCSP facility in keeping with the intent of PQP land use and zoning.

Noise

MCSP operates between 7:00 am and 9:00 pm, with event clean up and breakdown sometimes occurring after 8:00 pm. Sources of noise associated with MCSP are generally associated with amplified human voices associated with pre-recorded and live music and animal noises. The project was analyzed in accordance with Title 10, Chapter 10.60, and the 2010 County of Monterey General Plan Safety Element. The project will not significantly change the site's existing noise generators, will not create any new noise-sensitive land uses, will not entitle any new development or ground disturbance, and will not authorize any construction activities. As the project is not in close proximity to any sensitive receptors (such as convalescent homes, libraries, places of worship, and schools) and the project does not propose any new significant noise generators, the project is not required to obtain an acoustical analysis. Further, the project memorializes the legal nonconforming use that has operated since 1939 and permits the concerts that have occurred since 1992. Finally, Title 10 Section 10.60.040.C exempts outdoor gatherings, dances, and sporting events on commercial and institutional premises from the allowed daytime and nighttime noise thresholds of Title 10, provided that such use is conducted pursuant to applicable rules, regulations, and zoning restrictions. The MCSP facility is zoned PQP, which allows public recreational uses. Therefore, MCSP is exempt from the requirements of Title 10.

Although the applicant is not proposing any new noise generators, new development, or uses that would require MCSP to comply with the requirements of Title 10, the applicant has implemented noise mitigation measures at their facility. The applicant has on-site noise monitoring equipment to ensure that

noise levels do not exceed 85 decibels at 50 feet from the noise-generating source. If MCSP is notified that the noise levels of the event exceed 85 decibels at 50 feet from the source, the event director and security director are notified and will resolve the issue. The facility is also designed to ensure that amplified human voices are not projected towards the neighboring residential parcels, as the stage is set up facing the neighboring agricultural parcels. The nearest residential parcel is approximately 470 feet from the stage and approximately 600 feet from the rodeo stands, which would mean that at 85 decibels the sound would likely attenuate to below the requirements in Title 10 Chapter 10.60 for daytime and nighttime noise. Further, County of Monterey Housing and Community Development (HCD) staff is unaware of any complaints received by neighbors regarding noise, traffic, or other potential nuisances associated with concerts and events at the MCSP facility. Based on the information above, staff believes the proposed use would not introduce noise that is inconsistent with the allowed uses under existing zoning (public recreational uses) or detrimental to the surrounding residential community.

Trip Generation, Level of Service, and Safety
MCSP currently operates as an event facility, which means it typically operates outside normal commuting hours and generally hosts events on weekends or holidays. This means that the additional Vehicle Miles Traveled (VMT) generated by the facility occur during non-peak hours and would dissipate within 20-30 minutes following a maximum-capacity event. The existing LOS at the three surrounding intersections near the project site would not be degraded below their current peak-hour LOS.

The project is conditioned to ensure that, pursuant to the Operations Plan, all events with more than 400 attendees are required to have Traffic Control points with at least two qualified personnel on-site. The Monterey County Sheriff's Office has reviewed the proposal, raised no concerns, and requested that the Sheriff's Office be notified of any/all events that are occurring at the Posse grounds, regardless of size or whether they are public or private. Accordingly, a Condition of Approval has been applied that requires the requested notification at least 30 days prior to the event. The project is also conditioned to ensure that, for all concerts and events that sell alcohol, MCSP must complete a Special Events Questionnaire within the timeframe required by the HCD.

The original traffic analysis was conducted under the assumption that the project would be an amendment to the prior Use Permit. As the permit expired in 1984, there is no Use Permit to amend. Therefore, some of the analysis in the Transportation Analysis Report has incorrect assumptions in place, such as a non-existent cap on event attendance of 500 people per event, which is not reflected in the 1992 County of Monterey Zoning Administrator letter (**see Exhibit B**), and a proposed cap on the number of attendees for concerts of 2,500 rather than 3,000. However, that does not change the findings in the Transportation Analysis Report that the project will not result in any impacts on LOS or VMT, and the addition of new trips for the proposed project is below the threshold of significant environmental impact of more than 110 trips per day (Technical Advisory on Evaluating Transportation Impacts in CEQA (Governor's Office of Land Use and Climate Innovation, 2018)). MCSP, in its current legal nonconforming operations, has an annualized VMT of 72.32, whereas the proposed project, with an increase of the three concerts per year and an addition of 500 attendees per concert, would increase the annualized VMT to 88.07.

Parking
MCSP is required to provide 1 parking stall per 4 occupants capacity, pursuant to Chapter 21.58 of the Monterey County Code requirement for "Recreational Enterprises". This means with a maximum capacity of 3,000 attendees, they would be required to provide 750 parking stalls and approximately 8 handicapped parking stalls. MCSP currently provides 3,215 parking stalls, including approximately 48 handicapped parking stalls.

Public Comment
At the June 10, 2026, Planning Commission hearing, the applicant submitted a public comment letter (see **Exhibit F**) stating that the application to the County was only for the eight concerts per calendar year and the application submitted did not ask the County to "define, limit or "memorialize" the preexisting nonconforming uses". While the applicant notes in their submitted public comment (see **Exhibit F**) that they did not ask HCD staff to memorialize the existing legal nonconforming uses at the facility, there are ongoing compliance issues that staff believes must be addressed. Specifically, MCSP has inconsistently complied with the County's Special Events process and continues to operate concerts, something explicitly not allowed by the 1992 Zoning Administrator letter. Therefore, staff believes that ensuring that these events are memorialized correctly as a part of this Use Permit is crucial to ensuring that the facility continues to operate within the guidelines of the Special Events process and within the conditions outlined in the 1992 County of Monterey Zoning Administrator letter (see **Exhibit B**).

Staff was made aware that MCSP has not been consistently submitting a Special Events Questionnaire for all events at the facility and, in many cases, has been submitting a Special Events Questionnaire a day or two before the event is scheduled to occur, which does not comply with the timeline as outlined in the County's Special Events process. To ensure that the facility operates according to County requirements, staff felt it was crucial to memorialize the existing legal nonconforming events as a part of this Use Permit and ensure that these events have clear conditions associated with their operations. The project has been conditioned to ensure that all events at the facility operate in accordance with their historic use (and intensity) and that all concerts comply with the conditions of this Use Permit, so that the surrounding community and residents are not negatively impacted by MCSP's operations.

As previously detailed, MCSP has been operating pursuant to the 1992 County of Monterey Zoning Administrator letter (see **Exhibit B**), which prohibited concerts. However, despite the clear prohibition in the letter, MCSP has been holding concerts at least once a year since 2017 and occasionally since 1992. All other events at MCSP continue to operate in line with the 1992 County of Monterey Zoning Administrator letter (see **Exhibit B**) however concerts are clearly prohibited and any concert held at the facility since 1992 is in clear violation of their existing legal nonconforming land use, which clearly notes that "no such use may be intensified over the level of use that existed at the time the legal nonconforming use was established" pursuant to Title 21 section 21.68.020.B, where concerts are clearly an intensification and require a Use Permit. Therefore, the granting of a Use Permit to allow up to eight concerts per calendar year would remedy this violation.

Planning Commission Discussion from June 10, 2026
Special Events Task Force Process
The County of Monterey has a Special Events process that ensures that Special Events occurring

within the unincorporated County of Monterey are appropriately permitted and reviewed by County staff. Importantly, the Special Events Questionnaire is not a permit and is intended to ensure that both HCD and all other relevant regulatory agencies review the proposed event to confirm it complies with all regulatory requirements. Special events may be public or private, and the Special Events process helps the County accommodate the event to promote public safety and welfare. The Special Events process can allow large events to occur, but if these events become a regular occurrence, they would likely require a Use Permit or a Coastal Development Permit. The Special Events process is intended to ensure that these events are reviewed by external agencies, including the County of Monterey Environmental Health Bureau, the relevant fire agency or department, and the Monterey County Sheriff's Office. Further, when staff reviews an event through the Special Events process, they check Accela to ensure the property has no active code enforcement case and to better understand whether the property has any active permits in progress. If staff have concerns while reviewing events throughout the process, they will reach out to the Sheriff's Office to see whether the Sheriff's Office has any concerns or a record of complaints associated with the property.

The Special Events process ensures that the parcels' zoning and land use are reviewed to ensure that the parcel is allowed to be reviewed through the Special Events process and does not require a discretionary permit for assemblages of people, which are large events that can occur and do not exceed 10 days and do not involve the construction of permanent facilities. Special Events are distinct from assemblages of people by virtue of the parcels underlying zoning and land use, the frequency of the event, and the scale of the event. Special Events are generally less frequent, not large, and not held on residential or commercially zoned parcels (example: Title 21 section 21.22.060.H).

The Monterey County Sheriff's Posse was allowed by HCD to continue to operate as long as they were actively pursuing a Use Permit to authorize concerts at the facility. Although the original application was submitted in May 2022, due to staff turnover and other projects taking priority, the project did not advance to a hearing until June 2026. Therefore, between May 2022 and June 2026, the facility was allowed to continue holding events in accordance with the 1992 County of Monterey Zoning Administrator letter (see **Exhibit B**) and to host on-site concerts as well. However, all events during this period should have complied with the Special Events process, including timely submission of these requests to HCD. As detailed above, they have not.

Monterey County Sheriff's Office - Complaints and Process

Staff contacted the County of Monterey Emergency Communications Department and the Monterey County Sheriff's Office to obtain complaint information about calls within the immediate vicinity of MCSP. The County of Monterey Emergency Communications Department keeps records for three years. Over the three-year period, there were thirteen calls within the immediate vicinity, of which only one incident was for loud music. This one incident resulted in no report, and the unit assigned to respond to the call was ultimately reassigned. The vast majority of complaints in the immediate vicinity of MCSP were about suspicious vehicles, which could include things such as a vehicle parked at MCSP that should not be there or a vehicle circling the block.

Generally, if a member of the public calls 911 (universal emergency number) with a noise complaint, the member of the public is first routed to the County of Monterey Emergency Communications Department - Emergency Communications Dispatch Center, where an incident report is created, and

the call is then routed to the appropriate law enforcement agency; in the case of MCSP, it would be the Monterey County Sheriff's Office. The Monterey County Sheriff's Office responds to calls based on current staffing levels and call volume; for noise complaints, at least two deputies are required to respond to these types of calls. Priority for a deputy response is given to violent crimes and other types of serious incidents. However, while noise complaints are not the highest priority, the Monterey County Sheriff's Office recognizes that calls about noise impact both the community at large and residents; therefore, they respond to them as they are able. If the Monterey County Sheriff's Office receives a large number of noise complaints over time for a specific property, they will reach out to HCD - Building Services to coordinate with County Code Enforcement staff to ensure a response to these calls.

OTHER AGENCY INVOLVEMENT

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

Environmental Health Bureau
HCD-Engineering Services
HCD-Environmental Services
Monterey County Regional Fire Protection District
Monterey County Sheriff's Office

LAND USE ADVISORY COMMITTEE

There is no Land Use Advisory Committee for the project.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

This project qualifies for a categorical exemption from environmental review pursuant to CEQA Guidelines section 15301. This exemption applies to the permitting of existing private structures involving negligible expansion of their existing or former use. The Applicant is proposing to operate in line with the facility's existing use with a negligible expansion of its existing use, which consists of hosting private and public events. This project does not propose or authorize any development, land disturbance, or construction.

The facility will be limited to a maximum of eight concerts per calendar year, with a limit on the number of attendees to no more than 3,000 per concert. This would ensure the facility operates in line with its existing legal nonconforming use for private and public events, with only a negligible expansion. Further, the project would ensure that the facility complies with all County of Monterey codes and regulations and is conditioned to require that all such requirements be memorialized in its future operations. Therefore, the project is consistent with CEQA Guidelines section 15301. None of the exceptions under CEQA Guidelines section 15300.2 apply to this project. Additionally, there would be no significant effects on the environment due to unusual circumstances. Further, there is no evidence that "the cumulative impact of successive projects of the same type in the same place, over time is significant." Additionally, an action is a "project" only when it is either "directly undertaken by any public agency," "supported, in whole or in part" by financial or other forms of assistance from a public agency, or involves the issuance of an entitlement by a public agency (Public Resources Code, § 21065).

The project qualifies for a categorical exemption from environmental review pursuant to CEQA Guidelines section 15323. MCSP has been operating as an event facility since 1939, for almost 87 years. The facility has been designed and operated as a special events facility; this project will memorialize the existing operations that have been occurring at the facility and are operations for which the facility was designed. Further, this project will ensure that limitations are placed on future concerts and that the facility does not expand its future operations. The facility will continue to operate in compliance with all of Monterey County Code regulations and has been conditioned to ensure facility operations do not alter the "activity that has been occurring for the last three years". Therefore, the project consists of the normal operations of existing facilities for public gatherings for which the facilities have been designed, and the facilities have a history of being used for a similar purpose.

Prepared by: Taylor Price, Senior Planner, (831) 784-2179
Reviewed by: Fionna Jensen, Principal Planner
Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with HCD:
Exhibit A - Draft Resolution, including:

- Conditions of Approval
- Project Plans
- Operations Plan
- Incident Action Plan

Exhibit B - County of Monterey Zoning Administrator Letter Dated 1992
Exhibit C - Traffic Analysis Report
Exhibit D - Vicinity Map
Exhibit E - Historic Events 2017-2024
Exhibit F - Applicant Comment Letter from June 10, 2026 Planning Commission

cc: Front Counter Copy; HCD-Engineering Services; Environmental Health Bureau; HCD-Environmental Services; Monterey County Sheriff's Office; Monterey County Regional Fire Protection District; Fionna Jensen, Principal Planner; Taylor Price, Senior Planner; Mike Horsley, Applicant; Dale Ellis, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Lozeau Drury LLP; Chrstina McGinnis, Keep Big Sur Wild; Holger Kappler, Herman Campos, Interested Parties; Project File PLN220125.