



Monterey County Zoning Administrator

Agenda Item No. 3

Legistar File Number: ZA 19-085

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Current Status: Agenda Ready

Matter Type: ZA

PLN180281 CVR HSGE LLC (CARMEL VALLEY RANCH)

Public hearing to consider the after the fact approval of construction of a 20-horse stalls, hay barn and gate entryway.

Project Location: One Old Ranch Road, Carmel Valley

Proposed CEQA action: Categorically Exempt per Section 15303 of the CEQA Guidelines.

RECOMMENDATION:

It is recommended that the Zoning Administrator adopt a resolution to:

- 1) Find that the project is for construction of new accessory structures which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303(e) of the CEQA Guidelines and there are no exceptions pursuant to Section 15300.2; and
- 2) Approve an after the fact Design Approval for the construction of 20-horse stalls measuring 12' x 30' each, with 120' x 40' shade structure; 648 square foot hay barn; and a gate entryway for non-commercial use which will clear Code Enforcement violation (18CE00047).

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit C**).

PROJECT INFORMATION:

Agent: Cody Phillips/Anthony Lombardo & Associates

Project Owner: CVR HSGE, LLC

APNs: 416-522-020-000

Zoning: Land Reserve

Parcel Size: 218 Acres

Plan Area: Carmel Valley Master Plan, Carmel Valley Ranch Specific Plan

Flagged and Staked: No

SUMMARY:

The application is for an after the fact permit for construction of 20-stall horse stable measuring 12' x 30' each, with 120' x 40' shade structure; 648 square foot hay barn; and gate entry way. The area of development is located within the Carmel Valley Ranch, approximately 0.75 mile south from Carmel Valley Road. Granting the permit will clear an existing Code Enforcement violation (18CE00047). The Design Approval application was scheduled to be administratively approved on August 27, 2018. However, approval of the application has been referred to the Zoning Administrator by Planning Staff due to public controversy surrounding the proposed development pursuant to Section 21.44.060.C of the Monterey County Zoning Ordinance (Title 21).

The owner has an approved Vesting Tentative Map (PLN020280) for twelve residential lots ranging in size from approximately 6.8 acres to 16.9 acres that is due to expire March 10, 2019. Currently, there is an extension request in place. The members of the public and interested party have expressed concerns that no development shall take place until the conditions of approval are met from this Vesting Tentative Map.

The zoning for this parcel is Open Space, with Design Control and Site Plan Review overlay districts or “O-D-S” pursuant to Sectional District Maps 17d and 107. The Carmel Valley Ranch Specific Plan, amended by the Board of Supervisors, identifies the project site as “Land Reserve”. If the final map is recorded, then upon the recordation of the final map (PLN020280), the zoning will change to “LDR/B-6-D-S” zoning classification (MCC Chapter 21.14 Low Density Residential with MCC Chapter 21.42 Building Site, MCC Chapter 21.44 Design & MCC Chapter 21.45 Site overlays). (Ord. no. 04234.)

Pursuant to Chapter 21.38.030 of the MCC, the O district for “Uses allowed”, buildings accessory to any allowed uses and other uses of a similar character, density and intensity to those listed in this Section are allowed. Since the horse stalls and barn are used in conjunction with the equine recreational use of Carmel Valley Ranch, it is and allowed use subject to a Design Approval.

Furthermore, the construction of the horse stalls and hay barn are accessory structures which are subordinate to the approved and established equine recreational use provided for the Carmel Valley Ranch Specific Plan. These structures merely accommodate the horses from the facility and are not accessible or open to the general public for boarding. In addition, the Specific Plan addresses recreational areas for the guests of the Carmel Valley Ranch along with recreational uses by providing horseback riding, riding trails and bridal baths. Therefore, these structures are compatible to the use described in the Carmel Valley Specific Plan.

Conditions of project approval have been applied to the project to ensure the structures are not open to the general public for boarding and/or for any other public uses and to comply with the new zoning regulations if and when the Final Map associated with the Vesting Tentative Map (Board of Supervisors’ Resolution No. 04-258 (Monterey County Planning File No. PLN02080)) is recorded.

A more detailed discussion is attached as **Exhibit B**.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines Section 15303(a) categorically exempts new accessory structures appurtenant to an established use which qualifies as a Class 3 Categorical Exemption. The proposed project involves the construction of a 20 horse stalls measuring 12' x 30' each, with 120' x 40' shade structure; 648 square foot hay barn; and 21' entryway are appurtenant to the equine recreational use established in the Carmel Valley Specific Plan. Grading of the site did not cause any environmental impacts; as confirmed by the geotechnical report prepared by Grice Engineering, dated March 2018. The proposed development is consistent with the parameters of this Class 3 exemption. No evidence of significant adverse environmental effects were identified during staff review of the development application.

LUAC REVIEW

The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review on January 22, 2019. After discussion of the project, the LUAC initially made a motion to approve the design of the structures and the motion was seconded. However, after discussion of the motion, the second was withdrawn and the motion failed. Ultimately, the LUAC approved a motion to not make a recommendation on the project as it was their opinion that use associated with the accessory structures, equine recreation, is not permitted. In addition, the LUAC had concerns with establishing structures in an area where lots have been approved by a Tentative Vesting Map (PLN020280) but not yet created by the filing of a Final Map.

Prepared by: Son Pham-Gallardo, Associate Planner, x5226
Reviewed by: Brandon Swanson, Interim RMA Chief of Planning
Approved by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and Community Development

The following attachments are on file with the RMA:

- Exhibit A Project Data Sheet
- Exhibit B Project Discussion
- Exhibit C Resolution
 - Exhibit C1 Site Plan, Floor Plans, and Elevations
 - Exhibit C2 Condition of Compliance
- Exhibit D Vicinity Map
- Exhibit E Carmel Valley Ranch Specific Plan
- Exhibit F Opposition Letters
- Exhibit G Geotechnical Report
- Exhibit H Vesting Tentative Map Approval (PLN150751)
- Exhibit I Monterey County Zoning Plan

cc: Front Counter Copy; Zoning Administrator; Brandon Swanson, RMA Services Manager; CVR HSGE, LLC, Property Owner; Cody Phillips, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Interested Party List in Accela (Michael Weaver, Richard Rosenthal, Eric Sand and Carmel Valley Association); Project Files PLN180281