Introduced: 4/3/2026 **Current Status:** Agenda Ready

Version: 1 **Matter Type:** Zoning Administrator

PLN250272 - CALIFORNIA-AMERICAN WATER CO

Public hearing to consider the construction of two backwash waste tanks with a capacity of 195,000 gallons each that would exceed the allowable height (15 feet) by 11.15 feet and be within the Carmel Valley floodplain.

Project Location: 9210 Carmel Valley Rd, Carmel Valley, Carmel Valley Master Plan

Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to Section 15300.2.

RECOMMENDATION:

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

a. Find the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA guidelines section 15303, and that there are no exceptions pursuant to Section 15300.2; and
b. Approve a Combined Development Permit consisting of; 1) Design Approval for the construction of two backwash waste tanks with a capacity of 195,000 gallons each; 2) Use Permit to exceed the allowable height of 15 feet by 11.5 feet (26.5 feet in height); and 3) Use Permit to allow development in the Carmel Valley floodplain.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 6 conditions of approval.

PROJECT INFORMATION:

Agent: Conor O'Toole
Property Owner: California-American Water Company
APN: 169-141-016-000 and 169-141-023-000
Parcel Size: 3.65 acres
Zoning: Low Density Residential with a density of 1 acre per unit, Design Control overlay, Site Plan overlay, and a Residential Allocation overlay or "LDR/1-D-S-RAZ"
Plan Area: Carmel Valley Master Plan
Flagged and Staked: Yes
Planner: Jade Mason, Assistant Planner
masonj@countyofmonterey.gov, (831)755-3759

SUMMARY/DISCUSSION:

The subject property is located at 9210 Carmel Valley Road, within the Carmel Valley Master Plan. The property is a previously developed paved site that is fenced in and used in connection with California-American Water Company's (Cal-Am) existing water treatment operations, known as the

Begonia Iron Removal Plant, and is surrounded by residences on all sides. This project was set forth by the State of California, Division of Drinking Water, to comply with California Code of Regulations of Title 22, Section 64585.

The proposed project would backfill in existing Backwash Waste Pond No. 3 and install two 26.5-foot tall by 44.5-foot diameter backwash tanks with a total storage capacity of 390,000-gallons (195,000 gallons each) in the same location as the existing pond. In addition, existing Backwash Waste Pond No.1 would also be backfilled, and a single Sludge Fluidization and Transfer System (sludge system or SFAT) consisting of a 20,000-gallon concrete sludge holding tank would be installed to serve both backwash tanks. Backfilled Pond No. 1 would serve as an additional parking area and to extend the road for semi-trucks. The proposed water tanks and accessory equipment are accessory to the property's main use (office building/water system). Accordingly, pursuant to Title 21 section 21.14.030.J, the proposed development is principally allowed uses for this zoning district, subject to the granting of a Design Approval. Pursuant to Title 21 section 21.62.020.B, water tanks may be erected to a greater height than the limit established for the district, subject to securing a Use Permit in each case. Finally, the project site is within the Carmel Valley Floodplain and thus requires a Use Permit, pursuant to Title 21 section 21.64.130.D.1.a.

Based on staff analysis, the proposed project is consistent with all rules and regulations pertaining to zoning uses and any other applicable provisions of the 2010 Monterey County General Plan, Carmel Valley Master Plan (CVMP), and Zoning Ordinance (Title 21).

Design Review & Site Development Standards
The proposed development is subject to the regulations of the Design Control "D" zoning district outlined in Title 21 section 21.44.060, which establishes design review requirements to assure protection of the public viewshed and neighborhood character. Carmel Valley Master Plan Policy CV-1.1 indicates that all policies and ordinances and decisions regarding Carmel Valley shall be consistent with the goal of preserving the rural character of the Valley, and development shall follow a rural architectural theme with design review. As designed, the proposed tanks would be a forest green color, blending with the surrounding vegetated environment and background Carmel Valley hills. Consistent with Carmel Valley Master Plan Policy CV-1.20, the exterior finishes of the tanks would be compatible with the surrounding environment and maintain an appropriate bulk and mass. Staff conducted a site visit on February 5, 2026 to determine whether the project would be visible from any common public viewing area, including Carmel Valley Road and Laureles Grade. The water tanks' staking and flagging were not visible from Carmel Valley Road or any other public viewshed due to intervening mature vegetation and development, along with the topography of the land. Therefore, the project, as designed and sited, assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity.

The proposed development includes the construction of two 195,000-gallon backwash waste tanks, totaling 390,000 gallons of backwash capacity, in the location of backwash waste pond no. 3, which will be backfilled. The development would also include a sludge system and a sludge holding tank to serve the backwash tanks. Existing backwash waste pond no.1 would be backfilled and serve as a parking area and extend the road for semi-trucks.

This development is within the LDR zoning, which states that non-habitable accessory structures, such as water tanks, must have a minimum setbacks of 50 feet from the front, 6 feet from the side, 6 feet from the rear, and a maximum 15-foot height. As proposed, the tanks would comply with these setbacks and would be 26.5 feet in height. Although this exceeds the maximum height allowed for LDR zoning, Title 21 section 21.62.030.B allows for towers, poles, water tanks, and similar structures to be erected to a greater height than the limit established by the zoning district, subject to a Use Permit. The increase in maximum height would allow the tanks to be sited entirely within the existing backwash pond area, thereby limiting additional ground disturbance. The proposed height (26.5 feet) is lower than the allowable height for main structures (30 feet) and will not be visible from public roads. Therefore, staff believes it is appropriate to allow the water tanks to exceed the 15-foot height limit by 11.5 feet.

Floodplain

Title 21 section 21.64.130 establishes the regulations applicable to land use in the Carmel Valley Floodplain. A Slope Map and Stream Setback Plan was completed by Valentine Environmental Engineers on November 5, 2025, and determined that the project site takes place within the Carmel Valley River's 100-year floodplain. As indicated in the attached project plans (**Exhibit A.2**), the proposed tanks and associated site improvements are within the floodway fringe. Accordingly, the project includes a Use permit to allow development within the floodway fringe/floodplain, pursuant to Title 21 section 21.64.130. The proposed development consists of the installation of above-ground water storage tanks and associated water infrastructure, consistent with existing operations of the proposed project site. A Slope Map and Stream Setback Plan (**Exhibit E**) was completed by Valentine Environmental Engineers on November 5, 2025, and determined that the project site takes place within the Carmel Valley River's 100-year floodplain, but is in excess of 200 feet from the Carmel River top of bank. Pursuant to Title 16 section 16.16.050.C, non-habitable structures must 1) be floodproofed and watertight, with exterior materials substantially impermeable to the passage of water to a minimum of one foot above the Base Flood Elevation (BFE); or 2) raised one foot above BFE; and 3) incorporate structural components capable of resisting hydrostatic and hydrodynamic loads, as well as buoyant forces, and be certified by a registered civil engineer or architect. The proposed design complies with Title 16, Section 16.16.050.C.3(a), as the proposed infrastructure (including tanks as well as the sludge fluidization and transfer (SFAT) vault) on site would be floodproofed so that the structures are watertight with walls substantially impermeable to the passage of water to a minimum of one (1) foot above the base flood elevation. Additionally, the project design includes structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. The proposed development would be safe from flow-related erosion and would not cause flow-related erosion hazards or otherwise aggravate flow-related erosion hazards. The proposed project has been designed so that all structures and utilities shall be located and constructed so as to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into the flood waters. The nearby riparian habitat would not be impacted, the natural course of the river would not be altered by the proposed development, and there would be no alteration to the existing riparian vegetation.

Cultural Resources

According to County GIS records, the subject property is within a high archaeological sensitivity area and within 250 feet of a known archaeological resource. Pursuant to Title 21 section 21.66.050.C.2, a

report was not required as the proposed development is located within a previously disturbed area where substantial evidence is provided that the previous ground disturbance affected depths equal to or greater than the project being considered, and the development involves minimal soil disturbance. Condition No. 3 has been added to ensure that if an archaeological resource is found, work shall be halted immediately until a qualified professional archaeologist can evaluate it.

CEQA:
California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempts the installation of small new equipment and facilities. As proposed, the project involves the installation of two 26.5-foot-tall backwash tanks, a sludge system including a sludge holding tank, and a paved road. No exceptions pursuant to Section 15300.2 apply.

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

LAND USE ADVISORY COMMITTEE:
The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review, on March 16th, 2026. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did warrant referral to the LUAC because the project involves a Design Approval subject to review by the Zoning Administrator. Although the attached LUAC minutes do not reflect any discussion or vote, staff attended the March 16th meeting and can confirm that the LUAC voted 5-0 to support the project as proposed.

Prepared by: Jade Mason, Assistant Planner
Reviewed and Approved by: Fionna Jensen, Principal Planner

Attachments:
Exhibit A - Draft Resolution including:
- Conditions of Approval
- Site Plans
Exhibit B - Vicinity Map
Exhibit C - LUAC minutes
Exhibit D - Staking and Flagging
Exhibit E - Floodplain Justification

cc: Front Counter Copy; Monterey County Regional Fire Protection District; HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau; Jade Mason, Project Planner; Fionna Jensen, Principal Planner; CalAm, Property Owner; Conor O'Toole, Agent; The Open Monterey Project (Molly Erickson); Christina McGinnis, Keep Big Sur Wild; LandWatch; Project File PLN220272