

**Before the Planning Commission in and for the
County of Monterey, State of California**

Resolution No. 05025

Resolution of the Monterey County)
Planning Commission recommending)
that the Board of Supervisors Amend)
(Figure 1; North Section) of the Big)
Sur Coast Land Use Plan; and)
Amend Section 21.08.060 of Title 20)
(zoning) of the Monterey County Code)
to apply the Watershed and Scenic)
Conservation, 40 acres per unit)
[WSC/40(CZ)] zoning to a 2.5-acre)
parcel west of Highway One, north of)
Garrapata Creek, and south of)
Garrapata State Beach boundary)
(APN: 243-212-016-000), Big Sur Area.)

An amendment to the Big Sur Coast Land Use Plan (Local Coastal Program) and Sheet 22 of the Monterey County Zoning Maps (Coastal Implementation Plan) to designate a 2.5-acre parcel west of Highway One, north of Garrapata Creek, and south of Garrapata State Beach boundary (APN: 243-212-016-000/Doud) came on for a public hearing before the Planning Commission on April 27, 2005. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission hereby make the following amendments with reference to the following facts:

RECITALS

1. Section 65300 et seq. of the California Government Code requires each county to adopt a comprehensive, long-term General Plan for the physical development of each county.
2. On September 30, 1982, the Board of Supervisors of the County of Monterey ("County") adopted a county-wide General Plan ("General Plan") pursuant to California Planning, Zoning and Development law.
3. Section 30500 of the Public Resources Code requires each County and City to prepare a Local Coastal Program (LCP) for that portion of the coastal zone within its jurisdiction.
4. On November 5, 1985, the Board of Supervisors adopted the Big Sur Coast Land Use Plan ("Land Use Plan") as part of the Local Coastal Program in the Coastal Zone pursuant the California Coastal Act. This separate mandate replaces policy

guidance for most policy topics found in the General Plan and is applied in the Coastal Zone. The primary policy topics of noise and housing (to include other minor Monterey County specific policies) are not addressed under the LCP-Coastal Act mandate although they are still applicable in the Coastal Zone under the jurisdiction of the General Plan – Planning Zoning and Development law mandate.

5. On April 9, 1986, the California Coastal Commission acknowledged certification of the Big Sur Coast Land Use Plan (“Land Use Plan”) as part of Monterey County’s Local Coastal Program.
6. On January 5, 1988, Monterey County adopted the Coastal Implementation Plan (CIP) of the LCP consistent with Section 30512.1 of the Public Resources Code.
7. Section 30514 of the Public Resources Code provides for amendments to adopted LCP’s.
8. On September 24, 1985 the Monterey County Board of Supervisors adopted procedures for amending the LCP-CIP.
9. On July 28, 2004, at the request of Mr. John Doud, the Monterey County Planning Commission initiated a change of land use designation from Outdoor Recreation (OR) to Watershed & Scenic Conservation (WSC) for a 2.5 acre parcel located west of Highway One, north of Garrapata Creek, and south of Garrapata State Beach boundary.
10. Figure 1 (North Section) of the “Land Use Plan”, in the Big SUR Coast Land Use Plan provides a graphic representation of the general distribution, location, extent and intensity of land uses and transportation routes in this planning area.
11. Section 20.08.060 of the Coastal Implementation Plan-Part 1 (CIP) references sectional district maps that show the Zoning Plan. Sheet 22 of the Monterey County Zoning Map Index provides a graphic representation of the zoning designations in this planning area.
12. Pursuant to Public Resources Code sections 30000 et seq., the County may amend the adopted Local Coastal Program provided the County follows certain procedures, including that the County Planning Commission hold a noticed public hearing and make a written recommendation to the Board of Supervisors on the proposed amendment of the Land Use Plan.
13. Pursuant to Government Code sections 65350 et seq., the County may amend the adopted General Plan provided the County follows certain procedures, including that the County Planning Commission hold a noticed public hearing and make a written recommendation to the Board of Supervisors on the proposed amendment of the General Plan. In this case staff finds that only the proposed land use

designation and zoning changes will occur under the jurisdiction of the Local Coastal Program – California Coastal Act mandate and that no changes will occur to General Plan policies or land use designations and that all changes are otherwise consistent with Monterey County General Plan.

14. The Big Sur Land Use Plan/Zone Change establishes new land use designations that are intended to replace the existing land use designations in the Land Use Plan and establishes zoning classifications consistent with proposed land use designations.
15. All policies of the General Plan and the Land Use Plan have been reviewed by the Planning and Building Inspection Department staff to ensure that the proposed amendments maintain the compatibility and internal consistency of the General Plan and the Land Use Plan. The Planning Commission finds that:
 - a. Designating the subject site as Outdoor Recreation (OR) was premised on the State Department of Parks and Recreation (State Parks) acquiring the property as part of Garrapata State Beach/Park.
 - b. Absent public ownership, the County would have designated the subject site as Watershed and Scenic Conservation (WSC) similar to other privately owned property in the Big Sur area.
 - c. Development must be consistent with the policies of the Big Sur Coast Land Use Plan.
16. An initial study has been prepared for the project analyzed the environmental impacts associated with the Land Use Plan and Zoning Map amendments. This study did not identify any significant environmental impacts and a Negative Declaration for the proposed amendment (PD040368/Doud) was filed on September 22, 2004.
17. On April 27, 2005, the Monterey County Planning Commission held a duly noticed public hearing to consider and make recommendations to the Board of Supervisors regarding adopting the Negative Declaration, the proposed Big Sur Land Use Plan amendment and proposed related amendments to the County's zoning ordinance. At least 10 days before the first public hearing date, notices of the hearing before the Planning Commission were published in both the Monterey County Herald and were also posted on and near the property and mailed to property owners within 300 feet of the subject property.
18. This amendment is intended to be carried out in a manner fully in conformity with the California Coastal Act (Public Resources Code Sections 30512, 30513, and 30519), which will require formal local government adoption after Coastal Commission approval.

DECISION

The Planning Commission of the County of Monterey, State of California, hereby adopts a Negative Declaration and intends to adopt the Amendment and Zoning Reclassification of a portion of the Big Sur Coast Land Use Plan from Outdoor Recreation to Watershed and Scenic Conservation and Rezoning from Open Space Recreation [OR(CZ)] to Watershed and Scenic Conservation, 1 unit per 40 acres [WSC/40(CZ)] for a 2.5 acre parcel located west of Highway One, north of Garrapata Creek, and south of Garrapata State Beach boundary (APN: 243-212-016-000/Doud) in the Big Sur Coast Land Use Plan and Coastal Implementation Plan (LCP) as shown on Exhibit "A".

DECISION

THEREFORE, it is the decision of said Planning Commission that said application be granted as shown on the attached sketch, subject to the attached conditions.

PASSED AND ADOPTED this 8th day of June, 2005 by the following vote:

AYES:	Errea, Parsons, Hawkins, Padilla, Sanchez, Salazar, Rochester, Wilmot
NOES:	Diehl, Vandever
ABSTAIN:	None
ABSENT:	None

DALE ELLIS, SECRETARY

Copy of this decision mailed to the applicant on