

ORDINANCE TO AMEND COUNTY CODE

ORDINANCE NO. 5203

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SECTION 20.08.060 OF TITLE 20 (MONTEREY COUNTY COASTAL IMPLEMENTATION PLAN) 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 20-22 of the Zoning Maps of the Monterey County Coastal Implementation Plan (Title 20 of the Monterey County Code) to rezone a 598.41 acre parcel from the "WSC/40 (CZ)" and "WSC/80 (CZ)" [Watershed and Scenic Conservation, 40 acres per unit and 80 acres per unit, Coastal Zone] and "WSC/40 SpTr (CZ)" and "WSC/80 SpTr (CZ)" [Watershed and Scenic Conservation, 40 acres per unit and 80 acres per unit, Special Treatment Overlay, Coastal Zone] zoning classifications to the "WSC/199.47 (CZ)" [Watershed and Scenic Conservation, 199.47 acres per unit, Coastal Zone] zoning classification and to rezone a 11.46 acre parcel from the "WSC/40 SpTr (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Special Treatment Overlay, Coastal Zone] zoning classification to the "WSC/11.46 (CZ)" [Watershed and Scenic Conservation, 11.46 acres per unit, Coastal Zone] zoning classification. The parcels are located respectively at 200 Crest Road and 30 Mentone Drive, Carmel Highlands, Carmel Area Land Use Plan area, Coastal Zone.

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. ZONING DISTRICT MAP. Section 20-22 of the Sectional District Maps of Section 20.08.060 of the Monterey County Code is hereby amended to change the zoning of a 598.41 acre parcel located at 200 Crest Road, Carmel, (APNs 241-221-012-000 and 243-201-012-000) from the "WSC/40 (CZ)" and "WSC/80 (CZ)" [Watershed and Scenic Conservation, 40 acres per unit and 80 acres per unit, Coastal Zone] and "WSC/40 SpTr (CZ)" and "WSC/80 SpTr (CZ)" [Watershed and Scenic Conservation, 40 acres per unit and 80 acres per unit, Special Treatment Overlay, Coastal Zone] zoning classifications to the "WSC/199.47 (CZ)" [Watershed and Scenic Conservation, 199.47 acres per unit, Coastal Zone] zoning classification and to change the zoning of an approximately 11.46 acre parcel located at 30 Mentone Drive, Carmel, (APN 243-201-013-000) from the "WSC/40 SpTr (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Special Treatment Overlay, Coastal Zone] zoning classification to the "WSC/11.46 (CZ)" [Watershed and Scenic Conservation, 11.46 acres per unit, Coastal Zone] zoning classification as shown on the map attached hereto as Exhibit 1 and incorporated herein by reference.

SECTION 2. FINDINGS. On February 8, 1996, the Monterey County Minor Subdivision Committee approved a Coastal Development Permit (Resolution No. 96007) for a lot line adjustment between two parcels: adjusting Parcel 1 from 450.1 acres to 598.68 acres and adjusting Parcel 2 from 160.27 acres to 11.69 acres. Condition No. 4 in Resolution No. 96007

adjusting Parcel 2 from 160.27 acres to 11.69 acres. Condition No. 4 in Resolution No. 96007 required the applicant, Daniel Keig, to request a rezoning of Parcel 1 to the "WSC/199 (CZ)" [Watershed and Scenic Conservation, 199 acres per unit, Coastal Zone] zoning classification and a rezoning of Parcel 2 to the "WSC/11.69 (CZ)" [Watershed and Scenic Conservation, 11.69 acres per unit, Coastal Zone] zoning classification in order to limit the maximum density of development on Parcel 1 to three dwelling units and Parcel 2 to one dwelling unit pursuant to the slope density analysis contained in the *Wildcat Mountain Ranch Management Plan*, approved by Monterey County and the California Coastal Commission in 1991.

On June 26, 2003, the Monterey County Minor Subdivision Committee approved a Coastal Development Permit (Resolution No. 03009) for a lot line adjustment between two parcels: adjusting Parcel 1 from 598.91 acres to 598.26 acres and adjusting an adjoining parcel (not the same parcel in the 1996 lot line adjustment) from 1 acre to 1.65 acres. Because the rezoning was never completed after the 1996 lot line adjustment, Condition No. 5 in Minor Subdivision Committee Resolution 03009 required the applicant, Daniel J. Keig Trust, to request a rezoning of Parcel 1 to the "WSC/199.67 (CZ)" (598.91 acres ÷ 3 dwelling units = 199.67 acres per unit) [Watershed and Scenic Conservation, 199.67 acres per unit, Coastal Zone] zoning classification.

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.

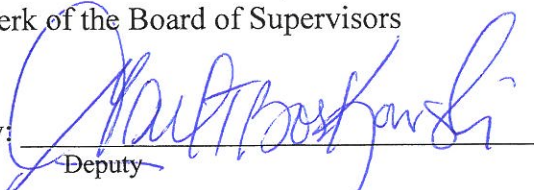
SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective on the 31st day following its adoption or the day certification by the California Coastal Commission becomes final and effective, whichever occurs later.

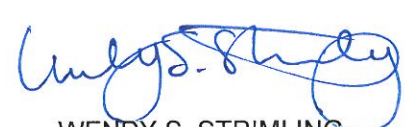
PASSED AND ADOPTED on this 10th day of July, 2012 by the following vote:

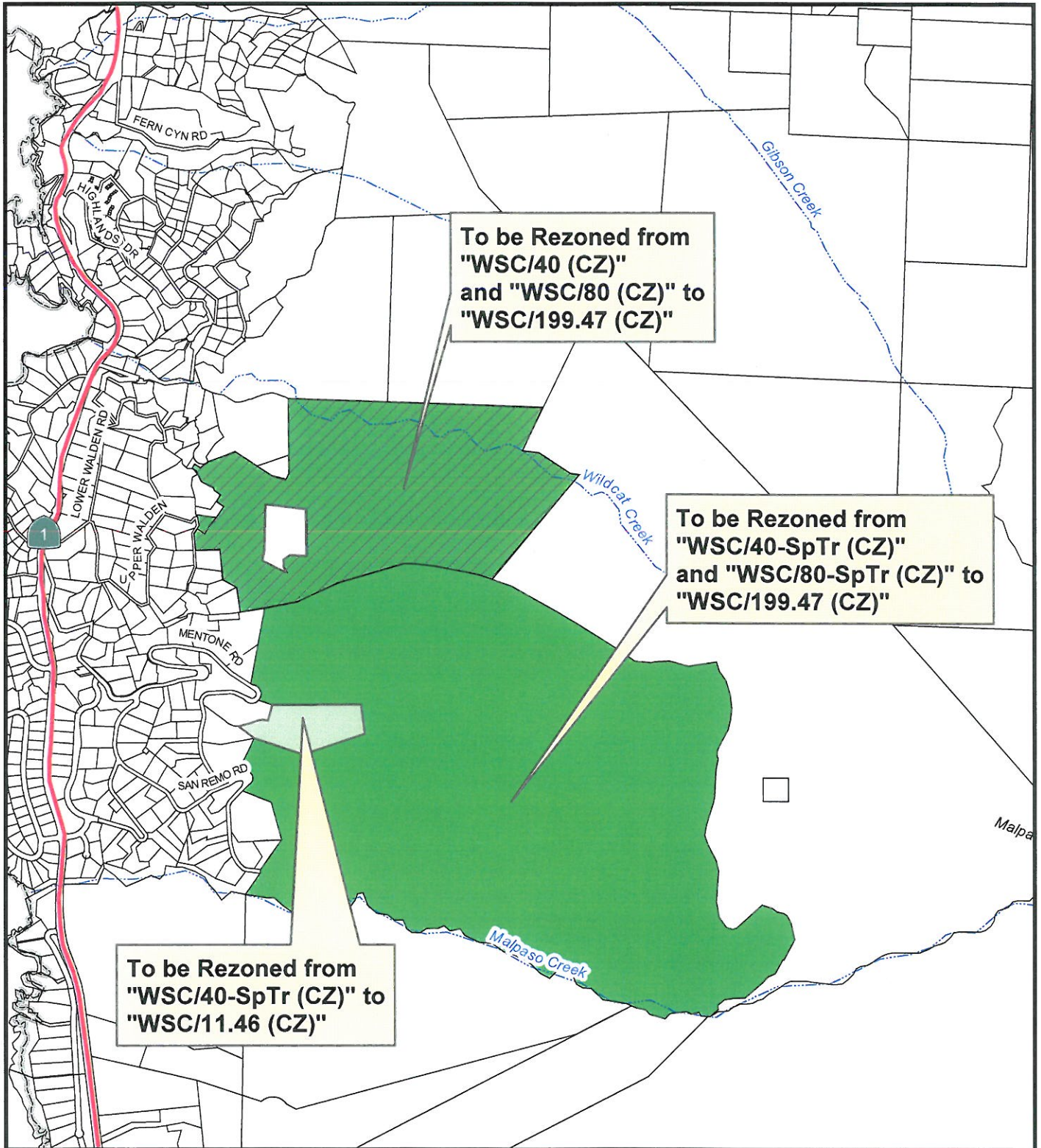
AYES: Supervisors Armenta, Calcagno, Salinas and Parker
NOES: None
ABSENT: Supervisor Potter
ABSTAIN: None


Chair, Monterey County Board of Supervisors

A T T E S T:
GAIL T. BORKOWSKI,
Clerk of the Board of Supervisors

By: 
Deputy

APPROVED AS TO FORM

WENDY S. STRIMLING
Senior Deputy County Counsel



REZONING OF SECTION 20-22

APN: 241-221-012-000, 243-201-012-000, 243-201-013-000

FILE # PLN110318, KEIG

