

Exhibit B

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**EXHIBIT B
DRAFT RESOLUTION**

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

In the matter of the application of:

COLLINS (PLN130339)

RESOLUTION NO. ----

Resolution by the Monterey County Planning
Commission:

- 1) Continuing the hearing to a date uncertain on the Combined Development Permit, consisting of:
 - a. Coastal Administrative Permit and Design Approval to allow construction of a 2,397 square foot two-story single family dwelling with a 409 square foot attached garage and 143 square foot mechanical room;
 - b. Coastal Administrative Permit to establish a domestic well;
 - c. Coastal Development Permit to allow the removal of one 14-inch and one 18-inch Monterey pine tree;
 - d. Coastal Development Permit to allow development within 100-feet of an environmentally sensitive area;
 - e. Coastal Development Permit to allow development on slopes in excess of 30%.

[PLN130339, James G & Sook Collins, 83 Mount Devon Road, Carmel, Carmel Area Land Use Plan (APN: 241-021-007-000)]

WHEREAS, on August 20, 2014, James G and Sook Collins, hereinafter referred to as the “Applicant,” made an application for the rezone of a portion of the subject property from Resource Conservation, Coastal Zone [RC(CZ)] to Watershed and Scenic Conservation, Special Treatment, Coastal Zone [WSC/SpTr(CZ)], hereafter referred to as “Rezone,” and for a Combined Development Permit consisting of a Coastal Administrative Permit and Design Approval to allow construction of a 2,397 square foot two-story single family dwelling with a 409 square foot attached garage and 143 square foot mechanical room; a Coastal Administrative Permit to establish a domestic well; a Coastal Development Permit to allow the removal of one 14-inch and one 18-inch Monterey pine tree; a Coastal Development Permit to allow development within 100-feet of an environmentally sensitive area; and a Coastal Development

Permit to allow development on slopes in excess of 30%, hereinafter referred to as “Combined Development Permit;”

WHEREAS, on October 30, 2015, the Collins application (PLN130339) for the Rezone and Combined Development Permit was deemed complete;

WHEREAS, from March 29, 2017 through April 28, 2017, the draft Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the Rezone and Combined Development was circulated for public review (SCH#: 2017031068). The IS/MND identified potential impacts to cultural, tribal, scenic, and biological resources as well as land use and planning. Mitigation measures were identified to reduce these impacts to a less than significant level;

WHEREAS, on August 30, 2017, the Planning Commission held a duly noticed public hearing to consider adopting a Mitigated Negative Declaration; recommending the Board of Supervisors adopt a Local Coastal Program Amendment to rezone the property from the Resource Conservation, Coastal Zone [“RC(CZ)”] zoning classification to the Watershed and Scenic Conservation, Special Treatment, Coastal Zone [“WSC/SpTr(CZ)”] zoning classification; approving the Combined Development Permit, subject to approval of the rezone, consisting of a Coastal Administrative Permit and Design Approval to allow construction of a 2,397 square foot two-story single family dwelling with a 409 square foot attached garage and 143 square foot mechanical room; a Coastal Administrative Permit to establish a domestic well; a Coastal Development Permit to allow the removal of one 14-inch and one 18-inch Monterey pine tree; a Coastal Development Permit to allow development within 100-feet of an environmentally sensitive area; and a Coastal Development Permit to allow development on slopes in excess of 30%; and adopting a Mitigation Monitoring and Reporting Program.

WHEREAS, on August 30, 2017, the Planning Commission adopted a motion of intent to recommend that the Board of Supervisors not adopt the Mitigated Declaration and not adopt the rezone, adopted a motion of intent to continue the hearing on the Combined Development until a final determination on the rezone had been made; and continued the hearing until September 27, 2017 for staff to return with resolutions based on these motions;

WHEREAS, by separate action concurrent herewith, the Planning Commission adopted a resolution to recommend that the Board of Supervisors not adopt the Mitigated Negative Declaration and not adopt the ordinance rezoning the property;

WHEREAS, the Combined Development Permit is contingent on the rezoning because the Combined Development Permit is not consistent with the current Resource Conservation, Coastal Zone [“RC(CZ)”] zoning classification, which does not allow development of a residential structure on the property;

WHEREAS, the rezoning would require adoption by the Board of Supervisors and certification by the California Coastal Commission, so action on the Combined Development Permit should be postponed until a final determination has been made on the rezone request; and

WHEREAS, the Commission need not take an action under CEQA to continue the hearing on the Combined Development Permit.

DECISION

NOW, THEREFORE, be it resolved, based on the written and documentary evidence, the staff report, oral testimony, and the administrative record as a whole, that the Planning Commission does hereby:

- 1) Continue the hearing to a date uncertain on the Combined Development Permit, consisting of:
 - a. Coastal Administrative Permit and Design Approval to allow construction of a 2,397 square foot two-story single family dwelling with a 409 square foot attached garage and 143 square foot mechanical room;
 - b. Coastal Administrative Permit to establish a domestic well;
 - c. Coastal Development Permit to allow the removal of one 14-inch and one 18-inch Monterey pine tree;
 - d. Coastal Development Permit to allow development within 100-feet of an environmentally sensitive area;
 - e. Coastal Development Permit to allow development on slopes in excess of 30%.

PASSED AND ADOPTED this 27th day of September, 2017 upon motion of **xxxx**, seconded by **xxxx**, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jacqueline R. Onciano, Planning Commission Secretary

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