

**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. 17-038**

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.

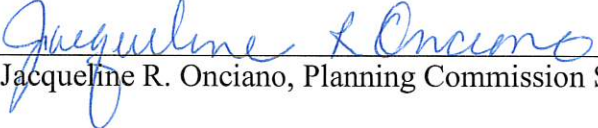
## **DECISION**

**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 Vandever, seconded Diehl, by the following vote:

AYES: Diehl, Duflock, Getzelman, Hert, Mendez, Vandever  
NOES: None  
ABSENT: None  
ABSTAIN: Ambriz, Padilla, Roberts, Rochester

  
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Jacqueline R. Onciano, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO THE APPLICANT ON OCT 02 .2017