

ORDINANCE NO. 5421

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, AMENDING SECTIONAL DISTRICT MAP 48 OF SECTION 20.08.060 OF THE MONTEREY COUNTY CODE TO AMEND THE ZONING CLASSIFICATION OF A CERTAIN PROPERTY IN THE COUNTY OF MONTEREY

County Counsel Summary

This ordinance amends Section 48 of the Sectional District Maps of Section 20.08.060 of Title 20 (Monterey County Coastal Implementation Plan) of the Monterey County Code to reclassify a 5.71 acre parcel located directly east of Highway 1 on Partington Ridge Road, respectively, from Rural Density Residential, 40 Acres to a unit, with a Design Control Overlay (Coastal Zone) [RDR/40-D(CZ)] to Rural Density Residential, 40 Acres to a unit, with a Design Control and Historic Resources District Overlay (Coastal Zone)[RDR/40-D-HR(CZ)]. The Property is located at 51410 Partington Ridge Road, Big Sur (Assessor's Parcel Number 420-221-011-000), Big Sur Coast Land Use Plan, Coastal Zone.

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

SECTION 1. FINDINGS AND DECLARATIONS.

A. Pursuant to Article XI, section 7 of the California Constitution, the County of Monterey may adopt and enforce ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens.

B. The Monterey County Zoning Administrator approved a Combined Development permit for a parcel located on 51410 Partington Ridge Road, Big Sur (Resolution 22-003). The proposed project has three primary components: remodel of an existing historic home; construction of a new detached garage and workshop; and construction of a new onsite wastewater treatment system to serve both the home and workshop.

C. Condition No. 11 in Resolution No. 22-003 requires the owner request the parcel be rezoned combining the Historic Resources ("HR") District with the parcel's existing zoning before the issuing a building or grading permit.

D. In accordance with the requirements of the Big Sur Coastal Implementation Plan Section 20.145.110(C)(4), Condition No. 11 in Resolution No. 22-003 requires the owner request the parcel be rezoned combining the Historic Resources ("HR") District with the parcel's existing zoning in order to protect, maintain, enhance, and restore Big Sur Coast cultural resources.

E. State law provides a categorical exemption Class 31 from the California Environmental Quality Act ("CEQA") for preservation of historical resources. CEQA Guidelines Section 15331. This ordinance reclassifies zoning to create a historical resources district overlay.

F. Certification by the California Coastal Commission is not required. Monterey County Coastal Implementation Plan Section 20.94.042 states that zoning designation reclassifications constituting an amendment to Title 20 and initiated for the purpose of preserving or enhancing the coastal resources including adding any "B", "A", "HR", "Z" overlay zoning designations shall not require certification by the Coastal Commission.

SECTION 2. ZONING DISTRICT MAP. Section 48 of the Sectional District Maps of Section 20.08.060 of the Monterey County Code is hereby amended to reclassify a 5.71 acre parcel located directly east of Highway 1 on Partington Ridge Road, respectively, from Rural Density Residential, 40 Acres to a unit, with a Design Control Overlay (Coastal Zone) [RDR/40-D(CZ)] to Rural Density Residential, 40 Acres to a unit, with a Design Control and Historic Resources District Overlay (Coastal Zone)[RDR/40-D-HR(CZ)]. The map attached hereto as Exhibit 1 is incorporated herein by reference.

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 whether any one or more sections, subsections, sentences, clauses, or phrases is declared invalid.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective on the thirty-first day after its adoption.

PASSED AND ADOPTED on this 9th day of July 2024 by the following vote:

AYES Supervisors Church, Lopez, Root Askew, and Adams

NOES None

ABSENT Supervisor Alejo

ASTAIN None

Motion Passed 4 to 0



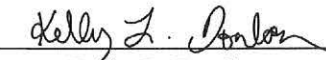
Glenn Church, Chair
Monterey County Board of Supervisors

A T T E S T:

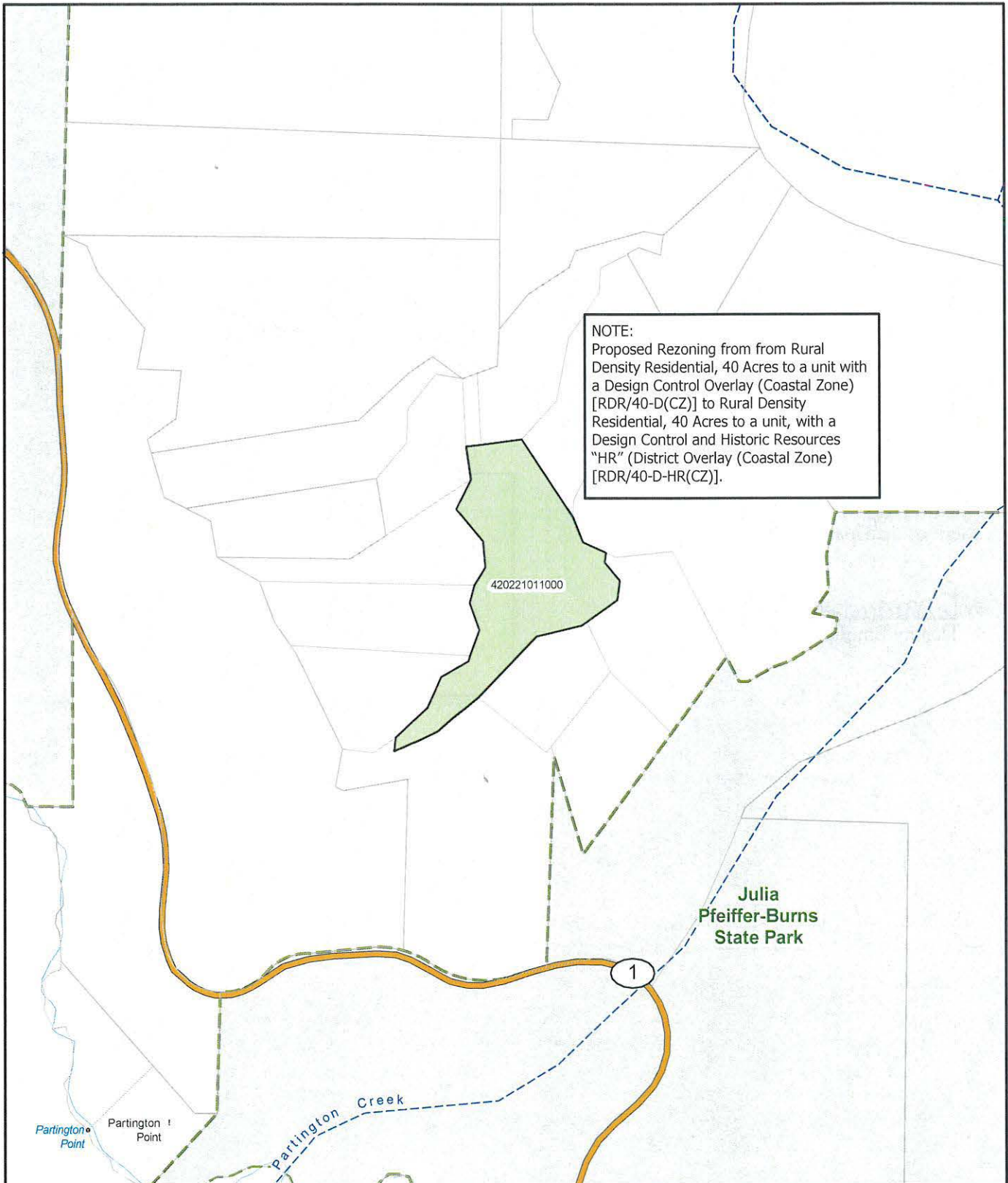
Valerie Ralph
Clerk of the Board of Supervisors

By: 
Deputy Emmanuel H. Santos

APPROVED AS TO FORM BY:



Kelly L. Donlon
Assistant County Counsel



Vicinity Map: 420-221-011-000 Rezone
 Proposed Rezoning of Sectional District Map 48



Project Parcel



Feet

