

**MINOR SUBDIVISION COMMITTEE
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 01002

MINOR SUBDIVISION NO. 990500

A.P. # 173-071-055-000

In the matter of the application of
Bishop, McIntosh & McIntosh (990500)

FINDINGS & DECISION

For modification of the Scenic Easement requirement (Condition No. 31) of approved Tentative Parcel Map; the approved Tentative Parcel Map permits division of a 29.8-acre parcel into 4 residential parcels of 2.0 acres, 2.1 acres, 2.5 acres and 3.9 acres each, a utilities parcel of 3.33 acres, and a remainder parcel of 16.5 acres; located north of York Road, south of South Boundary Road, Laguna Seca area, Greater Monterey Peninsula Planning Area, came on regularly for meeting before the Minor Subdivision Committee on February 8, 2001.

Said Minor Subdivision Committee having considered the application and the evidence presented relating thereto,

Approved Finding and Evidence No. 3 is amended to read as follows:

3. **FINDING:** The site of the proposed project is physically suitable for the type and density of the development proposed.
- EVIDENCE:** The property provides for adequate building sites as evidenced by the application material submitted for the site. The project is in a "Moderately High" geologic hazards zone as shown on the resource maps on file at the Monterey County Planning and Building Inspection Department. The Soils Report prepared for the site states that cut slopes must be properly planted. Any development on the proposed residential lots will require further discretionary review under Title 21 (Zoning) of the Monterey County Code, and development will be required to conform to the Monterey County Grading and Erosion Control Ordinances. Condition 31 requires establishment of an area of disturbance of no greater than one acre on each of the four residential lots on the final Parcel Map. The purpose of this required minimum area of disturbance is to protect the manzanita located on each of the four residential lots. It requires that the remainder of each residential lot, ~~and the entire remainder parcel,~~ be placed in a Scenic Easement.

Approved Condition No. 31 is amended to read as follows:

31. A Notice shall be recorded with the Monterey County Recorder which states: "The applicant and/or developer shall avoid, as much as possible, disturbance of the manzanita on each of the four residential parcels, consistent with Subsection D of Section 21.66.020 of Title 21 (Zoning) of the Monterey County Code. In no case shall the area of disturbance exceed one acre on each parcel." A Scenic Easement Deed shall be recorded for the remainder of each residential lot, ~~and~~

~~the entire remainder parcel.~~ The Notice and Scenic Easement Deed shall be submitted to and approved by the Director of Planning and Building Inspection prior to filing the parcel map.

PASSED AND ADOPTED this 8th day of February, 2001 by the following vote:

AYES: McPharlin, Hawkins, Main, LeMoine, Cabaluna, Naslund

NOES: None

ABSENT: None


JEFF MAIN, SECRETARY

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON **MAR - 2 2001**

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **MAR 12 2001**

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.