

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: January 24, 2012	CONSENT	AGENDA NO:
SUBJECT:		
a. Accept the Amended Conservation and Scenic Easement Deed for the Hartnett property; b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed; c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation. (Conservation and Scenic Easement Deed-PLN080046/Hartnett, 164 Corona Road, Carmel Area Land Use Plan, Coastal Zone)		
Project Location: 164 Corona Road, Carmel	APN: 241-221-011-000	
Planning Number: PLN080046	Name: Hartnett	
Plan Area: Carmel Area Land Use Plan	Flagged and Staked: Yes	
Zoning Designation: "WSC/40 (CZ)" and "WSC/80 (CZ)" [Watershed and Scenic Conservation/40 acres per unit] and [Watershed and Scenic Conservation/80 acres per unit] in the Coastal Zone		
CEQA Action: Exempt per CEQA Guidelines Section 15317		
DEPARTMENT: RMA – Planning Department		

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Accept the Amended Conservation and Scenic Easement Deed for the Hartnett property;
- b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed;
- c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation.

SUMMARY:

The applicant proposes to construct a 6,058 square foot, two-story single family dwelling with a 1,167 square foot attached garage and a 449 square foot carport in front of the garage, an 850 square foot Caretaker's Unit with 676 square foot garage, 4,837 square feet of impervious area for a driveway, patio, and walkways, installation of two 5,000 gallon water tanks, installation of a new septic tank and leach fields, and approximately 2,800 cubic yards of grading (2,700 cut/100 fill). To accommodate the proposed project, the applicant proposes relocating the building envelope by amending a record of survey found in Volume 16 Page 99 of the Monterey County Records. The Record of Survey was filed pursuant to Monterey County Permit Number PC-6251. PC-6251 required establishment of building envelopes for four (4) parcels located off of Corona Road including the subject property (Parcel D) and granting of a conservation and scenic easement over the land outside of the building envelopes. The Conservation and Scenic Easement Deed recorded at the Monterey County Recorder's Office, Document Number 35437 located at Reel 2520 page 335 needs to be amended to accommodate the new building envelope location and include the area where the previous envelope was located. Planning staff determined the amendment to the Conservation and Scenic Easement Deed must be done prior to approval of the project, as there is no guarantee that the amendment will be approved. On December 8, 2011, the Zoning Administrator adopted the Mitigated Negative Declaration and adopted a Resolution of Intent to approve the Combined Development Permit pending approval of the Amended Conservation and Scenic Easement Deed from the Board. Conditions of Approval require the relocation of the building envelope and amendment to the Conservation and

Scenic Easement Deed. If the amended easement is accepted by the Board, the ZA will approve the CDP.

DISCUSSION:

See Exhibit A

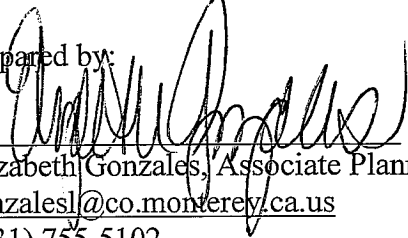
OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has approved the Amended Conservation and Scenic Easement Deed as to form. The Coastal Commission has provided input into the content of the easement as well.

FINANCING:

There is no financial impact on the County General Fund. Development fees have been collected to finance the processing and review required for the applicant to proceed.

Prepared by:


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Approved by:


Mike Novo, AICP
Resource Management Agency
Planning Director

This report was prepared with assistance by Cynthia Hasson and reviewed by Bob Schubert, Senior Planner and Wanda Hickman, Planning Services Manager *wahk*

cc: Front Counter Copy; Board of Supervisors; Cynthia Hasson, County Counsel; Public Works; Monterey County Water Resources Agency; Carmel Highlands Fire Protection District; California Coastal Commission; Elizabeth Gonzales, Planner; Mike Novo, Director of Planning; Wanda Hickman, Planning Services Manager; Myron E. Etienne, Applicant; Stephen P. Hartnett, Owner; PLN080046.

Exhibit A Discussion
Attachment No. 1: Board Order
Attachment No. 2: Conservation and Scenic Easement Deed with Exhibits
(available at the Clerk of the Board)