



# MEMO

## RMA - PLANNING DEPARTMENT

County of Monterey

**DATE:** February 21, 2012

**TO:** Public Works Department

**FROM:** Taven M. Kinison Brown

**SUBJECT:** Easement Abandonment for Jaggers  
County File #PLN090253.  
APNs 243-031-033-000

This memorandum shall serve as the General Plan consistency review for abandonment of a particular storm drain easement and facility connecting Calle La Cruz and the Carmel River State Beach (The Lagoon) through the Jaggers property as noted in Planning Department File #PLN090253. This memorandum shall meet the requirements of Government Code Section 65402.

The existing storm drain facility and easement once ran along the south eastern property line of the Jaggers property. Following a lot line adjustment and new residence approved for construction at the Jaggers' property, a new storm drainage facility been proposed to accommodate the new footprint and placement of the new Jaggers' residential structure. The new facility will serve the same function and capacity as the storm drain facility to be abandoned. See Public Works Exhibits.

A paraphrasing of the Government Code Section 65402 states that, "No real property shall be disposed of until the location, purpose and extent of such... disposition, have been submitted to and reported by the planning agency as to conformity with the adopted General Plan or parts thereof." The paragraphs above have described the location, purpose and extent of the public utility easements and references the exhibits prepared by the Public Works Department.

1. <u>Property Address :</u>	<u>2741 CALLE LA CRUZ CARMEL</u>
2. Easement Purpose and Location	Relocation of an existing 18" storm drain facility connecting Calle La Cruz, Carmel with the Carmel River State Beach (The Lagoon).
3. Area Plan and Land Use Designation	Residential - Medium Density 2U/AC
4. Zoning Designation	MDR/2-D(18)(CZ)
5. Carmel Land Use Plan	
• Resource Management	No Conflict
• Public Service System	No Conflict
• Land Use and Development	No Conflict
• Public Access	No Conflict

6. Coastal Implementation Plan Part 4	
• Visual Resources Development Standards	No Conflict
• Environmentally Sensitive Habitat Development Standards	No Conflict
• Water and Marine Resources Development Standards	No Conflict
• Forest Resources Development Standards	No Conflict
• Agricultural Development Standards	No Conflict
• Hazardous Area Development Standards	No Conflict
• Archaeological Resources Development Standards	No Conflict
• Transportation Development Standards	No Conflict
• Water Supply and Wastewater Treatment	No Conflict
• Land Use Development Standards	No Conflict
• Public Access Development Standards	No Conflict

Based on the review of the Carmel Land Use Plan and the Coastal Implementation Plan Part 4, no conflicts were found with the realignment and replacement of the existing 18" storm drain facilities connecting Calle La Cruz with the Carmel River State Beach (The Lagoon).

Conditions of approval placed on the residential project in Zoning Administrator Resolution 10-018 and Board of Supervisors Resolution 10-253 are sufficient to protect natural resources and assure compliance with the policies and requirements of the Carmel Use Plan and the Coastal Implementation Plan Part 4. Therefore, the Planning Department would determine the realignment and replacement of the existing 18" storm drain to be consistent with the adopted General Plan (and parts thereof).