



# Monterey County

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## Board Report

Legistar File Number: RES 15-032

Scheduled

April 07, 2015

**Introduced:** 3/24/2015

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Resolution

Public hearing, continued from March 3, 2015, to consider:

- a. Certifying that: the Final EIR for the Harper Canyon (Encina Hills) Subdivision Project (SCH #2003071157) has been completed in compliance with CEQA; that the Final EIR was presented to the Board of Supervisors and that the Board of Supervisors reviewed and considered the information contained in the EIR prior approving the project; and that the Final EIR reflects the County's independent judgment and analysis;
  - b. Adopting the findings and the Statement of Overriding Considerations;
  - c. Upholding the appeal by Harper Canyon Realty, LLC from the Planning Commission's denial of an application by Harper Canyon Realty, LLC for a Combined Development Permit consisting of a Vesting Tentative Map for the subdivision of 344 acres into 17 lots and associated Use Permits;
  - d. Approving a Combined Development Permit consisting of a 1) A Vesting Tentative Map for the subdivision of 344 acres into 17 residential lots ranging in size from 5.13 acres to 23.42 acres on 164 acres with one 180-acre remainder parcel; 2) Use Permit for the removal of approximately 79 Coast live oak trees over six inches in diameter for road and driveway construction; 3) Use Permit for development on slopes in excess of 30 percent; 4) Use Permit for the creation of a public water system with a stand-alone treatment facility (Option B); and 5) grading for net cut and fill of approximately 2,000 cubic yards; and
  - e. Adopting a Mitigation Monitoring and Reporting Plan.
- (Appeal of Combined Development Permit - PLN000696/Harper Canyon Realty LLC, San Benancio Road and Meyer Road, Salinas, Toro Area Plan area)

### PROJECT INFORMATION:

**Planning File Number:** PLN000696

**Owner:** Harper Canyon Realty LLC

**Project Location:** San Benancio Road and Meyer Road, Salinas

**APN:** 416-611-001-000, 416-621-001 and 416-611-002-000

**Agent:** Mike Cling

**Plan Area:** Toro Area Plan

**Flagged and Staked:** No

**CEQA Action:** EIR prepared (SCH #2003071157)

### RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution (**Attachment A**) to:

- a. Certify that: the Final EIR for the Harper Canyon (Encina Hills) Subdivision Project (SCH #2003071157) has been completed in compliance with CEQA; that the Final EIR was presented to the Board of Supervisors and that the Board of Supervisors reviewed and considered the information contained in the EIR prior approving the project; and that the Final EIR reflects the

- County's independent judgment and analysis;
- b. Adopt the findings and the Statement of Overriding Considerations;
  - c. Uphold the appeal by Harper Canyon Realty, LLC from the Planning Commission's denial of an application by Harper Canyon Realty, LLC for a Combined Development Permit consisting of a Vesting Tentative Map for the subdivision of 344 acres into 17 lots and associated Use Permits;
  - d. Approve a Combined Development Permit consisting of a 1) A Vesting Tentative Map for the subdivision of 344 acres into 17 residential lots ranging in size from 5.13 acres to 23.42 acres on 164 acres with one 180-acre remainder parcel; 2) Use Permit for the removal of approximately 79 Coast live oak trees over six inches in diameter for road and driveway construction; 3) Use Permit for development on slopes in excess of 30 percent; 4) Use Permit for the creation of a public water system with a stand-alone treatment facility (Option B); and 5) grading for net cut and fill of approximately 2,000 cubic yards, subject to the conditions of approval; and
  - e. Adopt a Mitigation Monitoring and Reporting Plan.

SUMMARY:

The project consists of: 1) A Vesting Tentative Map for the subdivision of 344 acres into 17 residential lots ranging in size from 5.13 acres to 23.42 acres on 164 acres and one 180-acre remainder parcel; 2) Use Permit for the removal of approximately 79 Coast live oak trees over six inches in diameter for road and driveway construction; 3) Use Permit for development on slopes in excess of 30 percent; 4) Use Permit for the creation of a public water system with a stand-alone treatment facility (Option B); and 5) Grading for net cut and fill of approximately 2,000 cubic yards.

At a continued hearing on the project on March 3, 2015, the Board of Supervisors considered the report on the pumping and aquifer recovery tests completed for the wells associated with the project, took public testimony, and adopted a motion of intent to approve the project. The Board continued the public hearing to April 7, 2015 for staff to return to the Board with a resolution with finding and evidence for approval. The resolution to certify the EIR, adopt the CEQA findings and the Statement of Overriding Considerations, grant the appeal, approve the project subject to conditions of approval, and adopt a Mitigation Monitoring and Reporting Plan is attached (**Attachment A**).

FINANCING:

Funding for staff time associated with this project is included in the FY 14-15 Adopted Budget for RMA-Planning.

Prepared by: Laura Lawrence, RMA Services Manager ext. 5148

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192  
Carl P. Holm, AICP, Acting Director, Resource Management Agency

cc: Front Counter Copy; Laura Lawrence, RMA Services Manager; EHB, RMA-Public Works; MCWRA; Monterey County Regional Fire Protection District; County Counsel; Sheriff's Office; Harper Canyon Realty LLC, Owner; Mike Cling, Agent; The Open

Monterey Project (Molly Erickson); LandWatch (Amy White); Mike Weaver; Richard Rosenthal; Rachel Saunders (Big Sur Land Trust); Royal Calkins; David Raye; Lauren and Bill Keenan; Beverly and Steve Bean; Julie Garvin; Mike Thompson; David Erickson; Steven Schmiess; Lowell Webster; Marianne Gennis; Raymond Lino Belli; Richard Dampier; Meyer Community Group; Laura Carley; The Highway 68 Coalition; Native American Heritage Commission; CRWQCB; MBUAPCD; TAMC; MPWMD; Caltrans District 5; Project File PLN000696

The following attachments are on file with the Clerk of the Board:

Attachment A - Draft Resolution

Attachment A-1 Conditions of Approval and Mitigation Monitoring and Reporting Plan

Attachment A-2 Vesting Tentative Map

Attachment B - Environmental Documents: Attachment B-1 Draft EIR Volumes I and II (on CD and on RMA-Planning website); Attachment B-2 Recirculated DEIR Volumes I and II (on CD and on RMA-Planning website); Attachment B-3 Final EIR (on CD and on RMA-Planning website)