



Monterey County

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Board Report

Legistar File Number: 14-1233

November 04, 2014

Introduced: 10/28/2014

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Approve the Amended Final Map to the Homeland Boundary of adjusted Lot 65 in Santa Lucia Preserve;
- b. Accept the Amended Conservation and Scenic Easement Deed on Lot 65;
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed; and
- d. Direct the Clerk of the Board to submit the Amended Final Map, Conservation and Scenic Easement Deed, and the Quit Claim Deed to the County Recorder for filing and recordation.

(Conservation and Scenic Easement Deed - PLN130466/Thomas A. Vardell & Andrea M. Vardell both as individuals and as Trustees of the Vardell Living Trust dated May 31, 2002, 34205 Robinson Canyon Road, Carmel, Greater Monterey Peninsula Area Plan)

PROJECT INFORMATION:

Planning File Number: PLN130466

Owner: Thomas A. Vardell & Andrea M. Vardell both as individuals and as Trustees of the Vardell Living Trust dated May 31, 2002

Project Location: 34205 Robinson Canyon Road, Carmel

APN: 239-061-011-000

Agent: John Bridges

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: No

CEQA Action: Categorically Exempt § 15317

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve the Amended Final Map to the Homeland Boundary of adjusted Lot 65 in Santa Lucia Preserve;
- b. Accept the Amendment Conservation and Scenic Easement Deed on Lot 65;
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed; and
- d. Direct the Clerk of the Board to approve the Amended Final Map, submit the Conservation and Scenic Easement Deed, and the Quit Claim Deed to the County Recorder for filing and recordation.

SUMMARY:

On November 5, 2013 the Board of Supervisors approved the Vardell Final Map Amendment (PLN130466) subject to six (6) conditions of approval. Resolution No. 13-340 reflects the applicant's agreement to amend the Conservation and Scenic Easement (Condition No. 5) and to record an Amended Final Map (Condition No. 6) delineating the new homeland site, all existing and required easements or right-of-way and monument new lines on Lot 65 to adjust

the homeland boundary pursuant to a private settlement agreement between the property owner (the Vardell Living Trust), the Santa Lucia Preserve Association (SLPA), and the Santa Lucia Conservancy (Conservancy). The attached Amended Conservation Scenic Easement Deed shows **Attachment A** the amended easement on the property, along with a metes and bounds description. The amended Final Map is attached as **Attachment B**.

DISCUSSION:




The Board of Supervisors Resolution No. 13-340 included six (6) conditions of approval. Condition No. 5 requires Conservation and Scenic Easement Amendment to accurately depict the new Homeland and Openlands boundaries, consistent with the terms of Condition No. 109 of the Conditions of Approval of the original subdivision (Board of Supervisors Resolution Nos. 96-060, 96-061, and 97-360). Condition No. 109 required that conservation easements over the Openlands areas of each phase of the approved project be granted to the Santa Lucia Conservancy or other appropriate non-profit land trust organization. Such conservation easements restrict the permitted uses of the Openlands in perpetuity and grant to the County of Monterey the non-exclusive right to enforce said restrictive use covenants. Condition No. 6 requires filing of an Amended Final Map delineating the new homeland boundary, all existing and required easements or right-of-way and requires monumenting of new lines on Lot 65 to adjust the Homeland boundary pursuant to a private settlement agreement among the property owner (the Vardell Living Trust), the Santa Lucia Preserve Association (SLPA), and the Santa Lucia Conservancy (Conservancy).

OTHER AGENCY INVOLVEMENT

The Office of the County Counsel has reviewed and approved the Quitclaim Deed and the Conservation and Scenic Easement Deed as to form.

FINANCING:

Funding for staff time associated with this project is included in fiscal year 2014-2015 adopted budget for RMA - Planning.

Prepared by: Joanne León, Permit Technician II, ext. 5138 
Approved by: Mike Novo, Director, RMA-Planning, ext. 5192 
Carl Holm, AICP, Acting Director Resource Management Agency 

This report was prepared with assistance of Laura Lawrence, RMA Services Manager.

cc: Front Counter Copy; Laura Lawrence, RMA Services Manager; Thomas A & Andrea M Vardell TRS, Property Owners; John Bridges, Agent; Mark Blum; Santa Lucia Preserve; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); Project File PLN130466

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

- Attachment A Amended Conservation and Scenic Easement Deed
- Attachment B Amended Map
- Attachment C Quit Claim Deed