

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: July 21, 2009 - Consent		AGENDA NO: 3 }
SUBJECT:		
a. Accept and authorize the chair to execute the Offer to Dedicate an Irrevocable Open Space and Scenic Easement Deed in Exchange for Transferable Development Credits.		
b. Direct the Clerk of the Board to submit the Offer to Dedicate an Irrevocable Open Space and Scenic Easement Deed in Exchange for Transferable Development Credits, Notice of Transferable Development Credit(s) and Indemnification Agreement to the Monterey County Recorder for recordation.		
(Offer to Dedicate an Irrevocable Open Space and Scenic Easement Deed in Exchange for Transferable Development Credits) - PLN060613/Lipman, 41730 Pfeifer Ridge Road, Big Sur		
Project Location:	41730 Pfeifer Ridge Road, Big Sur	APN: 419-311-012-000
Planning Number:	PLN060613	Name: Lipman
Plan Area:	Big Sur Coast Land Use Plan	Flagged and Staked: No
Zoning Designation:	RDR/40-D (CZ) or Rural Density Residential 40 acres per unit with a Design control overlay in the Coastal Zone.	
CEQA Action:	Exempt	
DEPARTMENT:	RMA – Planning Department	

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Accept and authorize the chair to execute the Offer to Dedicate an Irrevocable Open Space and Scenic Easement Deed in Exchange for Transferable Development Credits.
- b. Direct the Clerk of the Board to submit the Offer to Dedicate an Irrevocable Open Space and Scenic Easement Deed in Exchange for Transferable Development Credits, Notice of Transferable Development Credit(s) and Indemnification Agreement to the Monterey County Recorder for recordation.

SUMMARY:

On July 11, 2007, the Monterey County Planning Commission approved the Lipman Coastal Development Permit to allow the designation of a donor site in exchange for transferable development credits. The project was approved subject to 5 conditions of approval. In accordance with condition number 3 of planning permit PLN060613 the applicant shall record an irrevocable open space scenic easement dedicated to the county over the subject parcel. The applicant has complied with the Irrevocable Open Space project conditions of approval in order to proceed with the Offer to Dedicate an Irrevocable Open Space and Scenic Easement Deed in Exchange for Transferable Development Credits.

DISCUSSION:

The Lipman Coastal Development Permit application was approved by the Monterey County Planning Commission on July 11, 2007. It consisted of designation of a Donor Site in exchange for Transferable Development Credits pursuant to section 20.64.190 of the Monterey County Zoning Ordinance (Title 20).

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed and approved the Offer to Dedicate an Irrevocable Open Space and Scenic Easement Deed in Exchange for Transferable Development Credits as to form.


The following agencies have reviewed the project and those that are checked ("✓") have comments and/or recommended conditions:

n/a	Environmental Health Division
n/a	Public Works Department
n/a	Water Resources Agency
n/a	California Department of Forestry


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:


Maria Lopez, Land Use Technician
755-5239; lopezmd@co.monterey.ca.us

Approved by:


Mike Novo, Director of Resource
Management Agency – Planning
Department

This report was reviewed by Jacqueline R. Onciano, Planning Services Manager

cc: Front Counter Copy; Board of Supervisor's (16); County Counsel; Environmental Health Division; Public Works; Monterey County Water Resources Agency; California Department of Forestry; California Coastal Commission; Mike Novo; Carl Holm; Jacqueline R. Onciano, Planning Services Manager; Applicant/Owner (Lipman); Project File, PLN060613

Attachments: Exhibit A Board Order

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

- Offer to Dedicate an Irrevocable Open Space and Scenic Easement Deed in Exchange for Transferable Development Credits
- Notice of Transferable Development Credit(s)
- Indemnification Agreement