



Monterey County

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Board Report

Agenda Item 33

Legistar File Number: 14-1292

December 09, 2014

Introduced: 11/21/2014

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Accept and authorize the chair to execute the Conservation and Scenic Easement Deed; and
- b. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing.

(Conservation and Scenic Easement Deed - PLN110257/Berlin, 36000 & 35986 Highway 1, Big Sur)

PROJECT INFORMATION:

Planning File Number: PLN110257

Owner: Andrew T. Berlin Dated July 27, 2001

Project Location: 36000 & 35986 Highway 1, Big Sur

APN: 243-231-025-000 and 243-231-026-000

Agent: Aengus L. Jeffers

Plan Area: Big Sur Land Use Plan

Flagged and Staked: No

CEQA Action: Adopted Mitigated Negative Declaration (Resolution No. 11-048)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Accept and authorize the chair to execute the Conservation and Scenic Easement Deed; and
- b. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing.

SUMMARY:

On December 14, 2011, the Planning Commission approved a Combined Development Permit (Resolution No. 11-048) subject to 30 conditions of approval and 1 mitigation measure. Condition No. 13, Critical Viewshed, requires the applicant to record a Conservation and Scenic Easement Deed over any area that is located in the critical viewshed. The applicant has submitted the conservation and scenic easement deed and map showing the exact location of the easement on the property, along with the metes and bounds description.

DISCUSSION:

A Combined Development Permit (CDP) for the project (Berlin Project) was approved by the Planning Commission on December 14, 2011. A Mitigated Negative Declaration was prepared for the project and also adopted at that time by the Planning Commission. The CDP allowed the construction of a 9,255 square foot two-story single family dwelling. Condition No. 13 of the CDP required the recordation of a conservation and scenic easement deed on the property. Condition No. 13 requires all areas visible in the critical viewshed, in this case Abalone Cove and Highway 1, to be recorded into a Conservation and Scenic Easement Deed so future

development remains outside of the critical viewshed. The applicant has submitted the conservation and scenic easement deed and map showing the exact location of the easement on the property.




OTHER AGENCY INVOLVEMENT:

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

The Coastal Commission has reviewed the revisions and approved the Conservation and Scenic Easement as to form.

FINANCING:

Funding for staff time associated with this project is included in the FY 14-15 Adopted Budget for RMA Planning and development fees have been collected to finance the processing and review required for the applicant to proceed.

Prepared by: Dan Lister, Assistant Planner ext. 6617 
Approved by: Mike Novo, Director, RMA-Planning, ext. 5192 
Carl Holm, Acting Director Resource Management Agency 

This report was reviewed by Luke Connolly, RMA Services Manager, ext. 5173 

cc: Front Counter Copy; California Coastal Commission; Luke Connolly, RMA Services Manager; Aengus L. Jeffers, Applicant; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); Project File PLN110257

The following attachments on file with the Clerk of the Board:
Attachment A Conservation and Scenic Easement Deed