



Monterey County

Planning Commission

Agenda Item #2

Legistar File Number: PC 16-045

168 West Alisal Street,
1st Floor
Salinas, CA 93901
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October 12, 2016

Introduced: 10/4/2016

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

**PLN140587 - M DOUD DETELS TR & DOUD RANCH LLC (Continued from
September 14, 2016)**

Public hearing to consider action on a Coastal Development Permit to allow a Lot Line Adjustment between two (2) contiguous lots of approximately 160 acres and 128 acres resulting in two lots of 116 acres (Parcel 1) and 172 acres (Parcel 2).

Proposed CEQA Action: Categorically Exempt per CEQA Section 15305 (a)
Highway 1, North of Garrapata Creek Bridge, Big Sur Coast Land Use Plan, Coastal Zone

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution to:

- a. Find the project Categorically Exempt per CEQA Guidelines Section 15305(a); and
- b. Approve a Coastal Development Permit to allow a Lot Line Adjustment between two (2) contiguous lots of approximately 160 acres and 128 acres resulting in two lots of 116 acres (Parcel 1) and 172 acres (Parcel 2) based on the findings and evidence and subject to 5 conditions of approval (**Exhibit B**).

PROJECT INFORMATION:

Owner: Mary M Doud Detels TR

Agent: Christine Kemp, Attorney

APNs: 417-021-062-000 and 417-021-031-000

Zoning: "WSC/40-D (CZ)" Watershed and Scenic Conservation /40 acre minimum-Design Control District in the Coastal Zone

Lot Sizes: 128 acres and 160 acres

Flagged and Staked: No, project does not include structures.

SUMMARY:

This lot line adjustment proposes to adjust two contiguous parcels owned by the same owner, for the purpose of retaining Joshua Creek/Silver Falls, and an access road and trail down to the creek, on one parcel. The owner is offering to apply a Conservation and Scenic Easement over the Joshua Creek parcel acknowledging their desire to protect this natural resource for recreational purposes. The zoning requires a minimum area of 40 acres and the resulting parcels are 116 acres and 172 acres. Staff finds the Conservation and Scenic Easement Deed is adequate protection of the coastal resources on site and recommends approval of the lot line adjustment.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

RMA-Public Works Department
RMA-Environmental Services
Environmental Health Bureau
CDF Coastal
Water Resources Agency
√ California Coastal Commission

The Big Sur Land Use Advisory Committee (LUAC) recommended approval (4-0 vote) of the project as proposed. Their only concern was if the upper parcel had any water rights to Joshua Creek, that they wouldn't lose their water rights. The CSED will include a sentence that the upper parcel does not lose any riparian rights to the creek. **(Exhibit D)**

FINANCING:

Funding for staff time associated with this project is included in the FY2016/17 Adopted Budget for RMA-Planning.

Prepared by: Elizabeth Gonzales, Associate Planner, Ext. 5102
Reviewed by: John Ford, RMA Services Manager, Ext. 5158
Approved by: John Guertin, Resource Management Agency (RMA) Acting Deputy Director

Attachments:

Exhibit A Project Data Sheet
Exhibit B Discussion
Exhibit C Draft Resolution, including:

- Conditions of Approval
- Lot Line Adjustment Map
- Scenic and Conservation Easement

Exhibit D Vicinity Map
Exhibit E Land Use Advisory Committee Minutes

cc: Front Counter Copy; Zoning Administrator; John Ford, RMA Services Manager; CDF Coastal; RMA-Public Works; Environmental Health Bureau; Water Resources Agency; Mary M Doud Detels, owner; Christine Kemp, Attorney, Applicant; California Coastal Commission; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director)