



Legislation Details (With Board Report)

File #: RES 16-008 **Name:** Condition 77 - Ferrini Ranch
Type: BoS Resolution **Status:** Passed
File created: 2/12/2016 **In control:** Board of Supervisors
On agenda: 2/23/2016 **Final action:** 2/23/2016

Title: Public hearing (continued from January 26, 2016) to consider:
Adoption of a Resolution, upon consideration of the previously certified Final Environmental Impact Report for the Ferrini Ranch Application, to approve a request (PLN150731) by Domain Corporation for Modification of Conditions to the previously approved Combined Development Permit for the Ferrini Ranch Subdivision (PLN040758) to delete Condition 77 which required payment of \$425,000.00 to study the creation of a Community Services District.
(PLN150731, Domain Corporation, South Side of Highway 68 between San Benancio Road and River Road, Toro Area Plan; previously certified EIR)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Draft Resolution, 3. Completed Board Order & Resolution

Date	Ver.	Action By	Action	Result
2/23/2016	1	Board of Supervisors	adopted	Pass

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PROJECT INFORMATION:

Planning File Number: PLN150731
Owner/Applicant: Domain Corporation
Project Location: Fronting on and southerly of State Highway 68, encompassing two areas separated by Toro Regional Park. The eastern portion is bound by River Road and the western portion is bound by San Benancio Road.
APNs: 161-011-019-000, 161-011-030-000, 161-011-039-000, 161-011-057-000, 161-011-058-000, 161-011-059-000, 161-011-078-000, 161-031-016-000, and 161-031-017-000
Agent: Lombardo & Associates (Tony Lombardo)
Plan Area: Toro Area Plan
Flagged and Staked: No
CEQA Action: Previously Certified FEIR (Board Resolution 14-370)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Adopt a resolution, upon consideration of the previously certified Final Environmental Impact Report for the Ferrini Ranch Application, to approve a request (PLN150731) by Domain Corporation for Modification of Conditions to the previously approved Combined Development Permit for the Ferrini Ranch Subdivision (PLN040758) to delete Condition 77 which required payment of \$425,000.00 to study the creation of a Community Services District.

SUMMARY:

On January 26, 2016, the Board held a public hearing to consider a request to modify the conditions of a previously approved Combined Development Permit for the Ferrini Ranch Subdivision (PLN040758) to delete Condition 77 which requires payment of \$425,000.00 to study the creation of a Community Services District. On this date, the Board took testimony and considered the policy implications of keeping or removing the condition. Ultimately, the Board directed staff to prepare a resolution for the removal of Condition 77 and continued the hearing to February 23, 2016 to enable staff to prepare a resolution for action by the Board. The proposed resolution (Attachment A) has been prepared based on the Board direction. The final action includes two new conditions of approval, one identifying the project modification (deletion of Condition 77), and a second condition requiring an indemnification agreement.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:
Environmental Health Bureau
RMA-Planning

This project does not require referral to the Toro Land Use Advisory Committee per Board Resolution 15-043.

FINANCING:

Funding for staff time associated with this project is included in the FY 15-16 Adopted Budget for RMA-Planning.

Prepared by: David J. R. Mack, AICP, Associate Planner ext. 5096
Approved by: Mike Novo, AICP, Director, RMA-Planning, ext. 5192
Carl P. Holm, AICP, Director Resource Management Agency, ext. 5103

This report was reviewed by John H. Ford, RMA-Services Manager.

All attachments are on file with the Clerk of the Board:

Attachment A Draft Board Resolution

- Amended Conditions of Approval and Mitigation Monitoring and Reporting Program (MMRP).

Attachment B FEIR for Ferrini Ranch Application (SCH2005091055) (accessible at <http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma/-/planning/current-major-projects/ferrini-ranch-subdivision/feir-ferrini-ranch-sept-2014>)

cc: Front Counter Copy; Board of Supervisors; Environmental Health Bureau; John H. Ford, RMA Services Manager; David J. R. Mack, Project Planner; Wendy Strimling, County Counsel, Michael Whilden, County Counsel, Domain Corporation, Owner; Anthony Lombardo & Associates, Agent; California Utilities Services; The Open Monterey Project (Molly Erickson); Richard Rosenthal, Michael Weaver, LandWatch (Amy White); John H. Farrow; Planning File PLN150731