Introduced: 1/17/2023

Current Status: Housing & Community Development - Consent

Version: 1

Matter Type: BoS Agreement

a. Find that execution of the Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317;
b. Accept a Conservation and Scenic Easement Deed for the Winslow Steven G & Jill M TRS property;
c. Authorize the Chair of the Board of Supervisors to execute the Conservation and Scenic Easement Deed; and
d. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for recordation.
(Conservation and Scenic Easement Deed- PLN180565/Winslow Steven G & Jill M TRS, 11840 Paseo Escondido, Carmel Valley (Assessor's Parcel Numbers 416-082-021-000), Greater Monterey Peninsula Area Plan)

PROJECT INFORMATION:

Planning File Number: PLN180565
Applicants: Steven & Jill M. Winslow
APNs: 416-082-021-000
Parcel Size: 10 acres, 438,213 square feet
Plan Area: Greater Monterey Peninsula Area Plan
Flagged and Staked: No
CEQA Action: Categorically Exempt per CEQA Guidelines section 15317

RECOMMENDATION:

It is recommended that the Board of Supervisors:
a. Find that execution of the Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317;
b. Accept a Conservation and Scenic Easement Deed for the Winslow Steven G & Jill M TRS property;
c. Authorize the Chair of the Board of Supervisors to execute the Conservation and Scenic Easement Deed; and
d. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for recordation.

SUMMARY/DISCUSSION:

The Winslow property is located at 11840 Paseo Escondido in the Greater Monterey Area Plan. The site is undeveloped, and a portion of the property contains densely forested Oak Woodland habitat

and steep slopes. In 2001, the Planning Commission approved a Combined Development Permit (PLN180565) to allow construction of a 3,970 square foot one-story single-family dwelling with an attached 668 square foot two-car garage and associated improvements, including the removal of 11 protected trees and development on slopes in excess of 25 percent (Resolution No. 21-017). Per Condition of Approval No. 17 of the Combined Development permit , applicants are required to convey a Conservation and Scenic Easement to the County of Monterey over the south and western portions of the subject property that contains Oak woodland and slopes exceeding 25 percent (**Attachment B**).

Staff worked with the applicants to determine the most appropriate and feasible boundaries for the proposed Conservation and Scenic Easement. The proposed 3.83-acre Conservation and Scenic Easement boundary abuts an existing easement on the property to create a larger, more contiguous area protected by easement. This area of the proposed easement will not conflict with the approved development or with landscaping and fire clearance requirements on the property. The easement will protect the open space and habitat on the wooded hillside on the property. Therefore, staff recommends that the Board accept, execute, and consent to recordation of the Conservation and Scenic Easement Deed conveying an approximately 3.83-acre area (166,709 square feet) located on the south and western portions of the subject property (**Attachment A**).

Acceptance of the expanded scenic easement qualifies for a Class 17 categorical exemption under CEQA, because it constitutes the acceptance of an easement to maintain the open space character of the area. (CEQA Guidelines, § 15317.)

OTHER AGENCY INVOLVEMENT:
The Office of the County Counsel has approved the Conservation and Scenic Easement Deed as to form.

FINANCING:
Funding for staff time associated with this project is included in the FY2022-23 Adopted Budget within Community Development General Fund 001, Appropriation Unit HCD002, Unit 8543.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:
This action represents effective and timely response to our HCD customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources.

Check the related Board of Supervisors Strategic Initiatives:
X Administration
__Economic Development
__Health & Human Services
__Infrastructure
__Public Safety

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Prepared by: Fionna Jensen, Associate Planner
Reviewed by: Craig Spencer, HCD Chief of Planning
Reviewed by: Lori Woodle, Finance Manager I
Approved by: Erik Lundquist, AICP, Director of Housing and Community Development

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

Attachment A - Memorandum to the Clerk of the Board

Attachment B - Conservation and Scenic Easement Deed, including:

- Exhibit A: Property Legal Description
- Exhibit B: Monterey County Planning Commission Resolution No. 21-017
- Exhibit C: Easement Legal Description & Plat Map

cc: Front Counter Copy; Fionna Jensen, Associate Planner; Craig Spencer, HCD Chief of Planning; Steven & Gill Winslow, Property Owners; David Beauchamp, Agent; The Open Monterey Project; LandWatch; Project File PLN180565