



# Monterey County

Board of Supervisors  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Board Report

Legistar File Number: 19-0520

July 16, 2019

**Introduced:** 6/26/2019

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

### **PLN140910-AMD1 - STRAINE KERRY KEVIN & MCLEOD OLIVIA DEE TRS**

- a. Find that the project involves acceptance of a Conservation and Scenic Easement Deed and Map, which qualifies as a Class 17 Categorical Exemption pursuant to Section 15317 of the CEQA Guidelines and there are no exceptions pursuant to Section 15300.2;
- b. Accept the Conservation and Scenic Easement Deed and Map to satisfy Condition No. 8 of Monterey County Planning File No. PLN140910-AMD1;
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed and Map; and
- d. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed and Map to the County Recorder for recording with all applicable recording fees paid by the applicant.

**Project Location:** 1145 Spyglass Hill Road, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone.

**Proposed CEQA action:** Categorically Exempt per Section 15317 of the CEQA Guidelines

#### RECOMMENDATION:

It is recommended that the Monterey County Board of Supervisors:

1. Find that the project involves acceptance of a Conservation and Scenic Easement Deed and Map, which qualifies as a Class 17 Categorical Exemption pursuant to Section 15317 of the CEQA Guidelines and there are no exceptions pursuant to Section 15300.2;
2. Accept the Conservation and Scenic Easement Deed and Map to satisfy Condition No. 8 of Monterey County Planning File No. PLN140910-AMD1;
3. Authorize the Chair to execute the Conservation and Scenic Easement Deed and Map; and
4. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed and Map to the County Recorder for recording with all applicable recording fees paid by the applicant.

The Conservation and Scenic Easement Deed and Map is **Attachment B** for reference.

#### PROJECT INFORMATION:

**Agent:** Patrick Regan

**Owner:** Olivia Dee McLeod and Kerry Kevin Straine

**APN:** 008-012-005-000

**Parcel Size:** 1.013 acres

**Plan Area:** Del Monte Forest Land Use Plan

#### SUMMARY/DISCUSSION:

The subject property is located on the corner of Spyglass Hill Road and 17-Mile Drive in Pebble Beach, within the Spyglass Planning area of the Del Monte Forest Land Use Plan. On June 26, 2014,

the Monterey County Zoning Administrator adopted a resolution (Res. No. 14-023) to approve a Coastal Administrative Permit and Design Approval to allow the demolition of existing single family dwelling and associated accessory structures, and the construction of an approximately 6,964 square foot two-story single family dwelling with an attached garage. A Biological Assessment was prepared for the project by Zander Associates on February 20, 2014 (Monterey County Library File No. LIB140091). The report identified the subject property sitting near the base of the Signal Hill Dune, a protected remnant of an extensive dune system that historically occurred along the Monterey Peninsula shoreline. The dune system was fragmented by sand mining, the construction of roads, golf courses, houses and other development over the years. No dune species were found on the site; however, special status species such as Sandmat Manzanita, Monterey Pine and Monterey Cypress were observed on the property. These are considered special-status species which were recommended to be avoided or relocated through a restoration program to allow for the expansion of dune habitats on site. This recommendation was applied to the project as a non-standard condition of approval for a restoration plan to be implemented and monitored by a qualified biologist, and to ensure protection and preservation of the restored area through a Conservation and Scenic Easement Deed and Map being recorded on the parcel.

On April 30, 2015, the Monterey County Zoning Administrator adopted a resolution (Res. No. 15-029) to amend the previously approved Coastal Administrative Permit (PLN130187) to now construct a 5,973 square foot one-story single family dwelling with a lower lever floor and an attached garage. All the applicable conditions from PLN130187 were carried to the amendment - PLN140910, including the non-standard condition of approval for a Conservation and Scenic Easement Deed and Map to be recorded.

More recently, on February 9, 2017, the Monterey County Zoning Administrator adopted a resolution (**Attachment C**) to amend the previously approved Coastal Administrative Permit (PLN140910) to include the construction of an 803 square foot attached accessory dwelling unit. An additional Biological Assessment prepared by Zander Associates (Monterey County Library File No. LIB160359) was provided and concluded that the proposed changes were minor and would be more beneficial from a restoration perspective. Therefore, the restoration program still applied. All applicable conditions from PLN140910 were carried over to the most current amendment, PLN140910-AMD1.

Condition No. 8, requires a Conservation and Scenic Easement deed to be conveyed to the Del Monte Forest Conservancy, on behalf of the County, to ensure the preservation of the restored areas as discussed above and detailed within the map of **Attachment C**. The preservation of this area would allow for the protection of special status species and expansion of dune habitat. Further, the easement would also allow the area to be protected in perpetuity and allow for residents to enjoy the open space of the area. The applicant has submitted the Conservation and Scenic Easement along with the metes and bounds legal description and map showing the general location of the easement on the property (**Attachment B**). Therefore, staff recommends the Board accept, execute, and consent to the recordation (**Attachment A**) of the Conservation and Scenic Easement Deed.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The project is categorically exempt from environmental review pursuant to Section 15317 of the CEQA Guidelines. This exemption applies to easements that maintain open space character of an area. The acceptance of the Conservation and Scenic Easement Deed is consistent with this exemption. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project is not located on a hazardous waste site, near a scenic highway, is not likely to effect cultural resources and will not have a significant effect on the environment. Therefore, the project is categorically exempt.

OTHER AGENCY INVOLVEMENT:

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


FINANCE:

Funding for staff time associated with this project is included in the FY19-20 Adopted Budget for RMA-Planning. The Conservation and Scenic Easement Deed would be granted to the Del Monte Forest Conservancy (DMFC) on behalf of the County, and any costs or maintenance associated with the ownership will be borne by the DMFC.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

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

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Jacquelyn M. Nickerson, Assistant Planner, Ext. 5240  
Reviewed by: Brandon Swanson, Interim RMA Chief of Planning  
Approved by: John M. Dugan, FAICP RMA Deputy Director of Land Use and  
Development Services 

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:

- Legal description
- Map

Attachment C - Monterey County Zoning Administrator Resolution No. 17-008

cc: Front Counter Copy; California Coastal Commission; Brandon Swanson, Interim RMA Chief of Planning; Craig Spencer, Interim RMA Planning Manager; Patrick Regan, Agent; Olivia Dee McLeod and Kerry Kevin Straine, Owners; Del Monte Forest Conservancy; grantee; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN140910-AMD1