



County of Monterey

Item No.58

Board Report

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

Legistar File Number: 23-939

January 09, 2024

Introduced: 12/12/2023

Current Status: Housing & Community
Development - Consent

Version: 1

Matter Type: General Agenda Item

- a. Find that the execution of the Conservation and Scenic Easement Deed is categorically exempt under California Environmental Quality Act (CEQA) Guidelines section 15317;
 - b. Accept a Conservation and Scenic Easement Deed consisting of approximately 5,000 square feet over those proportions of the property with archaeological resources commonly referred to as APN 008-423-017-000 to satisfy a condition of approval related to Planning Commission Resolution 21-002 (File No. PLN190083);
 - 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 filing with all recording fees to be paid by the applicant.
- (Conservation and Scenic Easement Deed - PLN190083, GREEN JASON E & ANN W TRS, 3334 17-Mile Drive, Pebble Beach, APN 008-423-017-000, Del Monte Forest Land Use Plan)

PROJECT INFORMATION:

Planning File Number: PLN190083
Owner: GREEN JASON E & ANN W TRS
Project Location: 3334 17-Mile Drive, Pebble Beach
APN: 008-423-017-000
Agent: Laura Lawrence
Plan Area: Del Monte Forest Land Use Plan
Flagged and Staked: no
CEQA Action: N/A

RECOMMENDATION:

Staff recommends that the Board of Supervisors:

- a. Find that the execution of the Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317;
- b. Accept a Conservation and Scenic Easement Deed consisting of approximately 5,000 square feet over those proportions of the property with archaeological resources commonly referred to as APN 008-423-017-000 to satisfy a condition of approval related to Planning Commission Resolution 21-002 (File No. PLN190083);
- 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 filing with all recording fees to be paid by the applicant.

SUMMARY/DISCUSSION:

On March 3, 2023, the Planning Commission adopted Resolution 21-002 approving a Combined Development Permit (PLN190083) allowing for the construction of a new residence. Condition 9 of that approval required the applicant to convey a conservation and scenic easement deed (CSED) to the Del Monte Forest Conservancy over portions of the property potentially containing archaeological resources.

The applicant has submitted the CSED and map showing the general location of the easement on the property, along with the metes and bounds description, both of which are appended to this Report, collectively, as **Attachment B**.

This CSED will satisfy the requirements of the Del Monte Forest Land Use Plan, Condition 9 of Planning Commission Resolution No. 21-002, and will ensure long-term protection of archaeological resources. No development will be allowed within the easement area and the CSED will run with the land and be disclosed to any future property owners.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

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

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed the CSED as to form.

FINANCING:

Funding for staff time associated with this project is included in the FY2023-24 Adopted Budget for Housing and Community Development Appropriation Unit HCD002, Unit 8543. All costs associated with maintenance of the CSED will be borne by the project applicant (Grantor) of the easement, not the County of Monterey (Grantee).

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:

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

Prepared by: Kenny Taylor, Associate Planner ext. 5096

Reviewed and approved by: Craig Spencer, Acting Director of Housing & Community Development *CS*

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. 21-002
- Exhibit C: Easement Legal Description and Plat Map

cc: Front Counter Copy; Craig Spencer, Scott Baughman c/o Charlie Barnett & Assoc., Architect/Agent; Jason and Ann Green, Applicants/Owners; Corey McMills, interested party; Ben McMills, interested party; John Mandurrago, interested party; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN190083.