



Monterey County

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

Board Report

Legistar File Number: 19-0635

August 27, 2019

Introduced: 8/8/2019

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Approve and accept a Conservation and Scenic Easement Deed protecting an area of the Dunes Golf Course, a portion of "Club Lot 1" of the map entitled "Monterey Peninsula Country Club Subdivision No. 2" along Sawmill Gulch Creek as an area containing environmentally sensitive habitat and subject to restoration and enhancement efforts as a condition of approval for PLN140432;
- b. Approve and accept a Conservation and Scenic Easement Deed protecting Archaeological resources for portions of "Club Lot 2" of the map entitled "Monterey Peninsula Country Club Subdivision No. 2" as a condition of approval for PLN140432
- c. Authorize the Chair to sign the Acceptance and Consent to Recordation; and
- d. Direct the Clerk of the Board to submit the two separate Conservation and Scenic Easement Deeds to the County Recorder for filing with any applicable recording fees to be paid by the applicant.

Project Location: Del Monte Forest, Pebble Beach bound by Spanish Bay Road and 17 Mile Drive.

Proposed CEQA Action: Notice of Determination filed for PLN140432 on February 3, 2015

PLN140432 - Monterey Peninsula Country Club

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and accept a Conservation and Scenic Easement Deed protecting an area of the Dunes Golf Course, a portion of "Club Lot 1" of the map entitled "Monterey Peninsula Country Club Subdivision No. 2" along Sawmill Gulch Creek as an area containing environmentally sensitive habitat and subject to restoration and enhancement efforts as a condition of approval for PLN140432;
- b. Approve and accept a Conservation and Scenic Easement Deed protecting Archaeological resources for portions of "Club Lot 2" of the map entitled "Monterey Peninsula Country Club Subdivision No. 2" as a condition of approval for PLN140432
- c. Authorize the Chair to sign the Acceptance and Consent to Recordation; and
- d. Direct the Clerk of the Board to submit the two separate Conservation and Scenic Easement Deeds to the County Recorder for filing with any applicable recording fees to be paid by the applicant.

PROJECT INFORMATION:

Planning File Number: PLN140432
Owner: Monterey Peninsula Country Club
APN: 007-361-001-000 & 007-371-013-000
Agent: Joe Panzer
Plan Area: Del Monte Forest Land Use Plan
Flagged and Staked: No

SUMMARY/DISCUSSION:

A Combined Development Permit (Monterey Peninsula Country Club/PLN140432) was approved by the Planning Commission on January 28, 2015 (Resolution No. 15-012) for renovations to portions of the Dunes golf course, including fairway alignment, hazard placement, and green size. Part of the approval process for the Monterey Peninsula Country Club project involved conditions of approval requiring the applicant to convey conservation easements over those portions of the property where archaeological resources and environmentally sensitive habitat (ESHA) exists, pursuant to Section 20.147.040.B.5 of the Del Monte Coastal Implementation Plan. Two separate easements are now being granted by the Monterey Peninsula Country Club to the Del Monte Forest Conservancy:

- Condition #5 requires the recordation of a conservation easement to protect archaeological resources identified on the property. This easement will prevent any future permitted development from disturbing any potential archeological resources in the protected areas.
- Condition #6 requires the recordation of a scenic and conservation easement to protect environmentally sensitive habitat along a portion of Sawmill Gulch Creek. The area of protection follows the creek, adjacent to hole #9, and is comprised mainly of a coastal stream and associated riparian habitat. Recordation of this easement will prevent any future permitted development from encroaching into these sensitive areas and compromising or potentially destroying archaeological resources or coastal habitat.

Staff has reviewed the conditions of approval and finds the dedicated areas satisfy the requirements for allowing the approved development. Further, the easement will serve as an effective instrument to permanently protect coastal habitat and archaeological resources. The owners are now satisfying Conditions No. 5 and Condition No. 6 of PLN140432 by the recordation of these two easements.

The applicant has submitted the two separate conservation easement deeds, along with the metes and bounds description (**Attachments A and B**). Therefore, staff recommends the Board accept, execute, and consent to the recordation of the Conservation and Scenic Easement Deeds.

CEQA

CEQA review was conducted with the original project on January 28, 2015 (PLN140432). The Planning Commission adopted a Mitigated Negative Declaration per section 15070, and a Notice of Determination was filed on February 3, 2015.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel has reviewed the Scenic and Conservation Easement and approve as to form and legality.

FINANCING:

Funding for staff time associated with this project is included in the FY19-20 Adopted Budget for RMA-Planning. All costs associated with maintenance of the easement will be borne by the project applicant (Grantor) of the easement, not the Del Monte Forest Conservancy (Grantee), or the County as the applicant has chosen to retain the right to maintain the golf course including the portions with the easement.


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.

Check the related Board of Supervisors Strategic Initiatives:

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

Prepared by: R. Craig Smith, Associate Planner ext. 6408

Reviewed by: Brandon Swanson, RMA Acting Chief of Planning 

Approved by: John M. Dugan, FAICP, Deputy Director RMA Land Use and Development Services

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

- Attachment A - Conservation Easement Deed - Archaeological
- Attachment B - Conservation Easement Deed - Open Space Habitat Conservation
- Attachment C - Memo to Clerk of the Board

cc: Front Counter Copy; Brandon Swanson RMA Interim Chief of Planning R. Craig Smith, Project Planner; Monterey Peninsula Country Club, owners; Joel R. Panzer, agent; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); John H. Farrow; Janet Brennan; Project File PLN140432.