



County of Monterey

Item No.

Board Report

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

Legistar File Number: A 24-269

June 25, 2024

Introduced: 5/30/2024

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

PLN200124 - 3175 DEL CIERVO, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY AND LAW OFFICE AENGUS L JEFFERS (PARCEL A)

- a. Find that acceptance of the Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317;
- b. Accept the Conservation and Scenic Easement Deed and Map for 3175 Del Ciervo, LLC, a California Limited Liability Company;
- c. Authorize the Chair of the Board of Supervisors 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 INFORMATION:

Planning File Number: PLN200124

Owner: 3175 Del Ciervo, LLC A California Registered Limited Liability Company;

Project Location: 3175 Del Ciervo Road, Pebble Beach

APN: 008-371-024-000

Agent: Laura Lawrence

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: No

CEQA Action: Categorically exempt under CEQA Guidelines section 15317

RECCOMENDATION:

It is recommended that the Board of Supervisors:

- a) Find that acceptance of the Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317;
- b) Accept the Conservation and Scenic Easement Deed and Map for 3175 Del Ciervo, LLC A California Registered Limited Liability Company;
- c) Authorize the Chair of the Board of Supervisors 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.

SUMMARY

On March 9, 2022, the Planning Commission adopted Resolution No. 22-003 approving a Coastal Development Permit (PLN200124) to allow a Lot Line Adjustment between two legal lots of record. To satisfy Condition of Approval No. 7 of the Lot Line Adjustment (PLN200124), the current owner, 3175 Del Ciervo, LLC, a California Registered Limited Liability Company, proposes to remove and replace the Conservation & Scenic Easement recorded on County of Monterey Recorder Reel 2153 Pages 268 through 281, with two new Conservation and Scenic Easements, (one for each of the adjusted lots). The amended easements accomplish the following:

1. Adjust the easement configurations to align with the amended property boundaries.
2. Align the easement configurations with the final building envelope boundaries.
3. Specify in the text of the easement the specific resources intended for protection.

The Planning Commission applied the easement condition to protect visual and biological resources in accordance with the applicable policies of the Del Monte Forest Land Use Plan. The property has an unnamed stream running along the eastern portion of the property which drains into Carmel Bay. The property is also potentially visible to the public from 17-Mile Drive and Point Lobos. The amended easements would allow biological resources such as forest, riparian, and wetland habitats to flourish by protecting them from future development, sources of erosion and pollution. Limiting development in these areas would benefit the sensitive wildlife living within the Del Monte Forest, while protecting visual resources and allowing these habitats to be enjoyed by the public on a long-term basis.

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 approved the Conservation and Scenic Easement Deeds as to form.

FINANCING:

Funding for staff time associated with this project is included in the FY2023-24 Adopted Budget for HCD Appropriation Unit HCD002, Unit 8543. All costs associated with maintenance of the CSED will be borne by the project applicant (Grantor), not the County (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: Summer Obledo, ext 7096 Permit Technician III

Reviewed and Approved by: Craig W. Spencer, Director of Housing and Community Development CS

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

Attachment 1 - Memorandum to the Clerk of the Board

Attachment 2 - Conservation and Scenic Easement Deed for Parcel A, including:

Exhibit A - Legal Description

Exhibit B - BoS Reso. #MS-85-14

Exhibit C - Planning Commission Reso. #22-003

cc: Front Counter Copy; Board of Supervisors; Pebble Beach Community Services District; Del Monte Forest Conservancy; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; California Coastal Commission; Philip Angelio, Planner; Craig W. Spencer, Director of Housing and Community Development; 3175 Del Ciervo, LLC, Property Owners; Laura Lawrence, Agent; Interested Parties; The Open Monterey Project (Molly Erickson); LandWatch; Planning File PLN200124