



Monterey County

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Board Report

Legistar File Number: 18-098

February 13, 2018

Introduced: 1/30/2018

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Approve and accept a Conservation and Scenic Easement Deed of approximately 4,480 square foot area of APN 008-112-036-000 as required as mitigation for PLN150809 and authorize the Chair to sign the Acceptance and Consent to Recordation.
- b. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing.

(Conservation Easement Deed - PLN150809 - Geremia, 4026 Sunset Lane, Pebble Beach)

PROJECT INFORMATION:

Planning File Number: PLN150809

Owner/Applicant: Frank Geremia

Project Location: 4026 Sunset Lane, Pebble Beach

APN: 008-112-036-000

Plan Area: Del Monte Forest Land Use Plan

CEQA Action: N/A

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and accept a Conservation and Scenic Easement Deed of approximately 4,480 square foot area of APN 008-112-036-000 as required as mitigation for PLN150809 and authorize the Chair to sign the Acceptance and Consent to Recordation.
- b. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing.

SUMMARY/DISCUSSION:

A Combined Development Permit (Geremia/PLN150809) was approved by the Planning Commission on December 14, 2016 (Resolution 16-031, Exhibit A). Part of the approval process for the project involved an environmental document addressing potentially significant impacts to identified environmentally sensitive habitat areas (ESHA). The property contains Monterey Pine roses which are considered environmentally sensitive habitat (ESHA). Pursuant to Policy 69 of the Del Monte Forest Land Use Plan, environmentally sensitive habitat areas shall be protected from direct and indirect adverse impacts. A Conservation and Scenic Easement of approximately 4,480 square feet to the west and northwest side of the proposed property was required as mitigation to ensure that this area remains in a natural state, with the exception of a driveway for Lot 41. This area includes most of the Pine roses not impacted by the project, includes an area set aside for Pine roses transplanted from the area of proposed development and includes the three shaggy-barked manzanitas observed on the property. All native plants in this area will be preserved and invasive, non-native plants removed.

Considering staff's environmental review, and the recommendation from a retained biologist, RMA-Planning has applied a condition (Condition No. 7/Mitigation Measure 3) requiring the applicant to convey a 4,480 square foot area of his property in a scenic and conservation easement deed to the County of Monterey. As this conservation easement was the result of a comment from the Coastal Commission, in addition to the proposed development, the Del Monte Forest Foundation agreed the easement would be dedicated to the County.

The applicant has submitted the Conservation and Scenic Easement Deed and map showing the location of the easement on the property, along with the metes and bounds description (Exhibit D). Therefore, staff recommends the Board accept, execute, and consent to the recordation of the Conservation and Scenic Easement Deed.

This action is exempt from CEQA because it is not a project and will not cause a direct physical change in the environment.

OTHER AGENCY INVOLVEMENT:

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

FINANCING:

Funding for staff time associated with this project is included in the FY17-18 Adopted Budget for RMA-Planning. All costs associated with maintenance of the easement will be born by the project applicant (Grantor) of the easement, not the County (Grantee).

Prepared by: Elizabeth Gonzales, Associate Planner, ext. 5102
Reviewed by: Brandon Swanson, RMA-Planning Services Manager, ext. 5193
Approved by: Carl P. Holm, AICP, RMA Director

cc: Front Counter Copy; California Coastal Commission; Carl P. Holm, Director-Planning Department; Jacqueline R. Onciano, Planning Services Manager; Brandon Swanson, Planning Services Manager; Frank Geremia, owner; The Open Monterey Project; LandWatch; Project File PLN150809.

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

Attachment A - Conservation and Scenic Easement Deed with Exhibits:

- Exhibit A - Legal description
- Exhibit B - Planning Commission Resolution No. 16-031
- Exhibit C - Conservation Easement map
- Exhibit D - Conservation Easement description
- Exhibit E - Site Plan for Easement