



Monterey County

Board Report

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

Legistar File Number: 22-705

July 26, 2022

Introduced: 7/12/2022

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Find that the execution of the Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317; and
 - b. Accept a Conservation and Scenic Easement Deed of approximately 0.75 acres over portions of the parcel commonly referred to as APN 008-491-015-000 to satisfy a condition of approval related to Planning Commission Resolution 11-030 (File No. PLN100579); and
 - c. Authorize the Chair 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 - PLN100579, Chevy Chase Trust, 3184 17 Mile Drive, Pebble Beach, APN 008-491-015-000, Del Monte Forest Land Use Plan)

PROJECT INFORMATION:

Planning File Number: PLN100579
Owner: Chevy Chase Trust
Project Location: 3184 17 Mile Drive, Pebble Beach
APN: 008-491-015-000
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; and
- b. Accept a Conservation and Scenic Easement Deed of approximately 0.75 acres over portions of the parcel commonly referred to as APN 008-491-015-000 to satisfy a condition of approval related to Planning Commission Resolution 11-030 (File No. PLN100579); and
- c. Authorize the Chair 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 September 14, 2011, the Planning Commission adopted Resolution 11-030 approving a Combined Development Permit (PLN100579, Mark Byrne) allowing for the construction of a new residence within 100 feet of environmentally sensitive habitat (ESHA) among other allowances. To

satisfy Condition of Approval No. 7 of that permit, the current owner Chevy Chase Trust Company, Trustee of the Sunset Cove Nominee Trust is offering to convey a conservation and scenic easement deed (CSED) to the County of Monterey over the portions of the property where ESHA exists (**Attachment B**). The property contains ESHA as defined in the Del Monte Land Use Plan (LUP) located within the mapped indigenous Monterey Cypress habitat area.

The Planning Commission applied the easement condition to protect ESHA, as required by the LUP. Condition No. 7, requiring dedication of a Conservation and Scenic Easement Deed over those areas of the property not approved for development, will ensure long term protection of the habitat. No construction will be allowed within the easement area. Recordation of this easement will disclose to future property owners where development is prohibited on the parcel. Therefore, staff recommends the Board accept, execute, and consent to the recordation of the Conservation and Scenic Easement Deed.

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**.

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 and legality.

FINANCING:

Funding for staff time associated with this project is included in the FY2022-23 Adopted Budget for Housing and Community Development Unit 8543, Appropriation Unit HCD002.

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

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Prepared by: Kenny Taylor, Associate Planner ext. 5096

Reviewed by: Craig Spencer, Chief of Planning

Approved by: Erik Lundquist, AICP, Director of Housing and Community Development

DS
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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. 11-030
- Exhibit C1: Easement Legal Description
- Exhibit C2: Easement Plat Map

cc: Front Counter Copy; Laura Lawrence, Agent; Chevy Chase Trust Company, Trustee of the Sunset Cove Nominee Trust, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN100579