



County of Monterey

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

Legislation Details (With Board Report)

File #: 13-0953 **Name:** 3196 LLC
Type: General Agenda Item **Status:** Passed
File created: 9/9/2013 **In control:** Board of Supervisors
On agenda: 9/17/2013 **Final action:** 9/17/2013
Title: a. Accept the Amended Conservation and Scenic Easement Deed for the 3196 LLC property;
b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed; and
c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation.
(Conservation and Scenic Easement Deed Amendment - PLN130215/3196 LLC, 3196 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment A - Amended Deed, 2. Completed Board Order/Recording Page, 3. Recorded Deed

Date	Ver.	Action By	Action	Result
9/17/2013	1	Board of Supervisors	approved	

a. Accept the Amended Conservation and Scenic Easement Deed for the 3196 LLC property;
b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed; and
c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation.
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PROJECT INFORMATION:

Planning File Number: PLN130125
Applicants: 3196 LLC
Project Location: 3196 17 Mile Drive, Pebble Beach
APNs: 008-491-010-000
Plan Area: Del Monte Forest Land Use Plan (Coastal Zone)
Flagged and Staked: No
CEQA Action: Categorically Exempt per CEQA Guidelines Section 15317

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- Accept the Amended Conservation and Scenic Easement Deed (**Attachment A**) for the 3196 LLC property;
- Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed; and
- Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation.

SUMMARY/DISCUSSION:

On August 31, 1988 the Monterey County Planning Commission approved a Coastal Development Permit (File No. PC6613) for development of a single-family dwelling on the subject property (Planning Commission Resolution No. 88-280). The permit was approved subject to a number of conditions including the granting to the County of a Scenic Easement covering all portions of the parcel outside of the designated building envelope. A Scenic and Conservation Easement Deed was recorded on September 30, 1991 for the area of the easement. It has come to the attention of both the Grantor and the Grantee of the easement that a minor portion of the improvements approved under the Coastal Development Permit was built encroaching approximately six inches on the area of the scenic easement. Such encroachment has not affected any of the resources protected within the area of the easement. Therefore, the original deed for the easement must be amended to exclude the encroachment from the easement area. The Title Report for the property shows that there are no liens or encumbrances on the property and therefore a subordination agreement is not required for the amendment of the Conservation and Scenic Easement.

OTHER AGENCY INVOLVEMENT:

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

FINANCING:

Funding for staff time associated with this project is included in the FY13-14 Adopted Budgets for RMA-Planning. Fees have been collected to finance the processing and review required for the applicant to proceed.

Prepared by: Luis Osorio, Senior Planner, ext. 5262

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192

<mailto:> Benny Young, Director Resource Management Agency

This report was reviewed by Cynthia Hasson.

cc: Front Counter Copy; California Coastal Commission; Mike Novo; Wanda Hickman, Planning Services Manager; Cynthia Hasson, County Counsel Office; 3196 LLC, Owner; Cynthia Spellacy, Stocker and Allaire Inc., Applicant; The Open Monterey Project; LandWatch; Project File PLN130215.

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

Attachment A Amended Conservation and Scenic Easement Deed with Exhibits