

- b. Accept an Amended Conservation and Scenic Easement Deed for the Brad A. LeSage and Kadee R. Melicia property;
- c. Authorize the Chair of the Board of Supervisors 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 recordation.

SUMMARY/DISCUSSION:

The Lesage property is located at 591 Viejo Road in the Greater Monterey area. The site is undeveloped, contains slopes running down away from Viejo Road, and is densely forested. Planning Commission Resolution No. 21-032 (PLN210017) approved a Combined Development Permit to allow construction of a 5,813 square foot two-story single-family dwelling inclusive of 748 square foot attached garage, a 1,199 square foot accessory dwelling unit, a 551 square foot detached garage, and associated site improvements including the removal of 42 protected trees and development on slopes in excess of 25 percent. Approximately 50 percent of the property contains slopes exceeding 25 percent. Applied as Condition of Approval No. 11, the applicant/owner was required to convey a Conservation and Scenic Easement to the County of Monterey over the remaining portions of the project which exceeding 25 percent (**Attachment B**).

Staff worked with the applicant to determine the most appropriate and feasible boundaries for the proposed Conservation and Scenic Easement. Staff recommends that the Board accept, execute, and consent to recordation of the Conservation and Scenic Easement Deed conveying an approximately 0.27-acre area located on the eastern portion of the subject property (**Attachment A**).

Acceptance of the expanded 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 Deed as to form.

FINANCING:

Funding for staff time associated with this project is included in the FY 22-23 Adopted Budget within Community Development General Fund 001, Appropriation Unit HCD002, Unit 8543.

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:

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

Prepared by: Fionna Jensen, Associate Planner
Reviewed by: Craig Spencer, HCD Chief of Planning

Reviewed by: Lori Woodle, Finance Manager I

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

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. 21-032
- Exhibit C1 - Easement Legal Description
- Exhibit C2 - Easement Plat Map

cc: Front Counter Copy; Fionna Jensen, Associate Planner; Craig Spencer, HCD Chief of Planning; Brad Lesage & Melicia Kadee, Property Owners; Clinton Prior, Agent; The Open Monterey Project; LandWatch; Project File PLN210017.