



Legislation Details (With Board Report)

File #:	RES 16-049	Name:	LeCraw BR
Type:	BoS Resolution	Status:	Passed
File created:	8/19/2016	In control:	Board of Supervisors
On agenda:	8/30/2016	Final action:	8/30/2016

Title: Adopt a Resolution:

- a. Authorizing acceptance of a 0.53 acre property in Big Sur from Susan LeCraw, Trustee, to Monterey County (4/5ths vote required); and
- b. Authorizing conveyance of a 0.53 acre property in Big Sur from Monterey County to Susan LeCraw, Trustee (4/5ths vote required); and
- c. Authorizing the Director of the Resource Management Agency to execute Grant Deeds exchanging property between Monterey County and Susan LeCraw, Trustee; and
- d. Directing the Clerk of the Board to submit the executed Grant Deeds exchanging property between Monterey County and Susan LeCraw, Trustee, to Monterey County Recorder for recording, subject to the collection of the applicable recording fees; and
- e. Accepting a Conservation and Scenic Easement for areas on the adjusted parcel owned by Susan LeCraw, Trustee, where slopes exceed 30 percent; and
- f. Authorizing the Director of the Resource Management Agency to execute the Conservation and Scenic Easement Deed for the adjusted parcel owned by Susan LeCraw, Trustee; and
- g. Directing the Clerk of the Board to submit the executed Conservation and Scenic Easement Deed for the adjusted parcel owned by Susan LeCraw, Trustee, to the County Recorder for recording.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Planning Commission Resolution No. 14-048, 3. Attachment B - Lot Line Adjustment Map, 4. Attachment C - Vicinity Map, 5. Attachment D - Conservation and Scenic Easement Deed with Exhibits, 6. Attachment E - Grant Deed conveying 0.53 acre from MoCo to SuSan, 7. Attachment F - Grant Deed conveying 0.53 acre from Susan LeCraw, Trustee., 8. Attachment G - Draft Resolution, 9. Completed Board Order and Resolution

Date	Ver.	Action By	Action	Result
8/30/2016	1	Board of Supervisors	adopted	Pass

Adopt a Resolution:

- a. Authorizing acceptance of a 0.53 acre property in Big Sur from Susan LeCraw, Trustee, to Monterey County (4/5ths vote required); and
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- f. Authorizing the Director of the Resource Management Agency to execute the Conservation and Scenic Easement Deed for the adjusted parcel owned by Susan LeCraw, Trustee; and

g. Directing the Clerk of the Board to submit the executed Conservation and Scenic Easement Deed for the adjusted parcel owned by Susan LeCraw, Trustee, to the County Recorder for recording.

PROJECT INFORMATION:

Planning File Number: PLN130608

Owner: Susan LeCraw, Trustee

Project Location: 48320 Highway 1, Big Sur

APN: 420-171-043-000 (LeCraw);420-171-044-000 (County of Monterey)

Agent: Aengus L. Jeffers

Plan Area: Big Sur Coast Land Use Plan

CEQA Action: Categorically Exempt per section 15305 of the CEQA Guidelines.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Authorize, by a four-fifths vote, acceptance of a 0.53 acre property in Big Sur from Susan LeCraw, Trustee, to Monterey County; and
- b. Authorize, by a four-fifths vote, conveyance of a 0.53 acre property in Big Sur from Monterey County to Susan LeCraw, Trustee; and
- c. Authorize the Director of the Resource Management Agency to execute Grant Deeds exchanging property between Monterey County and Susan LeCraw, Trustee; and
- d. Direct the Clerk of the Board to submit the executed Grant Deeds exchanging property between Monterey County and Susan LeCraw, Trustee, to Monterey County Recorder for recording, subject to the collection of the applicable recording fees; and
- e. Accept a Conservation and Scenic Easement for areas on the adjusted parcel owned by Susan LeCraw, Trustee, where slopes exceed 30 percent; and
- f. Authorize the Director of the Resource Management Agency to execute the Conservation and Scenic Easement Deed for the adjusted parcel owned by Susan LeCraw, Trustee; and
- g. Direct the Clerk of the Board to submit the executed Conservation and Scenic Easement Deed for the adjusted parcel owned by Susan LeCraw, Trustee, to the County Recorder for recording.

SUMMARY/DISCUSSION:

On December 10, 2014, the Monterey County Planning Commission approved a Coastal Development Permit to allow a Lot Line Adjustment via Resolution No. 14-048

(See Attachment A). The Lot Line Adjustment is an equal exchange of 0.53 acres between two legal lots of record (See Attachment B). The Assessor's Parcel Numbers are: 420-171-043-000 (Owned by Susan LeCraw, Trustee - 2.16 acres - 'Lot Three') and Assessor's Parcel Number 420-171-044-000 (Owned by the County of Monterey - 1.12 acres - 'Lot Four'). Condition of Approval No. 7 requires that prior to the Lot Line Adjustment being completed, the Board of Supervisors must, by a four fifths-vote (Government Code Section 25365), authorize the disposition and acceptance of the subject 0.53 acres (See Attachment E). In addition, Condition of Approval No. 4 requires that prior to recording the Certificate of Compliance, the Board of Supervisors must accept a Conservation and Scenic Easement Deed, conveying to the County, those portions of the LeCraw Property where the slope exceeds 30 percent (See Attachment D).

The 0.53 acre area transferred via Resolution No. 14-048 from 'Lot Four' (County) to 'Lot Three' (LeCraw) contained structural and utility improvements previously associated with 'Lot Three'. These improvements existed when both lots were under common ownership prior to 1989, which was before the County of Monterey acquired 'Lot Four' in 1994. The Lot Line Adjustment was done to fully place these pre-existing structural and utility improvements on the reconfigured 'Lot Three', and entirely off County property. Additionally, the reconfigured 'Lot Four' allowed the County to fulfill the intent of the 1994 purchase (i.e., preservation of the

Big Sur Critical Viewshed by eliminating the development potential of the parcel). Furthermore, the reconfigured 'Lot Four' provided the County an opportunity to preserve a biologically superior wildlife corridor.

According to California Government Code Section 25365(b), (Exchange of property), the County may exchange real property with any person, firm, or corporation as long as the properties to be exchanged are of an equal value. Staff has reviewed the proposed exchange of land between Susan LeCraw, Trustee, and the County with the Monterey County Assessor's Office. The County Assessor has verified that the properties being exchanged are of equal value.

Completion of this action will fully satisfy the conditions of approval associated with the Planning Commission Resolution No. 14-408, dated December, 2014 and, thereby allow the Lot Line Adjustment between Monterey County and Susan LeCraw, Trustee to be completed.

OTHER AGENCY INVOLVEMENT:

The Office of County Counsel and the California Coastal Commission have reviewed and approved the Conservation and Scenic Easement as to form. The Office of County Counsel has reviewed the Grant Deeds as to form.

FINANCING:

Funding for staff time associated with this project is included in the FY16-17 Adopted Budget for RMA-Planning.

Prepared by: Brandon Swanson, Resource Management Agency, Management Analyst III

Reviewed by: John Ford, RMA Planning Services Manager, x5158

Approved by: Carl P. Holm, AICP, Resource Management Agency Director, x5103

Attachments are on file with the Clerk of the Board:

Attachment A Planning Commission Resolution No. 14-048

Attachment B Lot Line Adjustment Map

Attachment C Vicinity Map

Attachment D Conservation and Scenic Easement Deed with Exhibits

Attachment E Grant Deed conveying .53 acre from Monterey County to Susan LeCraw, Trustee

Attachment F Grant Deed conveying .53 acre from Susan LeCraw, Trustee, to Monterey County

Attachment G Draft Resolution

cc: Front Counter Copy; California Coastal Commission; John Ford, RMA Services Manager; Joseph Sidor, Project Planner; Susan LeCraw, Owner; Aengus L. Jeffers, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Michael DeLapa); Project File PLN130608.