



County of Monterey

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

Legislation Details (With Board Report)

File #: 18-365 **Name:** PLN160179-AMD1 - Casanova
Type: General Agenda Item **Status:** Consent Agenda
File created: 3/29/2018 **In control:** Board of Supervisors
On agenda: 4/17/2018 **Final action:**
Title: a. Approve and accept a Conservation and Scenic Easement Deed of approximately 1.5 acres of APN 008-491-012-000 as required as mitigation for PLN160179-AMD1 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 - PLN160179-AMD1 - Casanova 5 SW LLC, 3188 17 Mile Drive, Pebble Beach)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Conservation and Scenic Easement Deed with Exhibits, 3. Completed Board Order, 4. Recorded Cover Page

Date	Ver.	Action By	Action	Result
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a. Approve and accept a Conservation and Scenic Easement Deed of approximately 1.5 acres of APN 008-491-012-000 as required as mitigation for PLN160179-AMD1 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 - PLN160179-AMD1 - Casanova 5 SW LLC, 3188 17 Mile Drive, Pebble Beach)

PROJECT INFORMATION:

Planning File Number: PLN160179-AMD1

Owner/Applicant: Casanova 5 SW LLC

Project Location: 3188 17 Mile Drive, Pebble Beach

APN: 008-491-012-000

Plan Area: Del Monte Forest Land Use Plan

CEQA Action: N/A (Not a Project)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- Approve and accept a Conservation and Scenic Easement Deed of approximately 1.5 acre over an area of APN 008-491-012-000 as required as mitigation for PLN160179-AMD1 and authorize the Chair to sign the Acceptance and Consent to Recordation.
- 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:

An Amendment (PLN160179-AMD1) to previously approved Coastal Administrative Permit (Casanova 5 SW LLC/PLN160179) was approved by the Chief of RMA Planning on March 1, 2017 (Resolution 17-014, Exhibit B). This amendment added a condition of approval requiring a Conservation and Scenic Easement (CSE) that was inadvertently left out of the original permit. Policy 20 of the Del Monte Forest Coastal Implementation Plan (DMFCIP) requires any development within the mapped Cypress Habitat area (DMFCIP - Figure 2a) record easements over all portions of the parcel outside of the development footprint. The Amendment was necessary to make the project consistent with the Del Monte Forest Coastal Implementation Plan.

The Conservation and Scenic Easement has been prepared to ensure protection of all areas located outside of the approved development envelope associated with the original permit (PLN160179) in perpetuity. This Conservation and Scenic Easement shall be conveyed to the Del Monte Forest Conservancy over the identified areas located in Exhibit C.

The applicant has submitted the conservation easement deed and map showing the location of the easement on the property, along with the metes and bounds description (Exhibit C). 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 Conservation and Scenic Easement Deed 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 borne by the Del Monte Forest Conservancy, not the County.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our RMA 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

Prepared by: Elizabeth Gonzales, Senior Planner, ext. 5102

Reviewed by: Brandon Swanson, RMA-Planning Services Manager, ext. 5193

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

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

Attachment A - Conservation Easement Deed with Exhibits:
Exhibit A - Legal description

Exhibit B - Coastal Administrative Permit Resolution No. 17-014

Exhibit C - Conservation Easement description and Conservation Easement map

cc: Front Counter Copy; California Coastal Commission; Carl P. Holm, Director-Planning Department; Jacqueline R. Onciano, Planning Services Manager; Brandon Swanson, Planning Services Manager; Casanova 5 SW LLC, owner; The Open Monterey Project; LandWatch; Project File PLN160179-AMD1.