



County of Monterey

Item No.34

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

Board Report

Legistar File Number: 26-449

June 02, 2026

Introduced: 5/12/2026

Current Status: Housing & Community
Development - Consent

Version: 1

Matter Type: General Agenda Item

- a. Find that the acceptance of the Conservation and Scenic Easement Deed is categorically exempt under California Environmental Quality Act (CEQA) Guidelines section 15317;
- b. Accept a Conservation and Scenic Easement Deed covering approximately 11,750 square feet of restored environmentally sensitive habitat, at 54722 Highway 1, Big Sur (Assessor's Parcel Number 421-011-010-000) to satisfy a condition of approval related to Zoning Administrator Resolution No. 24-025 (Planning File No. PLN200097);
- 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 - PLN200097, WIND & SEA PROPERTY LLC, 54722 Highway 1, Big Sur, Assessor's Parcel Number 421-011-010-000, Big Sur Coast Land Use Plan, Coastal Zone)

PROJECT INFORMATION:

Planning File Number: PLN200097

Owners: Wind & Sea Property LLC

Project Location: 54722 Highway 1, Big Sur

APN: 421-011-010-000

Agent: Chris Gourlay

Plan Area: Big Sur Coast Land Use Plan

Flagged and Staked: No

CEQA Action: Categorically Exempt pursuant to CEQA Guidelines section 15317

RECOMMENDATION:

Staff recommends that the Board of Supervisors:

- a. Find that the acceptance of the Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317; and
- b. Accept a Conservation and Scenic Easement Deed covering approximately 11,750 square feet of restored environmentally sensitive habitat, at 54722 Highway 1, Big Sur (Assessor's Parcel Number 421-011-010-000) to satisfy a condition of approval related to Zoning Administrator Resolution No. 24-025 (Planning File No. PLN200097); 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:

On July 11, 2024, the Zoning Administrator adopted Resolution No. 24-025 (Planning File No. PLN20097) approving an after-the-fact Combined Development Permit to partially clear Code Enforcement violation (16CE00201), allowing partial conversion of a detached garage into a 336 square foot guesthouse and associated site improvements within 50 feet of a coastal bluff and 100 feet of an environmentally sensitive habitat area (ESHA). The unpermitted construction impacted Northern coastal scrub habitat, requiring approximately 11,750 square feet of habitat to be restored onsite to mitigate for the impacts. The project was conditioned to require the property owner to convey a conservation and scenic easement deed (CSED) to the County of Monterey over the portions of the property where habitat was restored (Condition of Approval No. 10).

The Biological Report (County of Monterey Document No. LIB230346) that was prepared for the project found fragmented Northern coastal scrub habitat, Hooker's manzanita plant and Sea cliff buckwheat, the host plant for the federally endangered Smith's blue butterfly.

The Zoning Administrator applied the easement condition to protect ESHA, as required by the Big Sur Coast Land Use Plan. Condition No. 10 of the Zoning Administrator's decision required dedication of a Conservation and Scenic Easement Deed over those areas of the property not approved for development, to ensure long-term protection of the habitat.

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**. No construction will be allowed within the easement area. Recordation of this easement will be disclosed to future property owners where development is prohibited on the parcel protecting ESHA on the property in conformance with the Land Use Plan requirements and the condition of approval.

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 approved the Conservation and Scenic Easement Deed as to form.

FINANCING:

Funding for staff time associated with this project is included in the FY2025-26 Adopted Budget for Housing and Community Development (HCD) Appropriation Unit HCD002, Unit 8543. All costs associated with the maintenance of the CSED will be borne by the project applicant, not the County of Monterey.

Prepared by: Kayla Nelson, Associate Planner ext. 6408
Reviewed and Approved by: Craig Spencer, HCD Director

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:

- Property Legal Description
- Monterey County Zoning Administrator Resolution No. 24-025
- Easement Legal Description and Easement Plat Map

cc: Front Counter Copy; Kayla Nelson, Associate Planner; Craig Spencer, HCD Director; Chris Gourlay, Agent; Wind & Sea Properties LLC, Owners; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Project File PLN200097