



# County of Monterey

**Item No.32**

## Board Report

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

**Legistar File Number: A 25-042**

March 11, 2025

**Introduced:** 2/13/2025

**Current Status:** Housing & Community  
Development - Consent

**Version:** 1

**Matter Type:** BoS Agreement

- a. Find that the acceptance of the Conservation and Scenic Easement Deed is categorically exempt under California Environmental Quality Act (CEQA) Guidelines section 15317; and
- b. Accept a Conservation and Scenic Easement Deed covering approximately 24,787 square feet of Environmentally Sensitive Habitat (Monterey Cypress habitat and coastal bluff scrub) at 3196 17 Mile Drive, Pebble Beach (Accessor's Parcel Number: 008-491-010-000) to satisfy Condition of Approval No. 8 in the Planning Commission Resolution No. 17-006 (Planning File No. PLN150548); and
- 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 filing with all recording fees to be paid by the applicant.  
(Conservation and Scenic Easement Deed - PLN150548, 3196 LLC, 3196 17 Mile Drive, Pebble Beach, Accessor's Parcel Number: 008-491-010-000, Del Monte Forest Land Use Plan)

### PROJECT INFORMATION:

**Planning File Number:** PLN150548  
**Owner:** 3196 LLC  
**Project Location:** 3196 17 Mile Drive, Pebble Beach  
**APN:** 008-491-010-000  
**Agent:** Gail Hatter  
**Plan Area:** Del Monte Forest Land Use Plan  
**Flagged and Staked:** no  
**CEQA Action:** N/A

### 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 24,787 square feet of Environmentally Sensitive Habitat (Monterey Cypress habitat and coastal bluff scrub) at 3196 17 Mile Drive, Pebble Beach (Accessor's Parcel Number: 008-491-010-000) to satisfy Condition of Approval No. 8 in the Planning Commission Resolution No. 17-006 (Planning File No. PLN150548); and
- 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 filing with all recording fees to be paid by the applicant.

SUMMARY:

On February 22, 2017, the Planning Commission adopted Resolution No. 17-006, which approved a Combined Development Permit (Planning File No. PLN150548, 3196 LLC). The permit authorized the demolition of an existing residence and the construction of a new residence with a detached garage and an attached accessory dwelling unit within 100 feet of an Environmentally Sensitive Habitat Area (ESHA). The project also proposed to amend an existing 21,586 square foot Conservation and Scenic Easement Deed (CSED) by adding 3,201 square feet to the easement. The Planning Commission approved the project subject to 24 Conditions of Approval. Condition of Approval No. 8 requires the current owner, 3196 LLC, to convey a CSED to the County of Monterey over the portions of the property where ESHA exists including the added 3,201 square feet (**Attachment B**). The acceptance and recordation of the CSED will satisfy Condition No. 8 of the approved resolution for the project.

DISCUSSION:

On February 22, 2017, the Planning Commission approved a Combined Development Permit consisting of: 1) Coastal Administrative Permit to allow the demolition of a 10,891 square foot single-family dwelling with a 718 square foot attached garage; 2) Coastal Administrative Permit and Design Approval to allow construction of a 10,773 square foot two-story single-family dwelling with basement and a 500 square foot detached garage; 3) Coastal Administrative Permit and Design Approval to allow construction of a 390 square foot accessory dwelling unit above the detached garage; 4) Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Area (ESHA); and 5) Coastal Development Permit to allow development within an archaeological sensitive area. The applicant additionally proposed to add 3,201 square feet to an existing 21,586 square foot Conservation and Scenic Easement Deed (CSED) as part of the project.

The property, located at 3196, 17 Mile Drive in Pebble Beach, contains ESHA, as defined in the Del Monte Forest Land Use Plan (DMF LUP), including indigenous Monterey Cypress habitat. As required by DMF LUP, the Planning Commission applied a condition to require a CSED for the protection of ESHA on the site outside the areas permitted for development. Condition No. 8 of the approval requires the applicant to dedicate a CSED over those areas of the property not approved for development to ensure long-term protection of the habitat. No construction will be allowed within the easement area. The applicant is required to record the easement to ensure that future property owners are aware of and avoid development within the easement.

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, which are appended to this Report, collectively, as **Attachment B**. Staff submitted the CSED to the Executive Direction of the Coastal Commission for review as required by Title 20 Section 20.64.280.A.6.g of the County Code. A subordination agreement is not necessary because there is no significant lien on the property. The County is the named beneficiary of the easement and is entitled to enforce it.

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 reviewed the CSED as to form.

FINANCING:

Funding for staff time associated with this project is included in the FY2024-25 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.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents an 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 the 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: 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 Planning Commission Resolution No. 17-006
  - Easement Legal Description and Easement Plat Map

cc: Front Counter Copy; Gail Hatter, Agent; 3196 LLC, Owner; Robert Joyce, Interested Party; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Lozeau Drury LLP; Project File PLN150548