



County of Monterey

Item No.

Board Report

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

Legistar File Number: 26-671

August 11, 2026

Introduced: 7/6/2026

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

- a. Find that the acceptance of the Conservation and Scenic Easement Deed is categorically exempt pursuant to CEQA Guidelines section 15317;
- b. Accept a Conservation and Scenic Easement Deed and Map, covering an area of 44,908 square feet at 3141 17 Mile Drive, for 5B SMD LLC, a California Limited Liability Company;
- 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.

PROJECT INFORMATION:

Planning File Number: PLN210066-AMD1

Owner: 5B SMD LLC

Project Location: 3141 17 Mile Drive, Pebble Beach

APN: 008-261-003-000

Agent: Gail Hatter

Plan Area: Del Monte Forest Land Use Plan, Coastal Zone

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 pursuant to CEQA Guidelines section 15317;
- b. Accept a Conservation and Scenic Easement Deed and Map, covering an area of 44,908 square feet at 3141 17 Mile Drive, for 5B SMD LLC, a California Limited Liability Company;
- 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 August 16, 2023, the Planning Commission adopted Resolution 23-056 approving a Minor and Trivial Amendment and Coastal Development Permit (PLN210066-AMD1, 5B SMD LLC) allowing for the demolition of an existing residence and construction of a new residence within 100 feet of environmentally sensitive habitat (ESHA), development within 750 feet of a known archeological resource, and ridgeline development. The project was subsequently amended to address California Coastal Commission appeal by clarifying the development area and increasing dune habitat restoration and conservation on the remainder of the parcel. As permitted, Condition of Approval No. 10 requires 5B SMD LLC, to convey a conservation and scenic easement deed (CSED) to the Del Monte Forest Conservancy (a.k.a. Del Monte Forest

Foundation, or DMFF) over the portions of the property where ESHA, specifically coastal dune habitat, exists (**Attachment B**).

DISCUSSION:

A Combined Development Permit was approved by the Planning Commission on August 16, 2023. The Combined Development Permit consisted of the demolition of an existing 4,446 square foot one-story single-family dwelling with 557 square foot garage and 80 square foot shed and construction of a 6,590 square foot two-story single-family dwelling with an attached 1,400 square foot garage and mechanical room; removal of one Monterey Cypress tree, development within 100 feet of environmentally sensitive habitat area and within 750 feet of known archaeological resources.

On February 9, 2023, HCD sent the Final Local Action Notice (FLAN) to the California Coastal Commission. On February 22, 2023, the California Coastal Commission appealed the project. Prior to the appeal being scheduled before the Coastal Commission, the applicant notified the County and the Coastal Commission of their desire to modify certain portions of the project contested during the appeal, including the habitat restoration and easement area. An amendment was filed to memorialize the changes. As a result, the FLAN was withdrawn on May 14, 2023, and the Amendment (PLN210066-AMD1) was carried forward with responsive changes.

The property contains ESHA as defined in the Del Monte Land Use Plan (LUP) due to its location within coastal dune habitat. As required by the LUP, and consistent with the amendment request, the Chief of Planning applied a condition to protect coastal dunes through CSED. The easement condition requires the applicant to dedicate a CSED over those areas of the property not approved for development. The area shall be restored following the "Final 3141 17-Mile Drive Restoration Plan" dated May 1, 2023 and amended on July 7, 2023, prepared by Patrick Regan. No construction will be allowed in the easement area. The applicant is required to record the easement to ensure that future property owners are aware of, and avoid development in, the easement area.

The Applicant has submitted the CSED and map showing the location of the easement on the property, along with the metes and bounds description, both of which are appended to this report, within Attachment B. Staff submitted the CSED to the Executive Director of the Coastal Commission for review of the legal adequacy and consistency with the requirements as required by Title 20 Section 20.64.280A.6.g. A subordination agreement is not necessary because there is no significant lien on the property. The DMFF is the named beneficiary of the easement and is entitled to enforce it. Therefore, staff recommends the Board accept, execute, and consent to the recordation of the Conservation and Scenic Easement Deed.

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.

The California Coastal Commission has reviewed the CSED and plat map.

FINANCING:

Funding for staff time associated with this project is included in the FY2026-27 Adopted Budget for Housing and Community Development 1001-310002. All costs associated with maintenance of the CSed will be borne by the project applicant (Grantor) of the easement, not the County of Monterey or the DMFF (Grantee).

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.

Mark a check to the related Board of Supervisors Strategic Plan Goal

☐ Well-Being and Quality of Life

☐ Sustainable Infrastructure for the Present and Future

☐ Safe and Resilient Communities

☐ Diverse and Thriving Economy

☒ Administrative: The acceptance and recording of this easement deed represents routine administrative processing of a Planning Commission condition, ensuring accountability and proper documentation of land-use restrictions, which aligns with the Administrative goal of efficient government operations.

Prepared by: Summer Obledo, Permit Technician II, ext. 7096

Reviewed and Approved by: Craig Spencer, 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:

- Property Legal Description
- Monterey County Planning Commission Resolution No. 23-056
- Conservation and Scenic Easement Legal Description and Easement Plat Map

cc: Front Counter Copy; Cheryl Burrell, Agent; 5B SMD LLC, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN210066-AMD1.