

Exhibit A

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Draft Resolution

Before the Housing and Community Development Chief of Planning in and for the County of Monterey, State of California

In the matter of the application of:

SCHULTZ (PLN210239)

RESOLUTION NO.

Resolution by the Monterey County Housing and
Community Development Chief of Planning:

- 1) Finding the project Categorical exempt from CEQA per Section 15305 of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and
- 2) Approving a Lot Line Adjustment between two legal lots of record consisting of Parcel A (2.50 acres, Assessor's Parcel Number 127-051-040-000) and Parcel B (2.78 acres, Assessor's Parcel Number 127-051-041-000) resulting in Parcel 1 (2.78 acres) and Parcel 2 (2.50 acres), respectively.

[(PLN210239), Schultz, 7254 & 7248 Valle Pacifico Road, Salinas, North County Area Plan (APNs: 127-051-040-000 and 127-051-041-000)]

The Schultz (PLN210239) Lot Line Adjustment came on for an administrative hearing before the Monterey County Housing and Community Development Chief of Planning on September 21, 2022. Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Monterey County HCD Chief of Planning finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) The proposed project is a Lot Line Adjustment between two legal lots of record consisting of:
 - Parcel A; 2.50 acres (Assessor's Parcel Number 127-051-040-000).
 - Parcel B; 2.78 acres (Assessor's Parcel Number 127-051-041-000).The adjustment results in an exchange of 5.28 acres between the two parcels. The new parcel configuration would allow a greater distance

between the two parcels which in turn allows the owners more privacy. The boundary adjustments of the development will conform to the Resource Conservation and Low-Density Residential zoning standards (see subsequent Evidence “c”).

- b) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 2010 Monterey County General Plan;
 - North County Area Plan;
 - Monterey County Zoning Ordinance (Title 21); and
 - Monterey County Subdivision Ordinance (Title 19).

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- c) The properties are located 7254 & 7248 Valle Pacifico Road, Salinas, North County Area Plan (APNs: 127-051-040-000 and 127-051-041-000). Parcel A is zoned Resource Conservation with a Building overlay and Low Density Residential, 2.5 unit per acre (RC/B-8|LDR/2.5). Parcel B is zoned Resource Conservation with a Building overlay (RC-B-8). Parcel A of the lot line adjustment map contains a single-family dwelling (1,952 sq. ft.) and detached garage (480 sq. ft.). Parcel B contains a single-family dwelling (1,332 sq. ft.) and attached garage (480 sq. ft.). The existing structures within Parcel A and Parcel B will remain within their respective lots after the adjustment. The lot line adjustment is intended to allow a greater distance between the two parcels which in turn allows the owners more privacy. No additional development is proposed with this Lot Line Adjustment. The reconfiguration of the parcels will not otherwise intensify water use, create new building or potential development beyond what currently exists. Therefore, the project is an allowed land use for this site.
- d) The minimum building site for the Low Density Residential district is 2.5 acres and the resulting acreage for Parcel A and Parcel B meet or exceed this minimum.
- e) The project was not referred to the North County Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did not warrant referral to the LUAC because it does not involve a lot line adjustment in the coastal zone, does not require review by the Zoning Administrator or Planning Commission, and is exempt from environmental review (see Finding 5).
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County Housing and Community Development Planning Services for the proposed development found in Project File PLN210239.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.
- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: Housing and Community Development Planning Services, North Monterey County Fire Protection District, Housing and Community Development Engineering Services, Housing and Community Development Environmental Services and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) The application, project plans, and related support materials submitted by the project applicant to Monterey County Housing and Community Development Planning Services for the proposed development found in Project File PLN210239.
3. **FINDING:** **HEALTH AND SAFETY** – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
- EVIDENCE:**
- a) The project was reviewed by the Housing and Community Development Planning Services, North Monterey County Fire Protection District, Housing and Community Development Engineering Services, Housing and Community Development Environmental Services and Environmental Health Bureau (EHB). The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Environmental Health Bureau records confirmed presence of onsite wells for both properties on Parcel B. Both parcels have onsite wastewater treatment system (OWTS) (EHB Record # ON0115318 & ON0115317) and will meet OWTS horizontal setback requirements outlined in Monterey County Code 15.20 and the Monterey County Local Agency Management Plan (LAMP). Parcel A is more constrained, the lot line adjustment will improve the overall lot configuration present on Parcel A. There will be adequate room on both parcels for an OWTS replacement with the proposed lot line adjustment. Therefore, EHB has found it acceptable for the lot line adjustment to proceed as proposed without imposing additional requirements or conditions.
 - c) The application, plans and supporting materials submitted by the project applicant to Monterey County Housing and Community

Development Planning Services for the proposed development are found in Project File PLN210239.

4. FINDING: **NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

EVIDENCE:

- a) Staff reviewed Monterey County Housing and Community Development Planning Services and Building Services records and is not aware of any violations existing on subject property.
- b) There are no known violations on the subject parcels.
- c) The application, plans and supporting materials submitted by the project applicant to Monterey County Housing and Community Development Planning Services for the proposed development are found in Project File PLN210239.

5. FINDING: **CEQA (Exempt)** – The project is a lot line adjustment, which is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

EVIDENCE:

- a) California Environmental Quality Act (CEQA) Guidelines Section 15305(a) categorically exempts minor lot line adjustments that do not result in the creation of any new parcel. No new parcels will be created with the lot line adjustment PLN210239.
- b) The subject application for a lot line adjustment is minor in nature and will not result in the creation of any new parcel.
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on February 23, 2022.
- d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County Housing and Community Development Planning Services for the proposed development found in Project File PLN210239.

6. FINDING: **LOT LINE ADJUSTMENT** – Section 66412 of the California Government Code (Subdivision Map Act) Title 19 (Subdivision Ordinance) of the Monterey County Code states that lot line adjustments may be granted based upon the following findings:

1. The lot line adjustment is between four (or fewer) existing adjoining parcels;

2. A greater number of parcels than originally existed will not be created as a result of the lot line adjustment; and
3. The parcels resulting from the lot line adjustment conform to the County's general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

- EVIDENCE:**
- a) The subject parcels are zoned Resource Conservation with a Building overlay and Low Density Residential, 2.5 unit per acre (RC/B-8|LDR/2.5) and Resource Conservation with a Building overlay (RC-B-8).
 - b) Existing Parcels include: Parcel A – 2.50 acres (Assessor's Parcel Number 127-051-040-000) and Parcel B – 2.78 acres (Assessor's Parcel Number 127-051-041-0000). As adjusted, properties will result in Parcel 1 (2.78 acres) and Parcel 2 (2.5 acres). Therefore, the lot line adjustment will not create a greater number of parcels than originally existed. Two contiguous separate legal parcels of record will be adjusted and two contiguous separate legal parcels of record will result from the adjustment.
 - c) The project is a Lot Line Adjustment between four (or fewer) existing adjoining parcels that the County recognizes as legal lots of record. Parcel A and Parcel B was created as part of Parcel Map for Minor Subdivision M.S. 75-293, being in the Rancho Bolsa Nueva Y Moro Cojo Vol. II, Page 106, recorded on April 7, 1977.
 - d) The lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 21). See Finding No. 1.
 - e) As an exclusion to the Subdivision Map Act, no map is recorded for a Lot Line Adjustment. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required per a standard condition of approval.
 - f) The application, plans and supporting materials submitted by the project applicant to Monterey County Housing and Community Development Planning Services for the proposed development are found in Project File PLN210239.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
- EVIDENCE:** Section 19.16.020.A of the Monterey County Zoning Ordinance.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Housing and Community Development Chief of Planning does hereby:

- 1) Find the project Categorically Exempt pursuant to Section 15305 of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and
- 2) Approving a Lot Line Adjustment between two legal lots of record consisting of Parcel A (2.50 acres, Assessor's Parcel Number 127-051-040-000) and Parcel B (2.78 acres, Assessor's Parcel Number 127-051-041-000) resulting in Parcel 1 (2.78 acres) and Parcel 2 (2.50 acres), respectively.

All of which are in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 21st day of September, 2022.

Craig Spencer, HCD Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County Housing and Community Development Planning Services Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

County of Monterey HCD Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN210239

1. PD001 - SPECIFIC USES ONLY

Responsible Department: HCD-Planning

Condition/Mitigation Monitoring Measure: This Lot Line Adjustment (PLN210239) allows two legal lots of record consisting of Parcel A (2.50 acres, Assessor's Parcel Number 127-051-040-000) and Parcel B (2.78 acres, Assessor's Parcel Number 127-051-041-000) resulting in Parcel 1 (2.78 acres) and Parcel 2 (2.50 acres), respectively. The property is located at 7254 & 7248 Valle Pacifico Road, Salinas, North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: HCD-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Lot Line Adjustment (Resolution Number _____) was approved by the Chief of Planning for Assessor's Parcel Number 127-051-040-000 and 127-051-041-0000 on September 21, 2022. The permit was granted subject to 3 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. LOT LINE ADJUSTMENT DEED (NON-STANDARD CONDITION)

Responsible Department: HCD-Planning

Condition/Mitigation Monitoring Measure: Owner(s)/Applicant(s) shall prepare, execute and record deeds that reflect the lot line adjustment as required by California Government Code §66412(d) and request an unconditional Certificate of Compliance for each of the adjusted parcels. (HCD-Planning)

Following review and any corrections of the legal descriptions and plats:

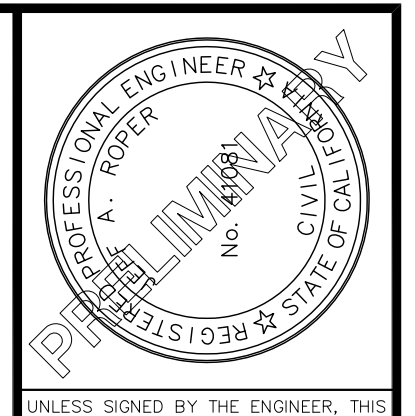
1. Record the fully executed and acknowledged deed(s) to the adjustment parcels with the County Recorder.
2. Deliver a copy of the recorded deed(s) to the project planner.
3. Deliver the legal description and plat of each Certificate of Compliance to HCD-Planning for final processing, together with a check, payable to the "Monterey County".

Compliance or Monitoring Action to be Performed: Prior to the expiration of the entitlement, the Owner(s)/Applicant(s) shall do the following:

1. Have a professional land surveyor prepare a legal description and plat with closure calculations. The legal description shall be entitled "Exhibit A" and shall have the planning permit no. (PLN210084) in the heading. The plat may be incorporated by reference into Exhibit "A," or be entitled Exhibit "B." The legal description and plat shall comply with the Monterey County Recorder's guidelines as to form and content. Submit the draft legal descriptions, plats and closure calculations to the project planner and the County Surveyor for both of the following:
 - a. Each newly adjusted parcel of the lot line adjustment for which a Certificate of Compliance will be issued.
 - b. For the adjustment parcels, being all areas being conveyed by Owner(s) in conformance to the approved lot line adjustment.
 - i. The Owner(s)/Applicant(s) shall be responsible for ensuring the accuracy and completeness of all parties listed as Grantor and Grantee on the deeds.
 - ii. The purpose of the deed shall be stated on the first page of the deed, as follows:

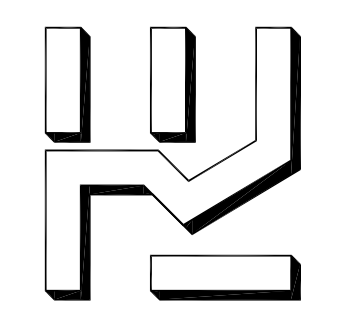
"The purpose of this deed is to adjust the parcel boundaries in conformance to the lot line adjustment approved by the County of Monterey, PLN190383. This deed is being recorded pursuant to §66412(d) of the California Government Code and shall be deemed to reconfigure the subject parcels in conformance to said approved lot line adjustment."

PLEASE NOTE: Owner(s) is/are responsible for securing any reconveyance, partial reconveyance and/or subordination in connection with any loan, mortgage, lien or other financial obligation on all property being transferred between parties.



UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.

ROPER ENGINEERING
 CIVIL ENGINEERING & LAND SURVEYING
 48 MANN AVENUE CORRALITOS, CA 95076
 (831) 724-5300 jeff@roperengineering.com



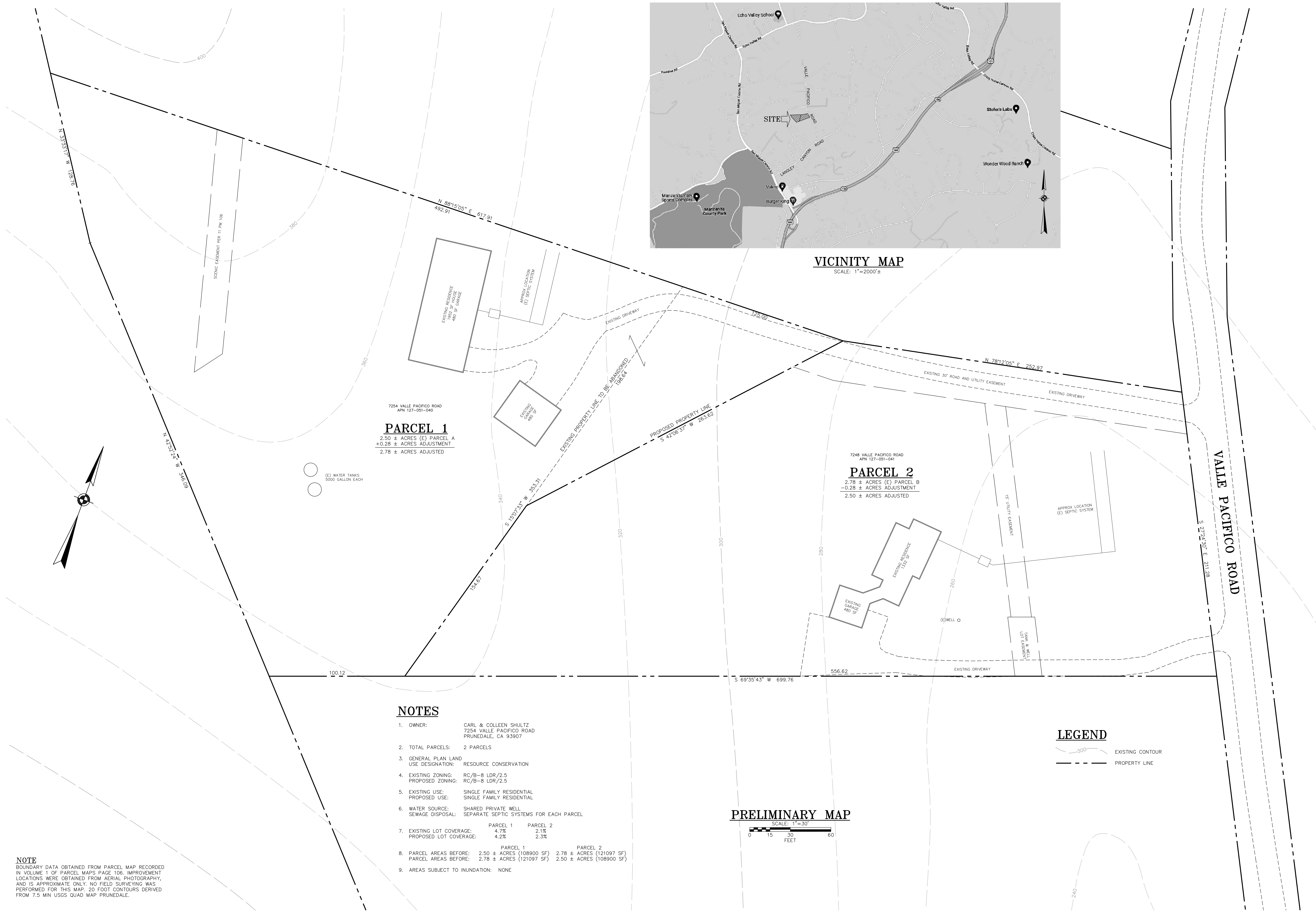
LOT LINE ADJUSTMENT FOR
CARL & COLLEEN SCHULTZ
 7248 & 7254 VALLE PACIFICO ROAD PRUNEDALE APN 127-051-040 & 041
PRELIMINARY MAP

SCALE: AS NOTED
 DESIGNED BY: JR
 DRAWN BY: JR
 DATE: MARCH 30, 2022
 REVISED: AUG. 22, 2022
 JOB NO.: 22014
 SHEET

P1



VICINITY MAP
 SCALE: 1"=2000'±



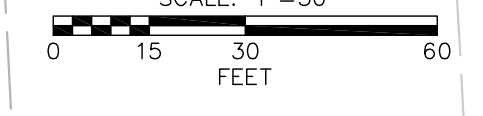
7254 VALLE PACIFICO ROAD
 APN 127-051-040
PARCEL 1
 2.50 ± ACRES (E) PARCEL A
 +0.28 ± ACRES ADJUSTMENT
 2.78 ± ACRES ADJUSTED

7248 VALLE PACIFICO ROAD
 APN 127-051-041
PARCEL 2
 2.78 ± ACRES (E) PARCEL B
 -0.28 ± ACRES ADJUSTMENT
 2.50 ± ACRES ADJUSTED

NOTES

- OWNER: CARL & COLLEEN SCHULTZ
7254 VALLE PACIFICO ROAD
PRUNEDALE, CA 93907
- TOTAL PARCELS: 2 PARCELS
- GENERAL PLAN LAND USE DESIGNATION: RESOURCE CONSERVATION
- EXISTING ZONING: RC/B-8 LDR/2.5
PROPOSED ZONING: RC/B-8 LDR/2.5
- EXISTING USE: SINGLE FAMILY RESIDENTIAL
PROPOSED USE: SINGLE FAMILY RESIDENTIAL
- WATER SOURCE: SHARED PRIVATE WELL
SEWAGE DISPOSAL: SEPARATE SEPTIC SYSTEMS FOR EACH PARCEL
- EXISTING LOT COVERAGE: PARCEL 1 PARCEL 2
4.7% 2.1%
PROPOSED LOT COVERAGE: 4.2% 2.3%
- PARCEL AREAS BEFORE: PARCEL 1 PARCEL 2
2.50 ± ACRES (108900 SF) 2.78 ± ACRES (121097 SF)
PARCEL AREAS BEFORE: 2.78 ± ACRES (121097 SF) 2.50 ± ACRES (108900 SF)
- AREAS SUBJECT TO INUNDATION: NONE

PRELIMINARY MAP



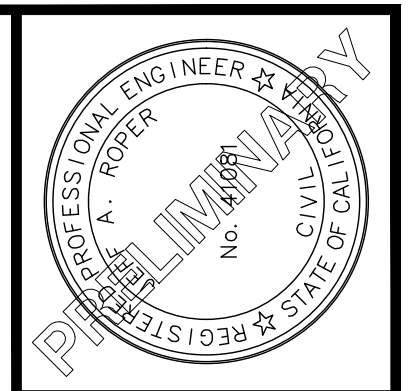
LEGEND

- EXISTING CONTOUR
- PROPERTY LINE

NOTE
 BOUNDARY DATA OBTAINED FROM PARCEL MAP RECORDED IN VOLUME 1 OF PARCEL MAPS PAGE 106. IMPROVEMENT LOCATIONS WERE OBTAINED FROM AERIAL PHOTOGRAPHY, AND IS APPROXIMATE ONLY. NO FIELD SURVEYING WAS PERFORMED FOR THIS MAP. 20 FOOT CONTOURS DERIVED FROM 7.5 MIN USGS QUAD MAP PRUNEDALE.

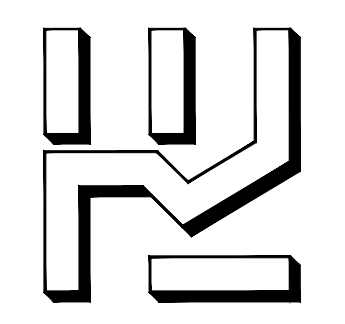


NOTE
 AERIAL PHOTOGRAPHY WAS OBTAINED FROM GOOGLE
 EARTH. DATE OF PHOTOGRAPHY SEPTEMBER 2021



UNLESS SIGNED BY THE ENGINEER, THIS
 PLAN IS FOR REFERENCE ONLY. THE
 SIGNED PLAN IS THE ONLY PLAN TO BE
 USED FOR CONSTRUCTION.

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LOT LINE ADJUSTMENT FOR
CARL & COLLEEN SCHULTZ
 7248 & 7254 VALLE PACIFICO ROAD PRUNEDAILE APN 127-051-040 & 041
AERIAL PHOTO

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	MARCH 29, 2022
REVISED:	AUG. 22, 2022
JOB NO.:	22014

SHEET
P2
 OF 2 SHEETS