



# County of Monterey Planning Commission

## Item No.3

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

### Agenda Item No. 3

Legistar File Number: PC 24-034

April 10, 2024

Introduced: 4/1/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

#### PLN210339 - PLP PAJARO LLC

Public hearing to receive the withdrawal of appeal by Mark Blum on behalf of PLP Pajaro LLC from the March 31, 2023 Department of Housing and Community Development (HCD) Chief of Planning's decision on Parcel Legality Status Determination.

**Project Location:** End of Wells Road off of Hudson Landing Road, Royal Oaks

**Proposed CEQA Action:** Find that discussion of the withdrawal of a denial of the appeal is Statutorily Exempt pursuant to CCR CEQA Guidelines Section 15378(b)(5) - CEQA does not apply to a parcel legality status determination because it is an administrative activity that will not result in direct or indirect physical changes in the environment.

#### RECOMMENDATION:

It is recommended that the Planning Commission close the hearing on the appeal of Mark Blum on behalf of PLP Pajaro LLC from the March 31, 2023 Department of Housing and Community Development (HCD) Chief of Planning's decision on Parcel Legality Status Determination (PLSD) (Planning File No. PLN210339 - PLP PAJARO LLC) because on March 5, 2024, the agent withdrew the appeal.

#### PROJECT INFORMATION:

**Agent:** Mark Blum

**Property Owner:** PLP Pajaro LLC

**Subject APN:** 117-151-003-000

**Zoning:** LDR/2.5 (CZ) (Low Density Residential 2.5 acres in Coastal Zone)

**Plan Area:** North County Coastal Land Use Plan

#### SUMMARY:

On behalf of the Owners PLP Pajaro LLC, Mark Blum of Horan Lloyd, A Professional Corporation (Applicant's/Appellant's Agent), requested that the County process a Parcel Legality Status Determination (PLSD) of five proposed lots within two adjacent Assessor's Parcel Numbers in the Royal Oaks area to the east of the Pajaro Golf Course in the North County Land Use Plan area of the unincorporated area of the County. During staff review of this application, conflicts were found with the Subdivision Map Act (SMA) and the Monterey County Code (MCC) for two of the proposed "lots" located within APN 117-151-003-000. The other lots were found to be legal lots of a 1921 subdivision, the Fruitland Subdivision Map, recognized by County HCD in October 2020 as an Unconditional Certification of Compliance pursuant to MCC section 19.14.050.A. Following that conclusion, lots 18, 21 and 22, within APN 117-151-004-000, were found to have transferred together by Deed in the same configuration and with specific reference to the Fruitland Subdivision

Map's lot numbers. However, the determination on the area of property identified as 117-151-003-000 was that the properties that were once "Lot 16" and "Lot 17" had been altered in size and shape through legal transfers over time such that they no longer hold the same configuration as in the 1921 Fruitland Subdivision Map. After being split essentially in half, the western remainder portion of Lot 16 and the western remainder portion of Lot 17 were sold as one parcel with a legal description that included the whole area. County determined that portions of Lot 16 and Lot 17 could not be recognized as legal lots and included this finding in a Parcel Legality Determination Letter dated March 31, 2023. The applicant appealed the Director's decision on September 8, 2023. The appeal included an April 24, 2023 letter requesting reconsideration (which was replied to but not elaborated on by HCD on July 13, 2023) and additional appeal contentions and materials to support the position that more than one legal parcel be recognized at the Subject Property. Staff prepared a staff report and resolution for the appeal hearing scheduled by all parties for January 31, 2024. After noticing of said hearing, the appellant requested a meeting with staff to discuss the subject matter. At the January 31, 2024 hearing, the appellant requested a continuance to the date certain of April 10, 2024 in order to add additional documentation to his appeal contentions. On March 5, 2024, the agent withdrew the appeal.

Prepared by: Mary Israel, Supervising Planner, ext. 5183

Reviewed: Anna Ginette Quenga, AICP, Principal Planner

Approved by: Melanie Beretti, AICP, Acting Chief of Planning

cc: Front Counter Copy; Michael K. Goetz, Chief of Surveys; PLP Pajaro LLC, Property Owners; Mark Blum, Applicant's representative; Mary Grace Perry, Deputy County Counsel, Office of the County Counsel; Melanie Beretti, Acting Chief of Planning; Craig Spencer, Acting HCD Director; Molly Erickson, The Open Monterey Project; Executive Director, LandWatch; Laborers International Union of North America (Lozeau Drury LLP); Project File PLN210339.