

*Before the Board of Supervisors  
County of Monterey, State of California*

In the matter of the application of:

**RAVA JERRY J II TR AND JERRY & SUZANNE RAVA  
FAMILY LIMITED PARTNERSHIP AND NINO FAMILY LP  
(PLN210153)**

**RESOLUTION NO. 23-128**

Resolution by the Monterey County Board of Supervisors:

1. Finding the project Categorically Exempt pursuant to Section 15305(a) of the California Environmental Quality Act (CEQA) Guidelines, and there are no exceptions pursuant to Section 15300.2 of the CEQA Guidelines;
2. Approving a Lot Line Adjustment between four legal lots of record (under Farmland Security Zone Contract Nos. 68-016 and 93-011): Parcel 1 (160.0 acres), Parcel 2 (24.6 acres), Parcel 3 (692.2 acres) and Parcel 4 (440.0 acres), resulting in four lots containing 123.5 acres [Adjusted Parcel 1 (C)], 730.1 acres [Adjusted Parcel 2 (B)], 303.2 acres [Adjusted Parcel 3 (A)], and 160 acres [Adjusted Parcel 4 (D)], with no net change in acreage under the Williamson Act Contracts;
3. Authorizing the Chair to execute a new or amended Land Conservation Contract(s) in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lots only and simultaneously execute a new or amended Land Conservation Contract for the reconfigured lots between the County and the property owners reflecting the new legal description, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
4. Directing the Clerk of the Board to file the Lot Line Adjustment Map with the County Recorder with all applicable recording fees paid by the Property Owner in conformance with the attached Lot Line Adjustment map.

[(PLN210153) 51701 & 51983 Freeman Flat Road, King City, Central Salinas Valley Area Plan (APNs: 420-101-006-000, 420-101-007-000, 420-101-004-000, 420-101-005-000, 420-101-003-000, 420-091-033-000, 420-091-034-000, 420-091-032-000, 420-091-029-000, 420-091-038-000, 420-091-031-000, 420-091-039-000, and 420-091-040-000)]

**The RAVA application (PLN210153) came on for a public hearing before the Monterey County Board of Supervisors on April 18, 2023. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Board of Supervisors finds and decides as follows:**

**FINDINGS**

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the policies of the 2010 Monterey County General Plan and Central Salinas Valley Area Plan, the requirements of the subdivision ordinance and zoning ordinance (Title 19 and 21, respectively), and Section 51257 of the California Government Code (Williamson Act).
- EVIDENCE:**
- a) The properties are located at 51701 & 51983 Freeman Flat Road, King City, Central Salinas Valley Area Plan (Accessors Parcel Numbers: 420-101-006-000, 420-101-007-000, 420-101-004-000, 420-091-420-101-006-000, 420-101-007-000, 420-101-004-000, 420-101-005-000, 420-101-003-000, 420-091-033-000, 420-091-034-000, 420-091-032-000, 420-091-029-000, 420-091-038-000, 420-091-031-000, 420-091-039-000, and 420-091-040-000).
  - b) Allowed Uses. The project involves a Lot Line Adjustment between four legal lots of record consisting of Parcel 1 of 160.0 acres (Assessor’s Parcel Numbers 420-101-006-000 & 420-101-007-000), Parcel 2 of 24.6 acres (Assessor’s Parcel Number 420-101-004-000), Parcel 3 of 692.2 acres (Assessor’s Parcel Numbers 420-101-005-000, 420-101-003-000, 420-091-033-000, 420-091-034-000, 420-091-032-000, and 420-091-029-000) and Parcel 4 of 440.0 acres (Assessor’s Parcel Numbers 420-091-038-000, 420-091-031-000, 420-091-039-000, and 420-091-040-000), resulting in 4 lots of 123.5 [Adjusted Parcel 1 (C)], 730.1 acres [Adjusted Parcel 2 (B)], 303.2 acres [Adjusted Parcel 3 (A)], and 160 acres [Adjusted Parcel 4 (D)]. These parcels are split zoned Farmland, 40 acres per unit [F/40], and Permanent Grazing, 40 acres per unit [PG/40]. The current uses of the properties are grazing, row crop fanning and two single family residences (one on Parcel 1 and one on Parcel 4). The existing agricultural uses and single-family residences are to remain and are consistent with the applicable agricultural zoning designations.
  - c) Lot Legality. Parcel 1 (160 acres in size) is identified in its current configuration, and under separate ownership, as Lot 6 and 7 of West half of the Southeast quarter (W 1/2 of SE 1/4) and East half of the Southwest quarter (E 1/2 of SW 1/4) of Section 20, in Township 20 South, Range 9 East of Mount Diablo Base and Meridian. Parcel 2 (26.4 acres in size) is identified in its current configuration, and under sperate ownership, as Lot4 4 being the Southeast quarter of the Southeast quarter (SE 1/4 of SE 1/4) of Section 19 and of the Southwest quarter of Southwest quarter (SW 1/4 of SW 1/4) of Section 20, in Township 20 South, Range 9 East of Mount Diablo Base and Meridian. Parcel 3 (692.2 acres in size) is identified in its current configuration, and under separate ownership, as Lot 29, 32, 32, 3 and 5 being the Southeast quarter and the East half of the Southwest quarter (SE 1/4 and E 1/2 of SW 1/4) of Section 17; the Northeast quarter, the East half of the Northwest quarter and the West half of the Southwest quarter (NE 1/4, E 1/2 of NW 1/4 & W 1/2 of SW 1/4) of Section 20; and the Southeast quarter (SE 1/4) of Section 19. In accordance with

Board of Supervisors Resolution No. 19-274 (PLN180205), Parcel 4, approximately 440 acres, was issued a Certificate of Compliance (Document No. 2021026531) on April 12, 2021. Therefore, the County recognizes Parcels 1, 2, 3 and 4 as being legal lots of record.

- d) Williamson Act Contracts. Currently, portions of Parcels 3 and 4 are under Williamson Act Agricultural Preserve and Land Conservation Contract (AGP) No. 93-011. The remainder of Parcel 4, not under the Agricultural Preserve contract, is under a Farmland Security Zone Contract (FSZC) No. 68-016. Parcels 1 and 2 are not under Williamson Act Contracts.
- e) The resulting parcel boundaries will better conform to surrounding topography and the Williamson Act Contract boundaries; Parcel B will be under APG No. 93-011 and Parcel D will be under FSZC No. 68-016. Parcels C and A are not subject to a FSCZ. The resulting parcels will continue the current uses (Parcels A as row crop, Parcel B as row crop and residential, Parcel C as grazing and residential, and Parcel D as grazing). The single-family residence and agricultural uses located on Parcel B are compatible with AGP No. 93-011 (Document No. 08307, Reel 2904, Pages 1481 to 1493) established pursuant to Board of Supervisors Resolution No. 92-35 dated February 2, 1993. The agricultural uses located in Parcel D are compatible with Farmland Security Zone Contract Amendment No. 68-016 (Document No. 2022053158) established pursuant to Board of Supervisors Resolution No. 68-56-16, dated February 29, 1968. The residence located on Parcel C meets all site development standards including the 40 acres per unit density limitation.
- f) The lot line adjustment would require that the contract be amended to reflect the new parcel configuration and legal descriptions. The lot line adjustment will not reduce the acreage of property under the contract or effect the current agricultural operations at the site; nor change the exterior boundaries of the Williamson Act Contract.
- g) Parcel 2 (24.6 acres) currently does not conform to the 40-acre minimum lot size requirement of the F/40 and PG/40 zoning districts. As proposed, the Lot Line Adjustment will bring Parcel 2 (adjusted to Parcel B; 730.1 acres) into conformance with the minimum lot size. Adjustment Parcels A, C, and D will continue to be in conformance with the minimum lot size requirements of F/40 and PG/40 zoning districts.
- h) The Lot Line Adjustment does not include any changes to the existing land/agricultural uses or any development of structures. The proposed Lot Line Adjustment is to better achieve the current overall agricultural operations to conform to its agricultural uses and improve the current agricultural operation efficiency by realigning the lot lines to the physical features of the land.
- i) The proposed lot line adjustment would promote appropriate and orderly growth and development while protecting desirable land uses, in this case agricultural land uses. The proposed lot line adjustment would: produce a superior lot configuration; promote resource

conservation as agricultural is a resource in this County; better achieve the goals, policies, and objectives of the General Plan; and facilitate routine and ongoing agricultural activities.

- j) 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 the documents.
- k) Agricultural Advisory Committee (AAC). The project was referred to the Agricultural Advisory Committee (AAC) for review on December 1, 2022. Due to a lack of quorum, the item was continued to the January 26, 2023, meeting for review at which the AAC unanimously recommended approval and supported the lot line adjustment as proposed. No concerns were raised during the meeting.
- l) The application, project map, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN210153.

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: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and the South County Fire Protection District. Conditions recommended by HCD-Planning, Environmental Health Bureau, and HCD Environmental Services have been incorporated.
  - b) The project planner reviewed the submitted maps and support materials to verify that the project conforms to the plans listed above and that the project site is suitable for the proposed use. There are no physical or environmental constraints that would indicate that the property is not suitable for the use proposed.
  - c) The application, project map, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN210153.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for, will not, under the circumstances of the 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 has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Public Works, HCD-Environmental Services, Environmental Health Bureau, and the North County Fire Protection District. 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) The Environmental Health Bureau reviewed the project application and included two conditions. Parcels B and C each have a residence, individual well and on-site wastewater treatment system. The well on Parcel B also serves an existing dwelling across Freeman Flat Road on APN: 420-101-002-000; this constitutes a small water system. As it is currently unpermitted, Condition Nos. 6 and 7 have been added to require obtaining a water system permit and establishing easements for the water well/distribution infrastructure.
- c) The application, project map, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN210153.

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 HCD - Planning and Building Services Department records and is not aware of any violations existing on the subject property.
  - b) The application, project map, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN210153.

5. **FINDING:**
- a) **CEQA (EXEMPT)** – The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
  - b) California Environmental Quality Act (CEQA) Guidelines Section 15305(a) categorically exempts minor lot line adjustments not resulting in the creation of any new parcel. The County, pursuant to Monterey County Code Title 19 (Subdivision Ordinance) Section 19.09.005.C, has determined that lot line adjustments which do not result in the relocation of the building area are consistent with the intent of the categorical exemption for minor lot line adjustments. This determination and application to the subject lot line adjustment is also consistent with CEQA Guidelines Section 150305(a), which exempts projects where minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.
  - c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The proposed project would not have a significant impact on any resources. There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances. The site is not located in a sensitive environment. There are no significant cumulative effects from the lot line adjustment on surrounding lands. There are no historical resources nor hazardous waste sites involved. The project will not have a significant effect on the environment and qualifies for a categorical exemption as a minor alteration in land use.

- c) The application, project map, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN210153.

**6. FINDING:**

**LOT LINE ADJUSTMENT** – Section 66412(d) of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the Monterey County Code (MCC) allow a lot line adjustment that meets the following standards:

- 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;
- 3. The parcels resulting from the lot line adjustment conform to the County’s general plan, any applicable specific plan and zoning and building ordinances.

As proposed, the project meets these standards.

**EVIDENCE:**

- a) The subject lot line adjustment is between four existing adjacent legal lots of record and will result in four lots of record.
- b) No additional developable parcels will be created and will not take out of the current agricultural operations after the subject lot line adjustment.
- c) The parcels from the proposed lot line adjustment will be conform to the County’s General Plan, area plan, zoning and building ordinances. See evidence in Finding No. 1 and supporting evidence.
- d) The application, project map, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN210153.

**7. FINDING:**

**WILLIAMSON ACT – CONTRACTS** – Pursuant to California Government Code Section 51257(a)(1), the new or amended Contract or Contracts would enforceably restrict the adjusted boundaries of the parcel for an initial term for at least as long as the unexpired term of the rescinded Contract or Contracts, but for not less than ten (10) years.

**EVIDENCE:**

- a) The proposed amendment to Farmland Security Zone Contract No. 68-016 and Agriculture Preserve Contract No. 93-011 shall be applied to applicable reconfigured parcels.
- b) The term of the original Land Conservation Contract renews annually on each succeeding January 1; the term of the new or amended Contract or Contracts shall be automatically renewed on January 1 and one additional year shall be added automatically to the initial term unless notice of nonrenewal is given.

**8. FINDING:**

**WILLIAMSON ACT – NO NET ACREAGE DECREASE -** Pursuant to California Government Code Section 51257(a)(2), there is no net decrease in the amount of the acreage restricted.

**EVIDENCE:**

- a) The proposed lot line adjustment will adjust the legal lots of record; however, the adjustment will not result in net loss of acreage under the

Williamson Act Contracts. The total acreage of the proposed parcels will remain the same as the current.

- b) A condition of approval shall require that a surveyor prepare legal descriptions for each newly configured parcel and submit them to HCD-Planning for review and approval for recordation with the Monterey County Recorder's office as attachments to the Certificates of Compliance for the reconfigured parcels.
- c) The application, plans, and related support materials found in Planning File No. PLN210153.

**9. FINDINGS:**

**WILLIAMSON ACT – NEW CONTRACTS** - Pursuant to California Government Code Section 51257(a)(3), at least 90 percent of the land under the former Contract or Contracts remains under the new or amended Contract or Contracts.

**EVIDENCE:**

- a) The proposed new or amended Contract will continue to cover at least 90 percent of the lots which are subject to the Farmland Security Zone Contract No. 68-016 or Agriculture Preserve Contract No. 93-011
- b) The application, plans, and related support materials found in Planning File No. PLN210153.

**10. FINDING:**

**WILLIAMSON ACT – SUSTAIN AGRICULTURAL USE** - Pursuant to California Government Code Section 51257(a)(4), after the Lot Line Adjustment, the parcels of land subject to Contract will be large enough to sustain their agricultural use, as defined in Section 51222.

**EVIDENCE:**

- a) The proposed Lot Line Adjustment shall reflect the redistribution of 331.6 acres of land under a Williamson Act Contract.
- b) Pursuant to California Government Code Section 51222 (Williamson Act), "agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is (1) at least 10 acres in size in the case of prime agricultural land, or (2) at least 40 acres in size in the case of land which is not prime agricultural land." All resulting parcels will be greater than 40 acres in size (minimum size of 123 acres and maximum size of 730 acres) and better conform to the current topography and agriculture uses. Therefore, the adjusted parcels will be large enough to continue to sustain their agriculture use.
- c) The application, plans, and related support materials found in Planning File No. PLN210153.

**11. FINDINGS:**

**WILLIAMSON ACT – LONG-TERM AGRICULTURAL PRODUCTIVITY** - Pursuant to California Government Code Section 51257(a)(5), the Lot Line Adjustment would not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a Contract or Contracts.

**EVIDENCE:**

- a) The resulting parcel boundaries will better conform to surrounding topography and the Williamson Act Contract boundaries, therefore allowing the property owners to efficiently sustain and facilitate the

existing agricultural operation.

- 12. FINDING:** **WILLIAMSON ACT – ADJACENT AGRICULTURAL LAND USE** - Pursuant to California Government Code Section 51257(a)(6), the Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use.
- EVIDENCE:**
- a) The subject parcels and surrounding area are designated either Permanent Grazing – 40-acre minimum Zoning District [PG/40] or Farmland– 40-acre minimum Zoning District [F/40], or a combination of both. The Lot Line Adjustment will not affect the current agricultural operations on the subject parcels and on adjacent parcels. No physical development is proposed. The adjustment would not allow any uses that could not also occur under the current configuration.
  - b) The application, plans, and related support materials found in Planning File No. PLN210153.
- 13. FINDING:** **WILLIAMSON ACT – NO NEW DEVELOPABLE PARCELS** - Pursuant to California Government Code Section 51257(a)(7), the Lot Line Adjustment does not result in a greater number of developable parcels than existed prior to the adjustment, or an adjusted lot that is inconsistent with the general plan.
- EVIDENCE:**
- a) The four reconfigured lots do not result in a greater number of developable parcels than existed prior to the adjustment. See Finding No. 6 and supporting evidence.
  - b) The application, plans, and related support materials found in Planning File No. PLN210153.

### **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Board of Supervisors of the County of Monterey does hereby:

1. Find the project Categorically Exempt pursuant to Section 15305(a) of the California Environmental Quality Act (CEQA) Guidelines, and there are no exceptions pursuant to Section 15300.2 of the CEQA Guidelines;
2. Approve a Lot Line Adjustment between four legal lots of record (under Farmland Security Zone Contract No. 68-016 and 93-011): Parcel 1 (160.0 acres), Parcel 2 (24.6 acres), Parcel 3 (692.2 acres) and Parcel 4 (440.0 acres), resulting in four lots containing 123.5 acres [Adjusted Parcel 1 (C)], 730.1 acres [Adjusted Parcel 2 (B)], 303.2 acres [Adjusted Parcel 3 (A)], and 160 acres [Adjusted Parcel 4 (D)], with no net change in acreage under the Williamson Act Contract;
3. Authorize the Chair to execute a new or amended Land Conservation Contract(s) in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lots only and simultaneously execute a new or amended Land Conservation Contract for the reconfigured lots between the County and the property owners reflecting the new legal description, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and



4. Direct the Clerk of the Board to file the Lot Line Adjustment Map with the County Recorder for recording with all applicable recording fees paid by the Property Owner in conformance with the attached Lot Line Adjustment map.

**PASSED AND ADOPTED** on this 18<sup>th</sup> day of April 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams

NOES: None

ABSENT: None

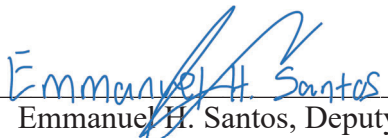
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on April 18, 2023.

Dated: April 25, 2023

File ID: RES 23-064

Agenda Item No. 22

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

  
Emmanuel H. Santos, Deputy