



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Public Hearing on:

PLN180205 - The Jerry and Suzanne Rava Family limited partnership and Jerry J. Rava II, trustee of the Jerry J. Rava II trust dated August 19, 1994 Public hearing to consider a Lot Line Adjustment between two (2) legal lots of record currently under Williamson Act Contract of 607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) into two (2) resulting lots of 434.1 acres (Parcel A) and 440.8 acres (Parcel B).

Proposed California Environmental Quality Act (CEQA) Action: Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines Section 15305(a)

Project Location: South of Wildhorse Canyon Road, near King City (Assessor's Parcel Numbers 420-091-020-000 and 420-091-030-000) and at 51173 Freeman Flat Road, King City (Assessor's Parcel Number 420-091-031-000), Central Salinas Valley Area Plan.

Board Action:

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to:

Adopted Resolution No.: 19-274

- a. Find that the project is a Lot Line Adjustment, which qualifies as a Class 5 Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Section 15305(a), and there are no exceptions pursuant to CEQA Guidelines Section 15300.2; and
- b. Approve a Lot Line Adjustment between two (2) legal lots of record of 607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) into two (2) resulting lots of 434.1 acres (Parcel A) and 440.8 acres (Parcel B) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) Nos. 68-016 and 93-011 established by County Board of Supervisors Resolution Nos. 68-56-16 and 92-35, with a net decrease in acreage to AGP 68-016 (Parcel A) and equal net increase in acreage to AGP 93-011 (Parcel B); and
- c. Authorize the Chair to execute a new or amended Land Conservation Contract or Contracts in order to rescind a portion of the existing Land Conservation Contracts as applicable to the reconfigured lots only and simultaneously execute a new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and the JERRY and SUZANNE RAVA FAMILY LIMITED PARTNERSHIP and Jerry J. Rava II, Trustee of The Jerry J. Rava II Trust dated August 19, 1994, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or

Procedures; and

d. Direct the Clerk of the Board to record the new or amended Land Conservation Contract or Contracts subject to the submittal of the appropriate recording fees from the property owners of record.

PROJECT INFORMATION:

APNs: 420-091-020-000, 420-091-030-000 and 420-091-031-000

Zoning: PG/40 and F/40

GP Land Use Designation: Permanent Grazing 10-160 Acre Min/ Farmlands
40-160 Acre Min.

PASSED AND ADOPTED on this 23rd day of July 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

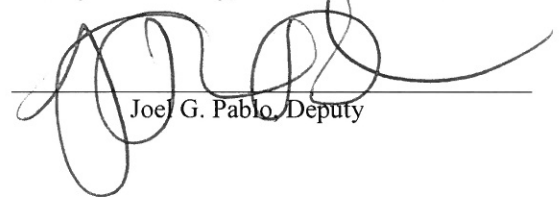
NOES: None

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 July 23, 2019.

Dated: July 23, 2019
File ID: RES 19-097

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



Joe G. Pablo, Deputy

Before the Board of Supervisors in and for the County of Monterey, State of California

PLN180205 – The JERRY and SUZANNE RAVA FAMILY LIMITED PARTNERSHIP and Jerry J. Rava II, Trustee of The Jerry J. Rava II Trust dated August 19, 1994

Resolution No. 19-274

- Resolution of the Monterey County Board of Supervisors:)
 - a. Finding that the project is a Lot Line Adjustment, which qualifies as a Class)
5 Categorical Exemption per California Environmental Quality Act)
(CEQA) Guidelines Section15305(a), and there are no exceptions pursuant)
to CEQA Guidelines Section15300.2; and)
 - b. Approving a Lot Line Adjustment between two (2) legal lots of record of)
607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) into two (2) resulting lots)
of 434.1 acres (Parcel A) and 440.8 acres (Parcel B) under Williamson Act)
Agricultural Preserve Land Conservation Contract (AGP) Nos. 68-016 and)
93-011 established by County Board of Supervisors Resolution Nos. 68-56-)
16 and 92-35, with a net decrease in acreage to AGP 68-016 (Parcel A) and)
equal net increase in acreage to AGP 93-011 (Parcel B); and)
 - c. Authorizing the Chair to execute a new or amended Land Conservation)
Contract or Contracts in order to rescind a portion of the existing Land)
Conservation Contracts as applicable to the reconfigured lots only and)
simultaneously execute a new or amended Land Conservation Contract or)
Contracts for the reconfigured lots between the County and the JERRY and)
SUZANNE RAVA FAMILY LIMITED PARTNERSHIP and Jerry J. Rava)
II, Trustee of The Jerry J. Rava II Trust dated August 19, 1994, reflecting)
the new legal descriptions, current ownership interests and to incorporate)
any legislative changes to State Williamson Act provisions and current)
County Agricultural Preserve Policies or Procedures; and)
 - d. Directing the Clerk of the Board to record the new or amended Land)
Conservation Contract or Contracts subject to the submittal of the)
appropriate recording fees from the property owners of record.)
- (PLN180205/ The JERRY and SUZANNE RAVA FAMILY LIMITED)
PARTNERSHIP and Jerry J. Rava II, Trustee of The Jerry J. Rava II Trust dated)
August 19, 1994).....)

RECITALS:

WHEREAS, an application was submitted for a Lot Line Adjustment between two (2) legal lots of record involving Parcel 1 (APN 420-091-020 and -030) and Parcel 2 (Portion of APN 420-091-031) owned by the JERRY and SUZANNE RAVA FAMILY LIMITED PARTNERSHIP and Jerry J. Rava II, Trustee of The Jerry J. Rava II Trust dated August 19, 1994, hereinafter called "Owner", and

WHEREAS, the legality of the two (2) subject parcels is based on existing grant deeds: Layouts to Johnson Grant Deed (Parcel 1) dated December 17, 1971, Reel 742 Pages 228 – 234 and Grutly Dedini and Julia Tamo to Romilda Dedini Grant Deed (Parcel 2) dated April 9, 1937, Book 522, Official Records, Pages 88 - 90, on file with the Monterey County Recorder's Office and Planning File No. PLN180205 and incorporated herein by this reference; and

WHEREAS, Parcel 1 is subject to Agricultural Preserve Land Conservation Contract No. 68-016 (Document No. G05563, Reel 545, Pages 519-534) established pursuant to Board of Supervisors Resolution No. 68-56-16 dated February 29, 1968 and Parcel 2 is subject to Agricultural Preserve Land Conservation Contract 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, and will be reconfigured; and

WHEREAS, the Lot Line Adjustment will result in two (2) reconfigured lots consisting of approximately 434.1 acres (Parcel A) and 440.8 acres (Parcel B) with a net decrease in 173.7 acres to AGP 68-016 (Parcel A) and net increase in 173.7 acres to AGP 93-011 (Parcel B); and

WHEREAS, the Lot Line Adjustment will allow the continued used for grazing in Parcel B and row crop farming in Parcel A which is consistent with the applicable Williamson Act Agricultural Preserve Land Conservation Contract Nos. 68-016 (Document No. G05563, Reel 545, Pages 519-534) and 93-011 (Document No. 08307, Reel 2904, Pages 1481 to 1493) for the respective parcels, and is consistent with the Board approved list of compatible uses; and

WHEREAS, the Board of Supervisors finds that the proposed Lot Line Adjustment of property is consistent with policies of the 2010 Monterey County General Plan, the Central Salinas Valley Area Plan, regulations in the Zoning Ordinance (Title 21 of the Monterey County Code) and the Subdivision Ordinance (Title 19 of the Monterey County Code), and Section 51257 of the California Government Code (Williamson Act), and current County Agricultural Preserve Policies or Procedures as evidenced below; and,

WHEREAS, California Government Code Section 51257 requires that certain findings be made by the Board of Supervisors to facilitate Lot Line Adjustments of land under Williamson Act Contract; and

WHEREAS, the Board of Supervisors further finds that the request for a Lot Line Adjustment is consistent with California Government Code Section 51257 (Williamson Act); and

WHEREAS, the Board of Supervisors further finds that the request for a Lot Line Adjustment is consistent with Board Resolution No. 00-462 (Resolution relating to the processing of Lot Line Adjustment affecting property under Agricultural Preserve Contract pursuant to the Williamson Act); and

WHEREAS, the Board of Supervisors, having considered the application and the evidence related thereto, finds and declares that:

1. **FINDING: CONSISTENCY** – The project, as described in Condition of Approval No. 1 and as conditioned, conforms to the policies, requirements, and standards of:
 - 1.) The 2010 Monterey County General Plan;
 - 2.) The Central Salinas Valley Area Plan;
 - 3.) The Monterey County Zoning Ordinance (Title 21);
 - 4.) The Monterey County Subdivision Ordinance (Title 19 - Inland Subdivision Ordinance); and
 - 5.) Section 51257 of the California Government Code (Williamson Act).

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of this application. No conflicts between these documents and this project application were found to exist as further

discussed in Finding 1/Evidence Sections (b) through (i) below. No communications were received during the course of review of the project indicating any project inconsistencies with the text, policies, and regulations in these documents.

- (b) The subject lots are located south of Wildhorse Canyon Road, near King City (Assessor's Parcel Numbers 420-091-020-000 and 420-091-030-000) and at 51173 Freeman Flat Road, King City (Assessor's Parcel Number 420-091-031-000), Central Salinas Valley Area Plan.
The current configuration of the two (2) parcels consists of two (2) legal lots of record of 607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) and with the proposed lot line adjustment will result into two (2) lots of 434.1 acres (Parcel A) and 440.8 acres (Parcel B).
- (c) The purpose for the Lot Line Adjustment is to reconfigure the property boundaries to combine all row crop farming areas located on Parcels 1 and 2 into one (1) proposed parcel (Parcel A) and to have all the grazing lands located within Parcels 1 and 2 to be located all within proposed Parcel B. The reconfiguration is consistent with the Board adopted list of compatible uses and the applicable Williamson Act Contracts (AGP Nos. 68-016 and 93-011).
- (d) The current uses of the properties are grazing, row crop farming and one single family residence. The existing agricultural uses and the existing one (1) single family residence are to remain and are consistent with the applicable agricultural zoning designation of Permanent Grazing – 40-acre minimum (PG/40) and Farmland - 40-acre minimum. The single-family residence and agricultural uses located in Parcel A are compatible with Williamson Act Agricultural Preserve and Land Conservation Contract (AGP) No. 68-016 (Document No. G05563, Reel 545, Pages 519-534) established pursuant to Board of Supervisors Resolution No. 68-56-16 dated February 29, 1968 and the agricultural uses located in 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.
- (e) The proposed lot line configuration would result in adjusted Parcel A, 434.1 acres and Parcel B, 440.8 acres. Both proposed lots meet the minimum lot size requirement for the PG/40 Zoning District.
- (f) The existing single-family residence located on proposed Parcel A meets the minimum setbacks and development standards for the FA/40 Zoning District.
- (g) The new configuration would promote appropriate and orderly growth and development while protecting desirable land uses consistent with the Monterey County General Plan Land Use Goal LU-1.
- (h) The proposed lot configuration would produce a superior parcel configuration as it would not create a net decrease in agricultural acreage but will allow all the row crop farming areas and single family residence to be located all within Parcel A and grazing lands to be located within Parcel B. The proposal would better facilitate the routine and ongoing agricultural activities of the cattle grazing and row crop operations. Monterey County promotes agriculture, and as such, elected to include an Agricultural Element as part of the General Plan to establish policies directed at enhancing and supporting the long-term productivity and commercial viability of the County's agricultural industry. Policy AG-1.3 allows the proposed Lot Line Adjustments as it is exclusively intended for agricultural purposes.

- (i) The project was referred to the Agricultural Advisory Committee (AAC) for review on June 27, 2019. The 2010 General Plan Policy AG-1.8 requires that all discretionary applications in lands designated for agricultural use be referred to the County's Agricultural Advisory Committee (AAC) for their review and recommendation to the decision-making body. This application warrants referral to the AAC because the project involves agriculture lands under Williamson Act Contract. The AAC recommended approval of the project by a vote of 8-0 with one (1) recusal.
- (j) The project planner conducted a site inspection on October 19, 2018 to verify that the existing uses on the subject parcels conform to the proposed LLA site plan provided.
- (k) The application, plans, and related support materials found in Planning File No. PLN180205.

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: RMA - Planning Division, South Monterey County Fire Protection District, RMA-Public Works, Water Resources Agency and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed Lot Line Adjustment. Conditions have been incorporated accordingly.
 - (b) The Environmental Health Bureau (EHB) reviewed the application and determined that the proposed Lot Line Adjustment would not impact any wells on the associated parcels.
 - (c) The application, plans, and related support materials found in Planning File No. PLN180205.
 - (d) The Lot Line Adjustment would not result in any new developable parcels or an adjusted lot that is inconsistent with the general plan or with subject Agricultural Preserve Land Conservation Contracts (AGP) No. 68-016 (Document No. G05563, Reel 545, Pages 519-534) and AGP No. 93-011 (Document No. 08307, Reel 2904, Pages 1481 to 1493).

3. FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND PARCEL LEGALITY DETERMINATION - Pursuant to Section 19.09.025.B.1 of the Monterey County Subdivision Ordinance (Title 19), the Lot Line Adjustment is between two (2) or more existing adjacent lots.

- EVIDENCE:**
- (a) The subject Lot Line Adjustment is between two (2) existing adjacent lots.
 - (b) Parcel "1" (APN 420-091-020 and 030) containing approximately 607.8 acres, was recognized as a legal lot pursuant to an existing grant deed: Layous to Johnson Grant Deed dated December 17, 1971, Reel 742, Pages 228 – 234.
 - (c) Parcel "2" (APN 420-091-031) containing approximately 267.1 acres, was recognized as a legal lot pursuant to an existing grant deed: Grutly Dedini and Julia Tamo to Romilda Dedini Grant Deed dated April 9, 1937 in Book 522, Official Records, Pages 88 - 90.
 - (d) The application, plans, and related support materials can be found in Planning File No. PLN180205.

4. FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND NO NEW LOTS CREATED – Pursuant to the MCC Section 19.09.025.B.2 of the Monterey

County Subdivision Ordinance (Title 19), a greater number of parcels or lots than originally existed will not be created as a result of the Lot Line Adjustment.

- EVIDENCE:** (a) The existing two (2) contiguous lots of record will be adjusted, resulting in two (2) lots. The proposed Lot Line Adjustment would not result in more developable parcels and would not compromise the long-term agricultural productivity of the other parcels. Furthermore, no farmland will be taken out of production.
- (b) The application, plans, and related support materials found in Planning File No. PLN180205.

5. **FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND CONTIGUOUS LOTS OF RECORD** – Pursuant to MCC Section 19.09.025.B.3 of the Monterey County Subdivision Ordinance (Title 19), the parcels resulting from the Lot Line Adjustment conform to the County Zoning and Building Ordinances and are contiguous parcels.

- EVIDENCE:** (a) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180205.
- (b) See evidence in Finding 1, above.

6. **FINDING: CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)** – The project is categorically exempt from environmental review.

- EVIDENCE:**(a) Guidelines for CEQA, California Code of Regulations, Title 14, Chapter 3, Section 15305(a) categorically exempts Lot Line Adjustments, side yard, and setback variances in areas with an average natural slope of less than 20% not resulting in the creation of any new parcel.
- (b) Section 15317 of the CEQA Guidelines categorically exempts the establishment of agricultural preserves, the making and renewing of Open Space Contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.
- (c) Based on a review of the project plans, approval of the project would not result in any potentially adverse impacts. No additional development is proposed with this project.
- (d) See preceding findings and related evidence.

7. **FINDING: PUBLIC NOTICE** - Public notice of the pending Lot Line Adjustment was provided pursuant to MCC Section 19.01.055, (Title 19 - Subdivisions).

EVIDENCE: Materials in Planning File No. PLN180205.

8. **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 (Title 21). No violations exist on the property.

EVIDENCE: Staff has reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on the subject property.

9. **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: See preceding findings #1, #2, #3, #4 and #5 and supporting evidence.

10. **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 amendments to Agricultural Preserve Land Conservation Contract No. 68-016 (Document No. G05563, Reel 545, Pages 519-534) established pursuant to Board of Supervisors Resolution No. 68-56-16 dated February 29, 1968 and Agricultural Preserve Land Conservation Contract 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, which shall be applicable to the two (2) reconfigured lots will reflect the redistribution of 874.9 acres of land under Williamson Act Contract.

(b) The term of the original Land Conservation Contracts renew 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 (1) additional year shall be added automatically to the initial term unless notice of nonrenewal is given.

11. **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. In cases where two (2) lots involved in a Lot Line Adjustment are both subject to Contracts rescinded pursuant to this Section, this finding will be satisfied if the aggregate acreage of the land restricted by the new Contracts is at least as great as the aggregate acreage restricted by the rescinded Contracts.

EVIDENCE: (a) The Lot Line Adjustment will reconfigure the lots with a net decrease of 173.7 acres to AGP No. 68-016 (Parcel A) and equal net increase of 173.7 acres to AGP No. 93-011 (Parcel B). Therefore, the Lot Line Adjustment would not result in a net decrease in the amount of the acreage restricted between the two (2) proposed lots (Parcel A and B).

(b) Condition of Approval No. 4 shall require that a surveyor prepare legal descriptions for each newly configured parcel and submit them to RMA-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. PLN180205.

12. **FINDING: 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 or Contracts will continue to cover at least 90 percent of the subject lots under Agricultural Preserve Land Conservation Contract Nos. 68-016 and 93-011.

(b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180204.

13. 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 Government Code Section 51222.

EVIDENCE: (a) The proposed Lot Line Adjustment applicable to the two (2) reconfigured parcels shall reflect the redistribution of 874.9 acres of land under Williamson Act Land Conservation Contracts.

(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.” The total acreage involved in the subject Lot Line Adjustment is 874.9 acres in total.

(c) County of Monterey Board of Supervisors Resolution No. 01-485 requires that agricultural preserves will not be considered unless the group of contiguous parcels included in the preserve contains 100 or more acres, or 40 or more acres if the Board finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area. With the exception to the existing one (1) single family residence, the subject Lot Line Adjustment will sustain the 874.9 acres as agricultural uses (or agricultural accessory uses) within Agricultural Preserve Land Conservation Contract Nos. 68-016 and 93-011.

(d) The application plans, and related support materials found in Planning File No. PLN180205.

14. FINDING: 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 proposed lot configuration would produce a superior parcel configuration as it would not create a net decrease in agricultural acreage between the two parcels but will allow all the row crop farming areas and cattle grazing lands to be located within two (2) separate proposed parcels (Parcels A and B), respectively. The proposal would better facilitate the routine and ongoing agricultural activities of the cattle grazing and row crop operations. Monterey County promotes agriculture, and as such, elected to include an Agricultural Element as part of the General Plan to establish policies directed at enhancing and supporting the long-term productivity and commercial viability of the County’s agricultural industry. Policy AG-1.3 allows the proposed Lot Line Adjustments as it is exclusively intended for agricultural purposes.

(b) The application plans, and related support materials found in Planning File No. PLN180205.

15. 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 as Permanent Grazing – 40-acre minimum (“PG/40”) and Farmland – 40-acre minimum (“F/40”). The Lot

Line Adjustment will not affect current agricultural operations on the subject properties and on adjacent properties. No physical development is proposed. The adjustment would not allow any uses that could not also occur under the current configuration.

- (b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180205.

16. 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 existing two (2) reconfigured lots do not result in a greater number of developable parcels than existed prior to the adjustment. See Finding 4.

- (b) The application, plans, and related support materials found in Planning File No. PLN180205.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors does hereby:

- a. Find that the project is a Lot Line Adjustment not resulting in a new parcel, which qualifies as a Class 5 Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Section 15305(a), and there are no exceptions pursuant to CEQA Guidelines Section 15300.2;
- b. Approve a Lot Line Adjustment between two (2) legal lots of record of 607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) into two (2) resulting lots of 434.1 acres (Parcel A) and 440.8 acres (Parcel B) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) Nos. 68-016 and 93-011 established pursuant to Board of Supervisors Resolution Nos. 68-56-16 and 92-35, with a net decrease in acreage to AGP No. 68-016 (Parcel A) and equal net increase in acreage to No. AGP 93-011 (Parcel B); and
- c. Authorize the Chair to execute a new or amended Land Conservation Contract or Contracts 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 or Contracts for the reconfigured lots between the County and The JERRY and SUZANNE RAVA FAMILY LIMITED PARTNERSHIP and Jerry J. Rava II, Trustee of The Jerry J. Rava II Trust dated August 19, 1994, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- d. Direct the Clerk of the Board to record the new or amended Land Conservation Contract or Contracts subject to the submittal of the appropriate recording fees from the property owners of record.

In general conformance with the attached sketch and plans, and subject to the attached conditions all being attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED on this 23rd day of July 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

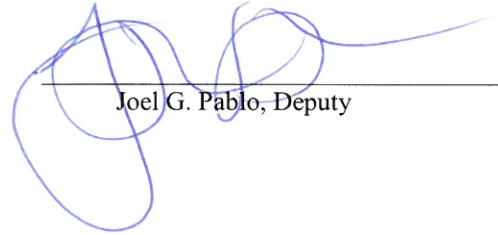
NOES: None

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 July 23, 2019.

Dated: July 23, 2019
File ID: RES 19-097

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



Joel G. Pablo, Deputy

Attachment A

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Monterey County RMA Planning

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

PLN180205

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Lot Line Adjustment (PLN180205) allows an adjustment between two (2) legal lots of record of 607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) into two (2) resulting lots of 434.1 acres (Parcel A) and 440.8 acres (Parcel B). The properties are located south of Wildhorse Canyon Road, near King City (Assessor's Parcel Numbers 420-091-020-000 and 420-091-030-000) and at 51173 Freeman Flat Road, King City (Assessor's Parcel Number 420-091-031-000), Central Salinas Valley Area Plan. The properties are under Williamson Act Contract. 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 RMA - 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. (RMA - 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: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Lot Line Adjustment (Resolution Number 19-274) was approved by the Board of Supervisors for Assessor's Parcel Numbers: APN 420-091-020; -030 and 031 on July 23, 2019. The permit was granted subject to five (5) conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

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

3. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel-Risk Management)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

4. PD045 - COC (LOT LINE ADJUSTMENT)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall request unconditional Certificates of Compliance for the newly configured parcels (RMA - Planning).

Compliance or Monitoring Action to be Performed: Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval. The legal descriptions shall be entitled "Exhibit A." The legal descriptions shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the Certificates of Compliance.

Prior to the expiration of the entitlement and after the Certificates are recorded, the Owner/Applicant shall file a request and pay the fees for separate assessments or combination assessments (for lot mergers) with the Assessors's Office.

5. PD037 - Williamson Act

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner shall enter into a new or amended Agricultural Preserve Land Conservation Contract or Contracts with the Board of Supervisors of the County of Monterey for the Lot Line Adjustment of Williamson Act lands deemed necessary by the Office of the County Counsel-Risk Management. (RMA - Planning)

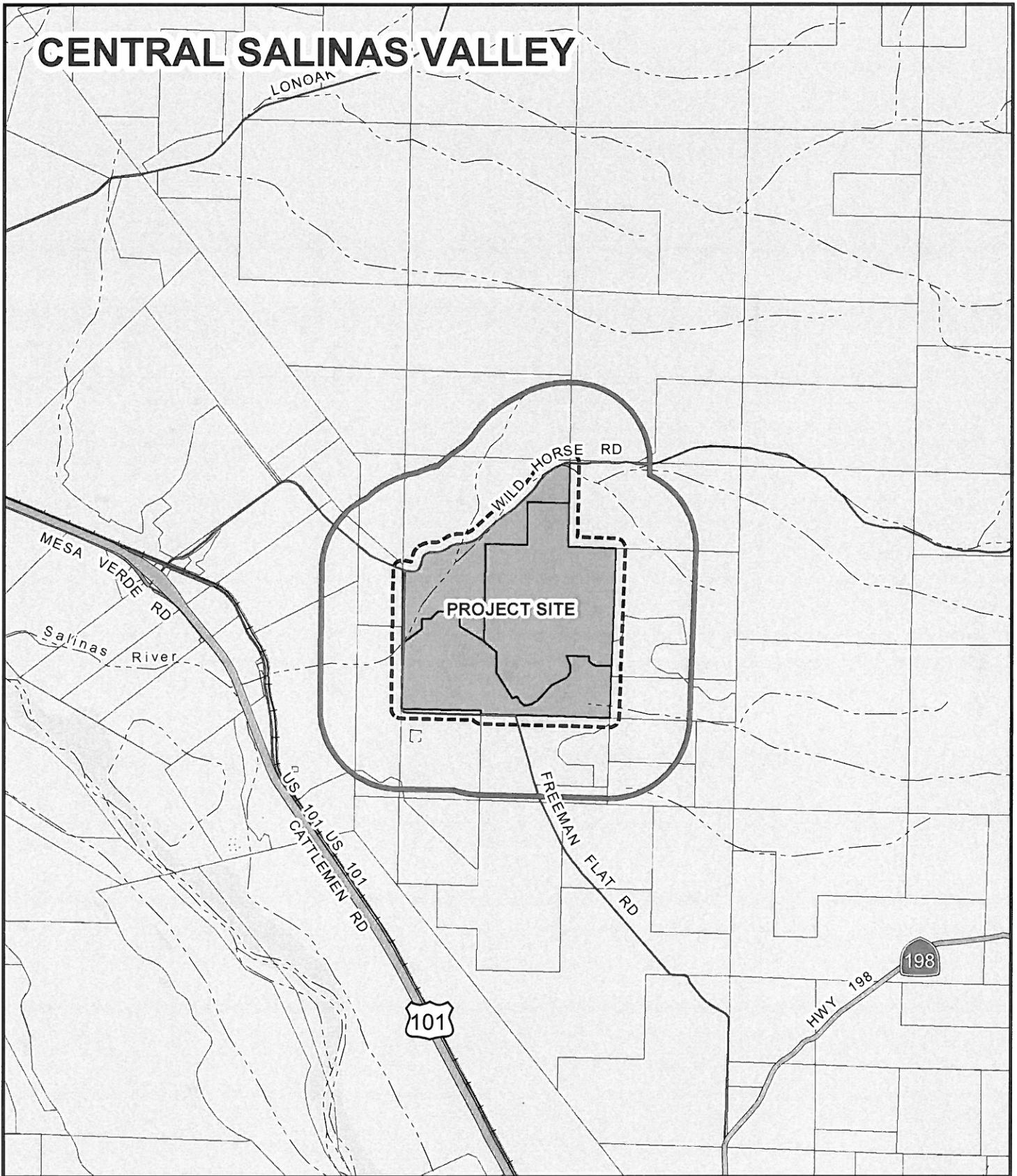
Compliance or Monitoring Action to be Performed: Upon demand of County Counsel, the property owners of record shall execute a new or amended contract or contracts to be prepared by the Office of the County Counsel-Risk Management, which shall be recorded after the recordation of the Certificates of Compliance and subject to the submittal of the appropriate recording fees by the property owners of record.

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Attachment B

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CENTRAL SALINAS VALLEY

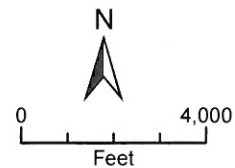


APPLICANT: RAVA JERRY J II TR & JERRY & SUZANNE RAVA FAMILY LP

APN: 420-091-020-000 & -030 & -031

FILE # PLN180205

Project Site 2500' Limit 300' Limit



PLANNER: GLENNON

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