

# Attachment A

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

**Resolution No.**

- Resolution of the Monterey County Board of Supervisors to: )
- a. Find that Open Space Contracts or Easements qualify as a )  
Class 17 Categorical Exemption pursuant to the California )  
Environmental Quality Act (CEQA), California Code of )  
Regulations (CCR) CEQA Guidelines Section 15317 and )  
there are no exceptions pursuant to CEQA Guidelines CCR )  
Section 15300.2 )
  - b. Deny Farmland Security Zone (FSZ) Application No. 2020- )  
006 (911.35 acres) - Bianchi Ranch, LLC; APN 165-013-010; )  
to establish an FSZ and Contract; and, deny the request for a )  
refund of the nonrefundable application fee submitted with )  
said FSZ application; )
  - c. Continue FSZ Application No. 2020-008 (410 acres) - John )  
Hansen Cumming and Constance Marie Cumming, Trustees )  
of The John Hansen Cumming and Constance Marie )  
Cumming Revocable Trust dated October 15, 2001; Andrew )  
Nelson Cumming and Tamara Susan Cumming, as Trustees )  
of The Andrew Nelson Cumming and Tamara Susan )  
Cumming Revocable Trust U/D/T dated September 1, 2000; )  
and Joseph C. Cumming and Kristi A. Cumming, Co-Trustees )  
of The Joseph and Kristi Cumming Family Trust dated )  
August 31, 2000; APN 153-011-009; to the 2021 round of )  
Williamson Act Applications to be considered in 2020 for the )  
Owner-Applicants to satisfy conditions of approval for the lot )  
line adjustment approved pursuant to Planning File No. )  
PLN180422; subject to the following, if the lot line )  
adjustment conditions pursuant to PLN180422 are not )  
satisfied, the lot line adjustment map or record of survey as )  
applicable, and the grant deeds and certificates of compliance )  
for the reconfigured lots are not filed or recorded with the )  
County Recorder as applicable, and a revised application for )  
an FSZ and contract is not submitted by the Williamson Act )  
application deadline of September 15, 2020, the FSZ )  
application shall be considered withdrawn; )
  - d. Continue FSZ Application No. 2020-009 (170 acres) - Linda )  
S. De Santiago Living Trust dated December 21, 1998; APNs )  
165-101-006 and 165-101-008; (Continued FSZ Application )  
No. 2019-009) to the 2022 round of Williamson Act )  
Applications for the Owner-Applicant to satisfy conditions of )  
approval for the Minor Subdivision map (PLN030214-EXT- )  
1), file the final map with the County Recorder, and submit )  
revised application materials by the application deadline of )  
September 15, 2021; subject to the following, if the subject )  
Minor Subdivision conditions are not satisfied, the final map )  
is not filed with the County Recorder, and if the revised FSZ )  
application materials are not submitted by the application )  
deadline of September 15, 2021, the FSZ application shall be )  
considered withdrawn; )

- e. Approve in part and deny in part Agricultural Preserve (AgP) Application No. 2020-010 (395 acres) - Asellus Monterey II, LLC; APNs 422-121-004; 422-121-005; and 422-121-032, (Continued AgP Application No. 2019-012); approving Parcel I only APN 422-121-004 (232 acres); and denying said AgP application as it pertains to Parcels II and III (APN 422-121-005 [4.24 acres] and APN 422-121-032 [159.40 acres].
- f. Approve seven (7) applications to establish two (2) Agricultural Preserves (“AgP”) and Land Conservation Contracts and to create five (5) Farmland Security Zones (“FSZ”) and FSZ Contracts, consisting of thirty-four (34) parcels totaling 6,474.84 acres as set forth below.
  1. FSZ Application No. 2020-001 (70.95 acres) - Jensen Family Partners LP; AJ Spence Blanco LLC; DJS & B Ranch LLC; APN 207-031-003.
  2. FSZ Application No. 2020-002 (272.95 acres) - Jensen Family Partners LP; AJ Spence Blanco LLC; DJS & B Ranch LLC; APNs 137-041-004 and 137-041-014.
  3. FSZ Application No. 2020-003 (901.86 acres) – rescinding existing Land Conservation Contract No. 68-020 as applicable to the property subject to LCC No. 68-020, with simultaneous placement of the property (901.86 acres) in a new FSZ and Contract as applicable to all of the property which is the subject of said FSZ application - AJ Esperanza LLC; DJE Ranch LLC; Stephen and Patricia Jensen Trust; Ross Neil Jensen; Marie Ann Jensen Vasquez; Quinn Neil Jensen; Steen Neil Jensen; APNs 137-052-005; 137-052-006 and 137-052-007.
  4. FSZ Application No. 2020-004 (132.73 acres) - Huntington Farms Inc; APN 177-132-018.
  5. FSZ Application No. 2020-005 (109.1 acres) - Soledad Ranches Limited Partnership; APN 216-022-001.
  6. AgP Application No. 2020-007 (2,666.20 acres) - Sky Rose Ranch, LLC; APNs 424-121-023; 424-121-024; 424-121-058; 424-141-048; 424-121-020; 424-121-022; 424-141-003; 424-131-079; 424-131-080; 424-131-081; 424-131-086; 424-131-087; 424-131-088.
  7. AgP Application No. 2020-011 (2,321.05 acres) - Sky Rose Ranch, LLC; APNs 423-141-006; 423-141-010; 423-141-012; 423-141-013; 423-141-031; 423-141-032; 423-141-033; 423-141-034; 423-141-035; 423-141-045; 423-141-046; 423-151-009; 423-151-011.

- g. Authorize the Chair to execute the recommended Farmland Security Zone Contracts and Agricultural Preserve Land Conservation Contracts. )
  - h. Direct the Clerk of the Board to record the Farmland Security Zone and Agricultural Preserve Land Conservation Contracts prior to the January 1, 2020 property tax lien date subject to the submittal of recording fees by the property owners of record. )
- (REF190037 – Williamson Act Contract Applications 2020 – County-wide) )

A public hearing before the Monterey County Board of Supervisors was conducted on December 10, 2019. During said hearing, the Board considered a total of eleven (11) Williamson Act Applications. 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 hereby finds and decides as follows:

**RECITALS**

WHEREAS, the Board of Supervisors finds that Open Space Contracts or Easements qualify as a Class 17 Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) CEQA Guidelines Section 15317 and there are no exceptions pursuant to CEQA Guidelines CCR Section 15300.2. CEQA Guidelines Section 15317 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.

WHEREAS, FSZ Application No. 2020-001 (70.95 acres) - Jensen Family Partners LP; AJ Spence Blanco LLC; DJS & B Ranch LLC; APN 207-031-003 is an application for the creation of an FSZ and contract for property which is 70.95 acres. Pursuant to Board of Supervisors Resolution No. 01-486, applications for an FSZ will not be considered unless the parcel or group of contiguous parcels to be included in an FSZ contains 100 or more acres. Areas of less than 100 acres, but of 40 or more acres, may be eligible if the Board finds that smaller FSZs are necessary due to the unique characteristics of the agricultural enterprises in the area and that the establishment of an FSZ of less than 100 acres is consistent with the County General Plan. The applicant’s representative has submitted justification to be considered for an FSZ Contract of less than 100 acres as summarized in Attachment F to the staff report on file herein and incorporated by this reference. On October 24, 2019, the Monterey County Agricultural Advisory Committee (AAC), after hearing testimony from the applicant, voted to recommend approval to the Board of Supervisors to accept this application for the creation of an FSZ and contract based on the unique characteristics of the agricultural enterprise in the area of the subject property. Consistent with the AAC’s recommendation, Staff recommends that this application for an FSZ be approved as the applicant has demonstrated that unique characteristics of the agricultural enterprises in the area exist. See Attachment F to staff report incorporated herein. Therefore, the Board hereby finds that smaller FSZs are necessary due to the unique characteristics of the agricultural enterprises in the area and that the establishment and creation of the subject FSZ consisting of 70.95 acres, which is less than 100 acres, is consistent with the County General Plan.

WHEREAS, the Board of Supervisors is denying FSZ Application No. 2020-006 (911.35 acres) - Bianchi Ranch, LLC, APN 165-013-010; and, denying the request for a refund of the nonrefundable application fee submitted with said FSZ application. On October 9, 2019, staff received correspondence from the applicant’s representative explaining that this application for

the creation of an FSZ and Contract was made in error because the subject property is already within an existing FSZ. Therefore, the applicant's representative requested rescission of the application and a refund of the application fee. However, pursuant to Board Resolution No. 01-486 – Amending Procedure for the Creation of FSZs and Contracts, the application fee submitted with said application is nonrefundable.

WHEREAS, the Board of Supervisors is continuing FSZ Application No. 2020-008 (410 acres) - John Hansen Cumming and Constance Marie Cumming, Trustees of The John Hansen Cumming and Constance Marie Cumming Revocable Trust dated October 15, 2001; Andrew Nelson Cumming and Tamara Susan Cumming, as Trustees of The Andrew Nelson Cumming and Tamara Susan Cumming Revocable Trust U/D/T dated September 1, 2000; and Joseph C. Cumming and Kristi A. Cumming, Co-Trustees of The Joseph and Kristi Cumming Family Trust dated August 31, 2000; APN 153-011-009, to the 2021 round of Williamson Act Applications to be considered in 2020, for the Owner-Applicants to satisfy conditions of approval for the lot line adjustment approved pursuant to Planning File No. PLN180422; subject to the following, if the lot line adjustment conditions pursuant to PLN180422 are not satisfied, the lot line adjustment map or record of survey as applicable, and the grant deeds and certificates of compliance for the reconfigured lots are not filed or recorded with the County Recorder as applicable, and a revised application for an FSZ and contract is not submitted by the Williamson Act application deadline of September 15, 2020, the FSZ application shall be considered withdrawn.

WHEREAS, the Board of Supervisors is continuing FSZ Application No. 2020-009 (170 acres) - Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 (Continued FSZ Application No. 2019-009) to the 2022 round of Williamson Act Applications to be considered in 2021, for the Owner-Applicant to satisfy the conditions of approval for the Minor Subdivision map (PLN030214-EXT-1), file the final map with the County Recorder, and submit revised application materials by the application deadline of September 15, 2021; subject to the following, if the Minor Subdivision conditions are not satisfied and the final map is not filed with the County Recorder; and if the revised FSZ application materials are not submitted by the application deadline of September 15, 2021, the FSZ application shall be considered withdrawn.

WHEREAS, the Board of Supervisors is approving in part and denying in part Agricultural Preserve (AgP) Application No. 2020-010 (395 acres) - Asellus Monterey II, LLC; APNs 422-121-004; 422-121-005; and 422-121-032 (Continued AgP Application No. 2019-012) as follows; an Agricultural Preserve is hereby established and an AgP Contract is approved for Parcel I (APN 422-121-004) only (232.1 acres) and said AgP application is denied as it pertains to Parcels II and III (APN 422-121-005 [4.24 acres] and APN 422-121-032 [159.40 acres]).

WHEREAS, the Board of Supervisors finds that the following applications are consistent with the General Plan of the County of Monterey and are suitable for inclusion in an Agricultural Preserve or Farmland Security Zone, it being the intention to establish an Agricultural Preserve or create a Farmland Security Zone for these parcels, as expressly requested by the property owners of record; and, therefore said Board approves seven (7) applications to establish two (2) Agricultural Preserves ("AgP") and Land Conservation Contracts and to create five (5) Farmland Security Zones ("FSZ") and FSZ Contracts, consisting of thirty-four (34) parcels totaling 6,474.84 acres, as set forth below.

1. FSZ Application No. 2020-001 (70.95 acres) - Jensen Family Partners LP; AJ Spence Blanco LLC; DJS & B Ranch LLC; APN 207-031-003.

2. FSZ Application No. 2020-002 (272.95 acres) - Jensen Family Partners LP; AJ Spence Blanco LLC; DJS & B Ranch LLC; APNs 137-041-004 and 137-041-014.
3. FSZ Application No. 2020-003 (901.86 acres) – rescinding existing Land Conservation Contract (LCC) No. 68-020 as applicable to the property subject to LCC No. 68-020, with simultaneous placement of the property (901.86 acres) in a new FSZ and Contract as applicable to all of the property which is the subject of said FSZ application - AJ Esperanza LLC; DJE Ranch LLC; Stephen and Patricia Jensen Trust; Ross Neil Jensen; Marie Ann Jensen Vasquez; Quinn Neil Jensen; Steen Neil Jensen; APNs 137-052-005; 137-052-006 and 137-052-007.
4. FSZ Application No. 2020-004 (132.73 acres) - Huntington Farms Inc; APN 177-132-018.
5. FSZ Application No. 2020-005 (109.1 acres) - Soledad Ranches Limited Partnership; APN 216-022-001.
6. AgP Application No. 2020-007 (2,666.20 acres) - Sky Rose Ranch, LLC; APNs 424-121-023; 424-121-024; 424-121-058; 424-141-048; 424-121-020; 424-121-022; 424-141-003; 424-131-079; 424-131-080; 424-131-081; 424-131-086; 424-131-087; 424-131-088.
7. AgP Application No. 2020-011 (2,321.05 acres) - Sky Rose Ranch, LLC; APNs 423-141-006; 423-141-010; 423-141-012; 423-141-013; 423-141-031; 423-141-032; 423-141-033; 423-141-034; 423-141-035; 423-141-045; 423-141-046; 423-151-009; 423-151-011.

### **DECISION**

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

- a. Find that Open Space Contracts or Easements qualify as a Class 17 Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations (CCR) CEQA Guidelines Section 15317 and there are no exceptions pursuant to CEQA Guidelines CCR Section 15300.2;
- b. Deny Farmland Security Zone (FSZ) Application No. 2020-006 (911.35 acres) - Bianchi Ranch, LLC; APN 165-013-010, to establish an FSZ and Contract; and, does hereby deny the request for a refund of the nonrefundable application fee submitted with said FSZ application;
- c. Continue FSZ Application No. 2020-008 (410 acres) - John Hansen Cumming and Constance Marie Cumming, Trustees of The John Hansen Cumming and Constance Marie Cumming Revocable Trust dated October 15, 2001; Andrew Nelson Cumming and Tamara Susan Cumming, as Trustees of The Andrew Nelson Cumming and Tamara Susan Cumming Revocable Trust U/D/T dated September 1, 2000; and Joseph C. Cumming and Kristi A. Cumming, Co-Trustees of The Joseph and Kristi Cumming Family Trust dated August 31, 2000; APN 153-011-009, to the 2021 round of Williamson Act Applications to be considered in 2020 for Owner-Applicants to satisfy conditions of approval for the lot line adjustment approved pursuant to Planning File No. PLN180422; subject to the following, if the lot line adjustment conditions pursuant to PLN180422 are not satisfied, the lot line adjustment map or record of survey as applicable, and the grant deeds and certificates of compliance for the reconfigured lots are not filed or recorded with the County Recorder as applicable, and a revised application for an FSZ and contract is not submitted by the Williamson Act application deadline of September 15, 2020, the FSZ application shall be considered withdrawn;

- d. Continue FSZ Application No. 2020-009 (170 acres) - Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 (Continued FSZ Application No. 2019-009) to the 2022 round of Williamson Act Applications to be considered in 2021 for the Owner-Applicant to satisfy conditions of approval for the Minor Subdivision map (PLN030214-EXT-1), file the final map with the County Recorder, and submit revised application materials by the application deadline of September 15, 2021; subject to the following, if the subject Minor Subdivision conditions are not satisfied, the final map is not filed with the County Recorder, and if the revised FSZ application materials are not submitted by the application deadline of September 15, 2021, the FSZ application shall be considered withdrawn;
- e. Approve in part and deny in part Agricultural Preserve (AgP) Application No. 2020-010 - Asellus Monterey II, LLC (395 acres); APNs 422-121-004; 422-121-005; and 422-121-032 (Continued AgP Application No. 2019-012) as follows; an Agricultural Preserve is hereby established and an AgP Contract is approved for Parcel I (APN 422-121-004) only (232.1 acres) and said AgP application is denied as it pertains to Parcels II and III (APN 422-121-005 [4.24 acres] and APN 422-121-032 [159.40 acres]).
- f. Approve seven (7) applications to establish two (2) Agricultural Preserves (“AgP”) and Land Conservation Contracts and to create five (5) Farmland Security Zones (“FSZ”) and FSZ Contracts, consisting of thirty-four (34) parcels totaling 6,474.84 acres as set forth below.
  1. FSZ Application No. 2020-001 (70.95 acres) - Jensen Family Partners LP; AJ Spence Blanco LLC; DJS & B Ranch LLC; APN 207-031-003 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new FSZ Contract No. 2020-001.
  2. FSZ Application No. 2020-002 (272.95 acres) - Jensen Family Partners LP; AJ Spence Blanco LLC; DJS & B Ranch LLC; APNs 137-041-004 and 137-041-014 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new FSZ Contract No. 2020-002.
  3. FSZ Application No. 2020-003 (901.86 acres) – rescinding existing Land Conservation Contract (LCC) No. 68-020 as applicable to the property subject to LCC No. 68-020, with simultaneous placement of the property (901.86 acres) in a new FSZ and Contract as applicable to all of the property which is the subject of said FSZ application - AJ Esperanza LLC; DJE Ranch LLC; Stephen and Patricia Jensen Trust; Ross Neil Jensen; Marie Ann Jensen Vasquez; Quinn Neil Jensen; Steen Neil Jensen; APNs 137-052-005; 137-052-006 and 137-052-007 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new FSZ Contract No. 2020-003.
  4. FSZ Application No. 2020-004 (132.73 acres) - Huntington Farms Inc; APN 177-132-018 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new FSZ Contract No. 2020-004.
  5. FSZ Application No. 2020-005 (109.1 acres) - Soledad Ranches Limited Partnership; APN 216-022-001 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new FSZ Contract No. 2020-005.
  6. AgP Application No. 2020-007 (2,666.20 acres) - Sky Rose Ranch, LLC; APNs 424-121-023; 424-121-024; 424-121-058; 424-141-048; 424-121-020; 424-121-022; 424-



141-003; 424-131-079; 424-131-080; 424-131-081; 424-131-086; 424-131-087; 424-131-088 to establish an AgP and approve a Land Conservation Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new AgP Contract No. 2020-007.

7. AgP Application No. 2020-011 (2,321.05 acres) - Sky Rose Ranch, LLC; APNs 423-141-006; 423-141-010; 423-141-012; 423-141-013; 423-141-031; 423-141-032; 423-141-033; 423-141-034; 423-141-035; 423-141-045; 423-141-046; 423-151-009; 423-151-011 to establish an AgP and approve a Land Conservation Contract as applicable to the real property described in Exhibit A “Legal Description” to proposed new AgP Contract No. 2020-011.

g. Authorize the Chair to execute the recommended Farmland Security Zone Contracts and Agricultural Preserve Land Conservation Contracts; and

h. Direct the Clerk of the Board of Supervisors to record the Farmland Security Zone and Agricultural Preserve Land Conservation Contracts prior to the January 1, 2020 property tax lien date subject to the submittal of recording fees by the property owners of record.

(REF190037 – Williamson Act Contract Applications 2020– County-wide)

PASSED AND ADOPTED on this 10th day of December 2019, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

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\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

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

By \_\_\_\_\_  
Deputy

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