



# Monterey County

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## Board Report

Legistar File Number: RES 19-183

February 05, 2019

**Introduced:** 1/18/2019

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** BoS Resolution

### **PLN180204 - RAVA JERRY J II TR**

Public hearing to adopt a resolution for approval of a Lot Line Adjustment between three (3) legal lots of record of 160 acres (Parcel 1), 160 acres (Parcel 2) and 156.5 acres (Parcel 3) merging three (3) lots into two (2) resulting in lots of 91 acres (Parcel A) and 385.5 acres (Parcel B). The properties are located north of Wildhorse Canyon Road, near King City (Portion of Assessor's Parcel Number 420-091-010-000 and 420-091-018-000), Central Salinas Valley Area Plan. The properties are under Williamson Act Contract.

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

**Project Location:** North of Wildhorse Canyon Road, near King City (Assessor's Parcel Number 420-091-010-000 and 420-091-018-000), Central Salinas Valley Area Plan.

### RECOMMENDATION:

It is recommended that the Board of Supervisors conduct a public hearing to adopt a resolution:

- 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 Section 15305(a), and there are no exceptions pursuant to CEQA Guidelines Section 15300.2;
- b. Approving a Lot Line Adjustment between three (3) legal lots of record of 160 acres (Parcel 1), 160 acres (Parcel 2) and 156.5 acres (Parcel 3) merging three (3) lots into two (2), resulting in lots of 91 acres (Parcel A) and 385.5 acres (Parcel B) under Williamson Act Agricultural Preserve Land Conservation Contract (LCC) No. 68-018 (Document No. G05567 Reel 545 Pg. 559-572) established by County Board of Supervisors Resolution No. 68-56-18, with no net decrease in acreage under the Williamson Act Contract;
- c. Authorizing the Chair to execute a new or amended Land Conservation Contract 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 Jerry Rava II, Trustee of the Jerry 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.

**PROJECT INFORMATION:****APNs:** 420-091-018 and Portion of 420-091-010**Zoning:** PG/40**GP Land Use Designation:** Permanent Grazing 10-160 Acre Minimum**SUMMARY/DISCUSSION:**

The subject Lot Line Adjustment will reconfigure three (3) existing legal lots of record totaling approximately 476.5 acres, resulting in two (2) lots of record. The current use of the properties is grazing and row crop. The applicant intends to continue the grazing and row crop uses. These two (2) uses are consistent with the agricultural zoning designation of the property which is Permanent Grazing - 40-acre minimum (PG/40). The uses are also compatible with the applicable Williamson Act Agricultural Preserve and Land Conservation Contract No. 68-018 (Document No. G05567 Reel 545 Pg. 559-572) established by Board of Supervisors Resolution No. 68-56-18 in 1968.

**Proposed Project and the 2010 Monterey County General Plan:**

The Lot Line Adjustment consists of the following existing and proposed configuration:

<b><u>Current Parcel</u></b>	<b><u>Current Size</u></b>	<b><u>Current Zoning</u></b>
<b>Parcel 1</b> (Portion of APN 420-091-018)	160 ac	PG/40
<b>Parcel 2</b> (Portion of APN 420-091-018)	160 ac	PG/40
<b>Parcel 3</b> (Portion of APN 420-091-010)	156.5 ac	PG/40
<b>Total Project Area</b>	<b>476.5 ac</b>	<b>PG/40</b>

<b><u>Proposed Parcel</u></b>	<b><u>Proposed Size</u></b>	<b><u>Resultant Zoning</u></b>
<b>Parcel A</b>	91 ac	PG/40 (No Change)
<b>Parcel B</b>	385.5 ac	PG/40 (No Change)
<b>Total Proposed Project Area</b>	<b>476.5 ac</b>	<b>PG/40 (No Change)</b>

As the table above shows, the current three (3) legal lots have a zoning designation of Permanent Grazing - 40-acre minimum (PG/40). The proposed lot line configuration would result in two (2) lots, with one (1) lot smaller in size than any of the existing lots. The proposed Parcel A and B would meet the minimum parcel size requirement of 40 acres pursuant to Title 21 "Zoning" Chapter 21.34 "PG/40" Zoning District. Pursuant to Title 19 "Subdivisions," Chapter 19.09 "Lot Line Adjustments," lots may be consolidated through the lot line adjustment application procedure.

The purpose for the Lot Line Adjustment is to reconfigure the property boundaries to combine all the row crop farming areas located on Parcels 1, 2 and 3 and some cattle grazing lands in Parcels 1 and 2 into one (1) proposed parcel (Parcel B) and to have the remaining cattle grazing lands located within Parcel 3 to be located within proposed Parcel A. The reconfiguration is consistent with the Board adopted list of compatible uses and the applicable Williamson Act Contract (LCC No. 68-018).

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 a majority of the cattle grazing lands to be located within two (2) separate parcels (Parcels A and B), respectfully. 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 Adjustment as it is exclusively intended for agricultural purposes.

Williamson Act Findings:

The proposed Lot Line Adjustment will not reduce the acreage under the existing Agricultural Preserve Land Conservation Contract No. 68-018. Pursuant to Government Code Section 51257, to facilitate a Lot Line Adjustment of Williamson Act lands, pursuant to subdivision (d) of Section 66412, and notwithstanding any other provision of this chapter, the parties may mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to this chapter, provided that the Board of Supervisors finds all of the following:

- (1) The new 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 10 years.
- (2) There is no net decrease in the amount of the acreage restricted. In cases where two parcels 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.
- (3) At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
- (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.
- (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.
- (6) The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.
- (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.

The project meets the above findings. The proposed findings required per Board Resolution No. 00-462 (Resolution relating to the processing of Lot Line Adjustments affecting property under Agricultural Preserve Contract pursuant to the Williamson Act) and Government Code Section 51257 for the Board's consideration are included in Attachment A - Proposed Resolution.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

South Monterey County Fire Protection District  
Environmental Health Bureau  
RMA-Public Works  
RMA-Environmental Services  
Water Resources Agency

FINANCING:

Funding for staff time associated with this project is included in the FY 2018-19 Adopted Budget for RMA-Planning, Fund 001, Appropriation Unit RMA001.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:


The Board of Supervisors FY 2018-19 Strategic Initiatives include objectives to:

- Improve efficiency and effectiveness of County services (Administration).
- Create better paying jobs, reduce poverty and increase the revenue base through business expansion while adding to the economic vitality of the County (Economic Development).

RMA has Key Performance Measures to implement the Board's Strategic Initiatives by improving the permit process. Maintaining parcels under Williamson Act Farmland Security Zone and Land Conservation Contracts will ensure the protection of land designated for farming and permanent grazing and further the economic vitality of Monterey County. This action also represents effective and timely response to our RMA customers.

Check the related Board of Supervisors Strategic Initiatives:

☒ Economic Development  
☒ Administration  
☐ Health & Human Services  
☐ Infrastructure  
☐ Public Safety

Prepared by: Shelley Glennon, Senior Planner, ext. 5173   
Reviewed by: Christina McGinnis, RMA Planning Services Manager, ext. 6733  
Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the Clerk of the Board:

Attachment A - Proposed Resolution with:

- Exhibit 1 - Conditions of Approval
- Exhibit 2 - Existing & Proposed Lot Configuration Map Exhibit

Attachment B - Vicinity Map

Attachment C - Agricultural Preserve Land Conservation Contract No. 68-018

cc: Front Counter Copy; Brandon Swanson, RMA Interim Chief of Planning, Christina McGinnis, RMA-Planning Manager; Shelley Glennon, Project Planner; Lynn Kovach, Agent; Mary Grace Perry, Deputy County Counsel; Gregg MacFarlane, Senior Agricultural Appraiser, Henry S. Gonzales, Agricultural Commissioner; Jerry Rava II, Trustee of the Jerry Rava II Trust Dated August 19, 1994, Property Owner; The Open Monterey Project (Molly Erickson); LandWatch (Director); Project File PLN180204