

Attachment A

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DRAFT RESOLUTION

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

In the matter of the application of:

Sunset Farms Inc., a California Corporation (PLN210077)

RESOLUTION NO.

Resolution by the Monterey County Board of Supervisors:

1. Find the Lot Line Adjustment is Categorically Exempt as a minor alteration in land use limitations per Section 15305(a) of the California Environmental Quality Act (CEQA) Guidelines, and there are no exceptions pursuant to CEQA Guidelines Section 15300.2;
2. Approve a Lot Line Adjustment between four (4) legal lots of record (under Farmland Security Zone [FSZ] Contract No. 2010-018) resulting in four (4) lots of approximately 82.1 acres (Parcel A), 52.8 acres (Parcel B), 160.2 acres (Parcel C), and 36.5 acres (Parcel D), respectively, with no net change in acreage under the Williamson Act Contract;
3. Authorize the Chair to execute a new or amended FSZ Contract or Contract(s) in order to rescind a portion of the existing FSZ Contract as applicable to the reconfigured lots only and simultaneously execute a new or amended FSZ Contract or Contracts 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 Williamson Act Policies and Procedures;
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 and subject to the attached eleven (11) conditions of approval; and
5. Direct the Clerk of the Board to record the new or amended FSZ Contract or Contracts with the County Recorder with all applicable recording fees paid by the Property Owner of record.

CEQA Action: Categorically Exempt per Section 15305(a) of the CEQA Guidelines.

Project Location: 301 Neponset Road, Marina, Greater Monterey Peninsula Area Plan (APN: 229-011-016-000, 229-011-009-000, 229-011-042-000 and 229-011-047-000)

The Sunset Farms, Inc. application (PLN210077) came on for a public hearing before the Monterey County Board of Supervisors on November 2, 2021. 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 Greater Monterey Peninsula 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 project is located at 301 Neponset Road, Marina, Greater Monterey Peninsula Area Plan, in unincorporated County of Monterey. The project involves a lot line adjustment between four (4) legal lots of record consisting of:

Parcel 1: 3.71 acres
Parcel 2: 193.09 acres
Parcel 3: 93.9 acres
Parcel 4: 40.9 acres

331. 6 ACRES TOTAL

The lot line adjustment will result in four (4) lots consisting of:

Parcel A (before: Parcel 2): 82.1 acres
Parcel B (before: Parcel 1): 52.8 acres
Parcel C (before: Parcel 3): 160.2 acres
Parcel D (before: Parcel 4): 36.5 acres

331. 6 ACRES TOTAL

The lot line adjustment will result in four (4) reconfigured lots of approximately 82.1 acres (Parcel A: APN: 229-011-009-000, 229-011-016-000, and 229-011-042-000), 52.8 acres (Parcel B: APN: 229-011-016-000), 160.2 acres (Parcel C: APN: 229-011-042-000), and 36.5 acres (Parcel D: APN: 229-011-047-000), respectively. The existing parcels (Parcels 1, 2, 3, and 4) are subject to Farmland Security Zone Contract (FSZ) No. 2010-018. The zoning designations for the parcels are Farmlands, 40 acres minimum with Design Control and Site Plan Review Zoning Overlays [F/40-D-S] and Permanent Grazing, 40 acres minimum Design Control and Site Plan Review Zoning Overlays [PG/40-D-S] lot sizes.

b) Parcel 1, before the proposed Lot Line Adjustment, contains 3.71 acres, which is non-conforming to the 40 acres lot size minimum for the Farmland and Permanent Grazing zoning designations. The proposed lot line adjustment will increase the size of Parcel 1 to 52.8 acres (Adjusted Parcel B). Adjusted Parcel B will conform with the 40 acre minimum lot size. Existing Parcel 4 is 40.9 acres. The proposed lot line adjustment will reduce the acreage of Parcel 4 to 36.5 acres (Adjusted Parcel D). The reduction of acreage for Parcel 4 is to realign the lot lines to conform to current agricultural uses and operations. The reduction in acreage will not result in any changes to the agricultural uses and operations on

Adjusted Parcel D. The proposed lot line adjustment will align with current agricultural uses and operations.

- c) 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 and agricultural uses and operations of the land.
- d) 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. However, the exterior boundaries of the Williamson Act Contract.
- e) 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; better achieve the goals, policies, and objectives of the General Plan; and facilitate routine and ongoing agricultural activities.
- f) 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.
- g) Agricultural Advisory Committee (AAC). The project was referred to the Agricultural Advisory Committee (AAC) for review on August 26, 2021. The AAC voted unanimously to recommend approval of the project. No concerns were raised during the meeting.
- h) 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 PLN210077.

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-Public Works, HCD-Environmental Services, Environmental Health Bureau, and the North 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 PLN210077.

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 (EHB) reviewed the project application and included three conditions (See Attachment A.1). The proposed Parcel B and C will require a deed restriction in the future when not under common ownership for the maintenance, upkeep, and creation of an easement for access to the water well and water system found on Parcels B and C. As required by conditions, the well on Parcel B serving two existing dwellings, must obtain a water system permit prior to the issuance of certificates of compliance for Parcels A, B, C and D. The HCD-Environmental Services requires the owner to provide a recorded floodplain notice for the proposed Parcel B, C, and D. The floodplain notice is incorporated as Condition 10 for the project.
 - 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 PLN210077.

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 PLN210077.

5. **FINDING:** **California Environmental Quality Act (CEQA) (EXEMPT)** – The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- a) CEQA Guidelines Section 15305(a) categorically exempts minor lot line adjustments that do not result in the creation of new parcels.
- b) 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 PLN210077.

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 (4) existing adjacent lots.
 - b) The existing four (4) parcels will be adjusted and result in four (4) lots after the proposed lot line adjustment. No additional developable parcels will be created and current agricultural operations are not proposed to change.
 - c) The parcels will conform to the County’s General Plan, Greater Monterey Peninsula Area Plan, and zoning and building ordinances. See evidence in Finding 1 above.
 - 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 PLN210077.

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. 2010-018 shall be applicable to the reconfigured parcels.
 - b) The term of the original Farmland Security Zone 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 (1) 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 four (4) lots totaling 331.6 acres. The total acreage of the proposed parcels will remain the same after the Lot Line Adjustment.
 - b) A legal description for each newly configured parcel shall be submitted

to HCD-Planning for review and approval. Deeds reflecting the Lot Line Adjustment shall be recorded with the Monterey County Recorder's office. The Owner-Applicant shall apply for Certificates of Compliance for the reconfigured parcels.

- c) The application, plans, and related support materials found in Planning File No. PLN210077.

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 or Contracts will continue to cover the adjusted lots (Parcels A, B, C and D) which shall remain subject to Farmland Security Zone Contract No. 2010-018 as amended. There will be no change from current agricultural uses and operations.
 - b) The application, plans, and related support materials found in Planning File No. PLN210077.

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 et seq. (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 proposed lot line adjustment will result in three (3) parcels of more than 40 acres and one parcel (Parcel D) of 36.5 acres. The reduction of the adjusted Parcel D will not change the current agricultural use on site and is a sufficient size to maintain the agricultural use and viability of the lot. See Finding 1.
 - c) The application, plans, and related support materials found in Planning File No. PLN210077.

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 purpose for the Lot Line Adjustment is to reflect current agricultural operations. The resultant parcels would allow 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 as Permanent Grazing – 40-acre minimum Zoning District [PG/40-D-S] and Farmland– 40-acre minimum Zoning District [F/40-D-S] with Design Control and Site Plan Review Zoning Overlays. The Lot Line Adjustment will not affect the current agricultural operations on the subject parcels. No physical development is proposed. The adjustment would not allow any uses that could not already occur under the current lot configuration.
- b) The application, plans, and related support materials found in Planning File No. PLN210077.

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) Four (4) lots exist and four (4) lots are proposed. See Finding 6.
- b) The application, plans, and related support materials found in Planning File No. PLN210077.

DECISION

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

1. Find the Lot Line Adjustment is Categorically Exempt as a minor alteration in land use limitations per California Environmental Quality Act (CEQA) Guidelines Section 15305(a) and there are no exceptions pursuant to CEQA Guidelines Section 15300.2;
2. Approve a Lot Line Adjustment between four (4) legal lots of record (under Farmland Security Zone Contract No. 2010-018) resulting in four (4) lots of approximately 82.1 acres (Parcel A), 52.8 acres (Parcel B), 160.2 acres (Parcel C), and 36.5 acres (Parcel D), respectively, with no net change in acreage under the Williamson Act Contract;
3. Authorize the Chair to execute a new or amended Farmland Security Zone Contract or Contract(s) in order to rescind a portion of the existing Farmland Security Zone Contract as applicable to the reconfigured lots only and simultaneously execute a new or amended Farmland Security Zone 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 Williamson Act Policies and Procedures;
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 and subject to the attached eleven (11) conditions of approval; and
5. Direct the Clerk of the Board to record the new or amended FSZ Contract or Contracts with the County Recorder with all applicable recording fees paid by the Property Owner of record.

PASSED AND ADOPTED upon the motion of Supervisor _____, seconded by _____, and carried this 2nd of November, 2021 by the following vote:

AYES:

NOES:
ABSENT:
ABSTAIN:

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 Minute Book _____ for the meeting on November 2, 2021.

Date:

File Number:

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

By _____
Deputy

Monterey County RMA Planning

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

PLN210077

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Williamson Act Lot Line Adjustment permit (PLN210077) allows a Lot Line Adjustment between four (4) legal lots of record under Williamson Act Contract consisting of 3.71 acres (Parcel 1), 193.09 acres (Parcel 2), 93.9 acres (Parcel 3) and 40.9 acres (Parcel 4), resulting in four (4) adjusted lots consisting of 52.8 acres (Adjusted Parcel 1/Parcel B), 82.1 acres (Adjusted Parcel 2/Parcel A), 160.2 acres (Adjusted Parcel 3/Parcel C) and 36.5 acres (Adjusted Parcel 4/Parcel D). The property is located at 301 Neponset Road, Marina (Assessor's Parcel Number 229-011-016-000, 229-011-009-000, 229-011-042-000 and 229-011-047-000), Greater Monterey Peninsula Area Plan. 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 HCD Chief of 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD- 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 Williamson Act Lot Line Adjustment Permit (Resolution Number _____) was approved by the Board of Supervisors for Assessor's Parcel Numbers 229-011-016-000, 229-011-009-000, 229-011-042-000 and 229-011-047-000 on [Date the permit was approved]. The permit was granted subject to eleven (11) conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

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

Compliance or Monitoring Action to be Performed: 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 HCD - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.
Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. LOT LINE ADJUSTMENT DEED (NON-STANDARD CONDITION)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Owner(s)/Applicant(s) shall prepare, execute and record deeds that reflect the lot line adjustment as required by California Government Code §66412(d) and request an unconditional Certificate of Compliance for each of the adjusted parcels. (HCD-Planning)

Compliance or Monitoring Action to be Performed:

1. An updated title report (current within 30 days) for each subject parcel of the lot line adjustment.
2. Draft legal descriptions, plats and closure calculations for each newly adjusted parcel of the lot line adjustment for which a Certificate of Compliance will be issued. The legal description, plat, and closure calculations shall be prepared by a professional land surveyor. The legal description shall be entitled "Exhibit A" and shall have the planning permit no. (PLN) in the heading. The plat may be incorporated by reference into Exhibit "A," or be entitled Exhibit "B."
3. Draft deeds for all adjustment parcels, being all areas being conveyed by Owners in conformance to the approved lot line adjustment. The deeds shall contain a legal description and plat of the areas to be conveyed in conformance to the approved lot line adjustment. The legal description, plat, and closure calculations shall be prepared by a professional land surveyor. The legal description shall be entitled "Exhibit A" and shall have the planning permit no. (PLN) in the heading. The plat may be incorporated by reference into Exhibit "A," or be entitled Exhibit "B." The deed shall comply with the Monterey County Recorder's guidelines as to form and content.
 - a. The Owner(s)/Applicant(s) shall be responsible for ensuring the accuracy and completeness of all parties listed as Grantor and Grantee on the deeds.
 - b. Each deed shall state in the upper left corner of the document the party requesting the recording and to whom the recorded document shall be returned.
 - c. The purpose of the deed shall be stated on the first page of the deed, as follows:

"The purpose of this deed is to adjust the parcel boundaries in conformance with the lot line adjustment approved by the County of Monterey, PLN210077. This deed is being recorded pursuant to California Government Code Section §66412(d) and shall reconfigure the subject parcels in conformance to said approved lot line adjustment."

PLEASE NOTE: Owner(s) is/are responsible for securing any reconveyance, partial reconveyance and/or subordination in connection with any loan, mortgage, lien or other financial obligation on all property being transferred between parties.

4. Following review and any corrections of the legal descriptions and plats by County Surveyor:
 - a. Owner/Applicant shall submit copies of the fully executed and acknowledged deed(s) for the adjusted parcels to the project planner for review & approval by County Surveyor.
 - b. Owner/Applicant shall submit the legal description and plat for each Certificate of Compliance to HCD-Planning for final processing.
 - c. Using a title company, Owner/Applicant shall execute the deeds before a notary public, and have the deeds recorded with the County Recorder.
 - d. Owner/Applicant shall submit copies of all recorded deeds to the project planner.

5. PD045 - COC (LOT LINE ADJUSTMENTS)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall request unconditional Certificates of Compliance for the newly configured parcels. (HCD - 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 HCD-Planning for review and approval. The legal descriptions shall be entitled "Exhibit A." The legal description 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 Assessor's Office.

6. PD037 - WILLIAMSON ACT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner shall enter into a new or amended Farmland Security Zone 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. (HCD - 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, 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.

7. EHSP01 – Parcel C Deed Restriction – Well and Water Distribution System Infrastructure Access (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: A deed restriction shall be recorded for Parcel C prior to recordation of the Certificates of Compliance which states:

At the time this Lot Line Adjustment of Williamson Act lands was reviewed and approved by the Board of Supervisors, the water well located near the western corner of this lot (Parcel "C") provided domestic water service to various structures on Parcel "B". Access to the well, water tanks and all distribution appurtenances (water system) must continue to be provided to Parcel "B" for the benefit of the owners of Parcel B and/or the heirs, successors, lessees, tenants, assignees and their respective contractor or service provider for maintenance and upkeep of the water system. Parcel "C" shall be allowed use of the water system for either domestic or irrigation purposes. The location of the water well and water system shall be specified on the site plan which shall be included as an exhibit to this deed restriction.

If at any time, Parcel "B" or Parcel "C" are not under common ownership, the following shall occur:

- Easements that meet the satisfaction of the County of Monterey Health Department, Environmental Health Bureau (EHB) shall be established around the water well, water tanks and all distribution appurtenances (water system) to grant access to the water well and water system for maintenance and upkeep purposes and shall specify that Parcel "B" shall be allowed use of water from the well on Parcel "C" for domestic purposes.

- A copy of the recorded easements benefiting Parcel "B" shall be submitted to the Environmental Health Bureau to be entered into the well record.

Or

Prior to sale or conveyance of the subject property and/or change in ownership of said property, Parcel "B" shall obtain a new source of domestic water supply that meet the standards for domestic water supply to the satisfaction of the EHB and abandon all connections to the water distribution appurtenances located on Parcel "C".

Preparation of the deed restriction form shall be subject to cost recovery of EHB staff time to prepare and process the form, in accordance with Article I.E of the Monterey County Fee Resolution, at the applicant's expense.

(Health Department - Environmental Health Bureau -[EHB])

Compliance or Monitoring Action to be Performed: Prior to recordation of the Certificates of Compliance, the applicant shall provide a legal description for the parcel and a copy of the Grant Deed to the EHB. The EHB will prepare the deed restriction form.

The property owner shall sign and notarize the deed restriction form obtained from EHB. The property owner shall record the signed and notarized deed restriction with the Monterey County Recorder. Proof of recordation shall be provided to EHB by the property owner.

8. EHSP02 – Parcel B Deed Restriction – Well and Water Distribution System Infrastructure Access (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: A deed restriction shall be recorded for Parcel B prior to recordation of the Certificates of Compliance which states:

At the time this Lot Line Adjustment of Williamson Act lands was reviewed and approved by the Board of Supervisors, the water well located near the western corner of Parcel "C" provided domestic water service to various structures on this lot (Parcel "B"). Access to the well, water tanks and all distribution appurtenances (water system) must continue to be provided to Parcel "B" for the benefit of the owners of Parcel B and/or the heirs, successors, lessees, tenants, assignees and their respective contractor or service provider for maintenance and upkeep of the water system. Parcel "C" shall be allowed use of the water system for either domestic or irrigation purposes. The location of the water well and water system shall be specified on the site plan which shall be included as an exhibit to this deed restriction.

If at any time, Parcel "B" or Parcel "C" are not under common ownership, the following shall occur:

- Easements that meet the satisfaction of the County of Monterey Health Department, Environmental Health Bureau (EHB) shall be established around the water well, water tanks and all distribution appurtenances (water system) to grant access to the water well and water system for maintenance and upkeep purposes and shall specify that Parcel "B" shall be allowed use of water from the well on Parcel "C" for domestic purposes.

- A copy of the recorded easements benefiting Parcel "B" shall be submitted to the EHB to be entered into the well record.

Or

Prior to sale or conveyance of the subject property and/or change in ownership of said property, Parcel "B" shall obtain a new source of domestic water supply that meet the standards for domestic water supply to the satisfaction of the EHB and abandon all connections to the water distribution appurtenances located on Parcel "C".

Preparation of the deed restriction form shall be subject to cost recovery of EHB staff time to prepare and process the form, in accordance with Article I.E of the Monterey County Fee Resolution, at the applicant's expense.

(Health Department - Environmental Health Bureau ["EHB"])

Compliance or Monitoring Action to be Performed: Prior to recordation of the Certificates of Compliance, the applicant shall provide a legal description for the parcel and a copy of the Grant Deed to the Environmental Health Bureau ("EHB"). The EHB will prepare the deed restriction form.

The property owner shall sign and notarize the deed restriction form obtained from EHB. The property owner shall record the signed and notarized deed restriction with the Monterey County Recorder. Proof of recordation shall be provided to EHB by the property owner.

9. EHSP03 – Obtain Water System Permit (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The existing well on Parcel B serves two (2) existing dwellings. Pursuant to Monterey County Code Chapter 15.04, Domestic Water Systems, obtain a new water system permit from the Environmental Health Bureau (EHB). (Health Department - Environmental Health Bureau ["EHB"])

Compliance or Monitoring Action to be Performed: Prior to the recordation of Certificates of Compliance for Adjusted Parcels A, B, C and D submit necessary water system application with applicable fees, supplemental information, and water quality analysis, to EHB for review and approval.

10. FLOODPLAIN NOTICE

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide a recorded floodplain notice for adjusted Parcels B, C, & D stating: "The property is located within or partially within a Special Flood Hazard Area and may be subject to building and/or land use restrictions." (HCD - Environmental Services)

Compliance or Monitoring Action to be Performed: The applicant shall submit a signed and notarized floodplain notice to HCD - Environmental Services for review and approval.

The notice shall be recorded concurrently with the final map.

11. 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

TENTATIVE LOT LINE
ADJUSTMENT MAP
OF
LANDS OF SUNSET FARMS WITHIN THE
RANCHO RINCON DE LA SALINAS
MONTEREY COUNTY, CALIFORNIA

OWNERS

A.P.N. 229-011-009 & -016
A.P.N. 229-011-042 & -047
SUNSET FARMS INC.
194 ARCHER DRIVE
SANTA CRUZ, CA 95060

APPLICANT

JEFFERSON HOME RANCH, SUNSET FARMS INC.
194 ARCHER DRIVE
SANTA CRUZ, CA 95060

REPRESENTATIVE

LINN KOVACH
P.O. BOX 1378
CARMEL VALLEY, CA 93924

STATEMENT

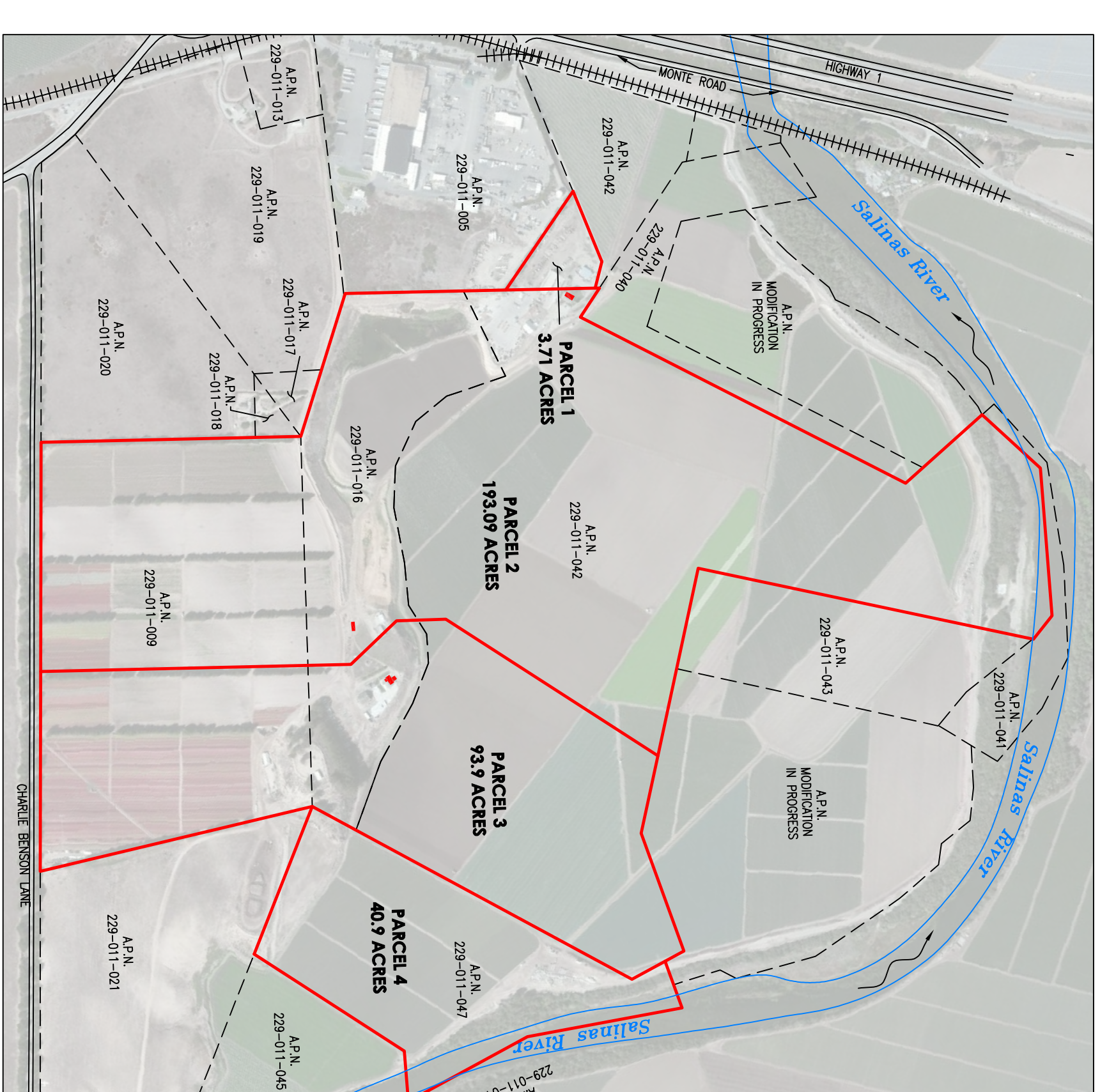
THE PROPERTY LOCATED WITHIN THE RANCHO RINCON DE LAS SALINAS WITHIN THE LOTLINE ADJUSTMENT OF PARCELS RANGING FROM 3.71 ACRES IN SIZE TO 193.09 ACRES INTO 4 PARCELS RANGING FROM 36.5 ACRES TO 160.2 ACRES.

THE CONTOURS SHOWN HEREON ARE DERIVED FROM USGS 3 ARC-SECOND DIM. (2013) AND ARE DRAWN AT A 10-FOOT CONTOUR INTERVAL. DISTANCES SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

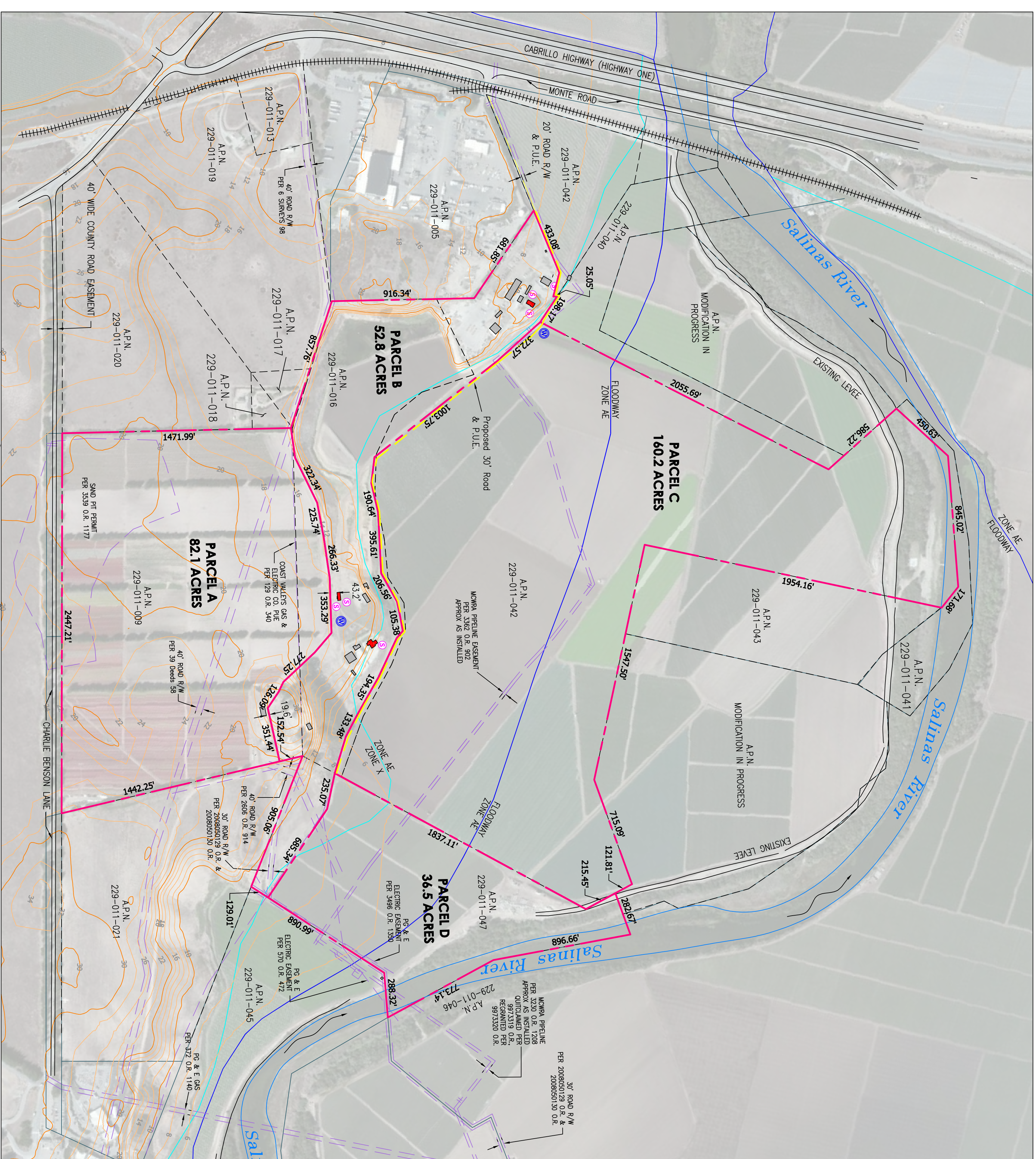
THE EXISTING ZONING ON THE PROPERTIES IS "T-40" AND "T-G-40". THE PROPERTY IS CURRENTLY USED FOR RESIDENTIAL AND AGRICULTURAL PURPOSES (FARMING). THE PROPOSED USE OF THE PROPERTY IS THE SAME.

THERE ARE CURRENTLY STRUCTURES ON THE PROPERTY AS SHOWN ON THE MAP. THERE ARE WATER SUPPLY AND WASTEWATER FACILITIES ON-SITE AS SHOWN ON THE MAP.

THIS PROPERTY LIES WITHIN THE FLOODWAY AND WITHIN FLOOD ZONE AE AS SHOWN ON FIRM MAP #80179-04053-C018H AND 018H, NATIONAL FLOOD HAZARD LAYER (NFHL) UNDEVELOPED AND UNOCCUPIED FROM TRINA AND FLOTTED APPROXIMATELY ON THE MAP.



EXISTING LOT LINE CONFIGURATION
Scale: 1"=700'



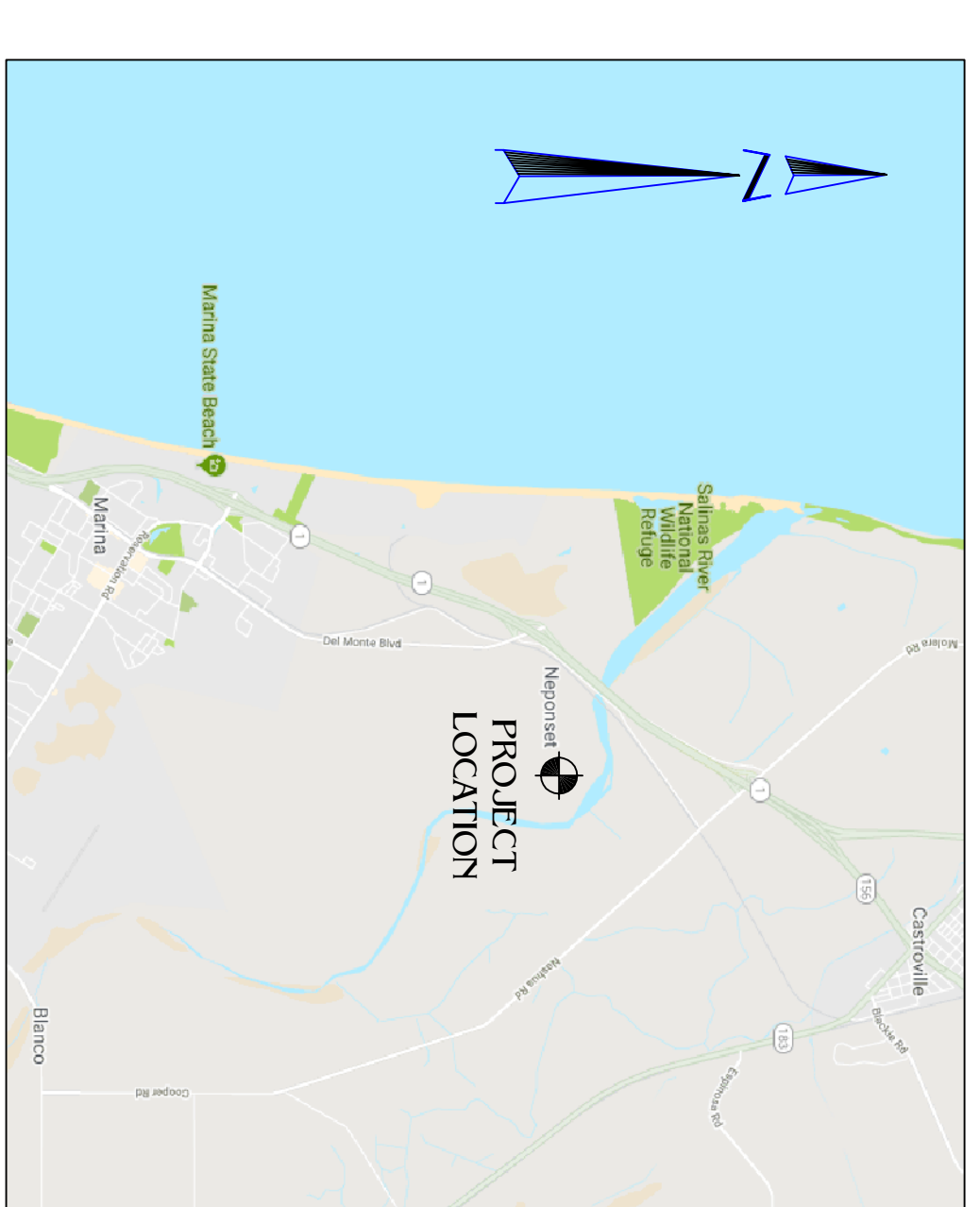
PROPOSED LOT LINE CONFIGURATION
Scale: 1"=400'

SUMMARY TABLE

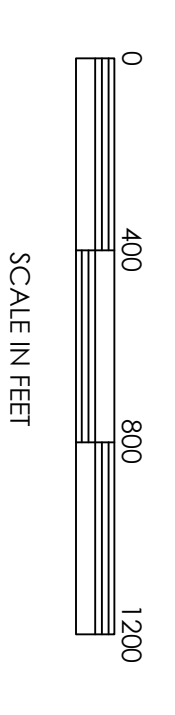
Subject Property APN	Existing Parcel Designation	Existing Acreage	Existing Zoning	Proposed Property Designation	Proposed Acreage	Proposed Zoning
Portions of 229-011-009, 016, -042	2	193.09	F-40/PG-40	Parcel A	82.1	F-40/PG-40
Portion of 229-011-016	1	3.71	F-40/PG-40	Parcel B	52.8	F-40/PG-40
Portion of 229-011-042	3	93.9	F-40/PG-40	Parcel C	160.2	F-40/PG-40
Portion of 229-011-047	4	40.9	F-40/PG-40	Parcel D	36.5	F-40/PG-40

LEGEND

- PROPOSED PROPERTY LINE
- LOT LINE
- OLD PARCEL LINE
- EXISTING APN LINE
- EASEMENT AS NOTED
- PROPOSED 30' ROAD & PUE EASEMENT
- NFHL FLOOD ZONE (SEE STATEMENT)
- MAJOR FLOOD ZONE (SEE STATEMENT)
- MINOR CONTOUR
- SEPTIC SYSTEM
- WELL
- BUILDING/STRUCTURE
- RESIDENCE



VICINITY MAP
NO SCALE



SCALE IN FEET

PREPARED FOR: Martin Jefferson et al
 ROL ARIS CONSULTING
 P.O. BOX 1378
 CARMEL VALLEY, CA 93924
 831-659-9564

VIEW: TM ILLA
 DATE: November 12, 2020
 JOB #: 18183 Sheet 1 of 1