



# Monterey County

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## Board Report

Legistar File Number: RES 14-117

December 16, 2014

Introduced: 12/8/2014

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Resolution

Consider a Resolution to:

- a. Approve a Lot Line Adjustment between two (2) legal lots of record under Williamson Act Agricultural Preserve Land Conservation Contract No. 71-31, established by County Resolution Number 71-14-31, with no net decrease in acreage under Williamson Act Contract; and
- b. Authorize the Chair to execute new or amended Land Conservation Contract in order to rescind a portion of the existing Land Conservation Contract as it applies to the reconfigured lots only and simultaneously execute new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and Silva, 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
- c. Direct the Clerk of the Board to record the new or amended Contracts subject to the collection of the appropriate recording fees from the property owner by the Planning Department.

(Lot Line Adjustment - PLN140459/Edward Silva Jr. and Evelina Marie Silva, Trustees, FBO Silva Family Living Trust Dated February 9, 1996, Arroyo Seco Road at Elm Avenue, Central Salinas Area Plan)

### PROJECT INFORMATION:

**Planning File Number:** PLN140459

**Owner:** Edward Silva Jr. and Evelina Marie Silva, Trustees, FBO Silva Family Living Trust Dated February 9, 1996

**Project Location:** Arroyo Seco Road at Elm Avenue, Soledad

**APN:** 419-491-009-000, 419-491-010-000, 419-491-011-000, 419-491-012-000, 419-491-013-000, 419-491-014-000, 419-491-015-000, 419-491-016-000, 419-491-017-000

**Agent:** Smith

**Plan Area:** Central Salinas Valley Area Plan

**Flagged and Staked:** No

**CEQA Action:** Exempt per CEQA Section 15305(a)

It is recommended that the Board of Supervisors:

- a. Approve a Lot Line Adjustment between two (2) legal lots of record under Williamson Act Agricultural Preserve Land Conservation Contract No. 71-31, established by County Resolution Number 71-14-31, with no net decrease in acreage under Williamson Act Contract; and
- b. Authorize the Chair to execute new or amended Land Conservation Contract in order to

- rescind a portion of the existing Land Conservation Contract as it applies to the reconfigured lots only and simultaneously execute new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and Silva, 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
- c. Direct the Clerk of the Board to record the new or amended Contracts subject to the collection of the appropriate recording fees from the property owner by the Planning Department.

**SUMMARY:**

The Silva Family Trust requests a Lot Line Adjustment (LLA) that would re-configure two (2) existing legal lots of record totaling approximately 2,676.6 combined acres. The current configuration consists of approximately 2636 acres (Assessor's Parcel Numbers 419-491-011-000, 419-491-012-000, 419-491-013-000, 419-491-014-000, 419-491-015-000, 419-491-016-000, and 419-491-017-000 known as "Parcel G") and 40.6 acres (Assessor's Parcel Numbers 419-491-009-000 and 419-491-010-000 known as "Parcel F"). This adjustment moves 1.9 acres from a 2636 parcel and adds that area to a 40.6 acre parcel for the purpose of encompassing an existing vineyard, which is required for financing that crop. The Lot Line Adjustment will result in two (2) lots of 42.5 acres (Parcel 1) and 2634.1 acres (Parcel 2), as illustrated in **Attachment B**.

The subject lots currently comprise a portion of Williamson Act Agricultural Preserve Land Conservation Contract No. 71-31 and will continue to do so following the proposed adjustment. This proposed re-configuration and use is consistent with the Williamson Act guidelines.

**DISCUSSION:**

A detailed discussion is provided in Attachment A.

**OTHER AGENCY INVOLVEMENT:**

The following agencies have reviewed the project and those that are checked (“✓”) have comments and/or recommended conditions:

Environmental Health Division  
Public Works Department  
Water Resources Agency  
CAL FIRE Central Valley

The Office of the County Counsel will prepare new or amended Williamson Act Contracts reflecting the changes to the existing Land Conservation Contract as applicable to the reconfigured lots. The RMA-Planning Department, County Surveyor, and the Assessor's Office will review the legal description for the reconfigured lots for accuracy upon receipt.

**FINANCING:**

The subject lots are currently under Agricultural Preserve Land Conservation Contract No. 71-31. This Lot Line Adjustment will continue the Agricultural Preserve status of the properties but will not reduce the assessed property valuation of the lots and, as such, will not

have an impact on the County General Fund.

Prepared by: Liz Gonzales, Associate Planner, ext. 5162 *Liz Gonzales*  
Approved by: Mike Novo, Director, RMA-Planning, ext. 5162 *Mike Novo*  
Carl P. Holm, Acting Director Resource Management Agency *CPH*

This report was reviewed by John Ford, Planning Services Manager

cc: Front Counter Copy; Board of Supervisor's (16); County Counsel; Environmental Health Division; Public Works; Monterey County Water Resources Agency; Cal Fire Central Valley; Mike Novo; John Ford, Planning Services Manager; Edward and Evelina Silva, Owners; Phil Pearman, Salinas Valley Surveyors, Agent; Agricultural Preservation Review Committee (Steve Mason, Bob Roach, Gregg MacFarlane, Mary Grace Perry); The Open Monterey Project (Molly Erickson); LandWatch Monterey County (Amy White); Project File PLN140459

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

- Attachment A Proposed Resolution
  - Exhibit 1 - Conditions of Approval
  - Exhibit 2 - Lot Line Adjustment Plan
- Attachment B Vicinity Map
- Attachment C Agricultural Preserve Land Conservation Contract No. 71-31