

**Before the Planning Commission
in and for the County of Monterey, State of California**

In the matter of the application of:

**BOCCONE, NORMAN B & VICTORIA E IGEL CO-TRS AND ELKHORN SLOUGH FOUNDATION
(PLN240187)**

RESOLUTION NO. 25-019

Resolution by the County of Monterey Planning
Commission:

- 1) Considering a previously adopted Mitigated Negative Declaration (SCH# 2025050246) and finding that no further environmental review is warranted pursuant to CEQA Guidelines section 15162; and
- 2) Approving a Lot Line Adjustment between three legal lots of record, consisting of Parcel A (approximately 18.17 acres; Assessor's Parcel Number 181-151-009-000), Parcel B (approximately 286.05 acres; Assessor's Parcel Number 181-011-022-000), and Parcel C (approximately 4.58 acres; Assessor's Parcel Number 181-151-008-000), resulting in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C).

[PLN240187, Norman Boccone and Victoria Igel Co-Trust and Elkhorn Slough Foundation, (Assessor's Parcel Numbers 181-151-009-000, 181-011-022-000 and 181-011-022-000), North County Land Use Plan Coastal Zone]

The BOCCONE AND VICTORIA IGEL CO-TRUST AND ELKHORN SLOUGH FOUNDATION (PLN240187) Lot Line Adjustment came on for public hearing before the County of Monterey Planning Commission on June 25, 2025. Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) The proposed project is a Lot Line Adjustment (LLA) among three legal lots of record, consisting of:
 - Parcel A (APN: 181-151-009-000), a legal parcel currently 18.17 acres in size, will gain 0.48 acres from Parcel C (APN: 181-151-008-000) and transfer 1.03 acres to Parcel C and 4.09 acres to Parcel B. In sum, Adjusted Parcel A will be 13.53 acres.

- Parcel B, a legal parcel currently 286.05 acres in size (APN:181-011-022-000), will receive 4.09 acres from Parcel A. In sum, Adjusted Parcel B will be 290.14 acres.
- Parcel C, a legal parcel currently 4.58 acres in size (APN:181-151-008-000), will transfer 0.48 acres from the southwestern corner to Parcel A and will gain 1.03 acres from Parcel A, adding to the northwest corner. In sum, Adjusted Parcel C will be 5.13 acres.

The LLA is associated with residential development on Parcel A (PLN220229, Planning Commission Resolution No. -----). Parcel A is mostly sloped and wooded, and the proposed parcel reconfiguration allows Boccone & Igel to own and utilize a flatter, less wooded area to develop a shorter and less impactful driveway. The driveway and associated residential development are proposed under PLN220229. The LLA transfers approximately four acres of oak woodland to the Elkhorn Slough Foundation's large parcel in conservation stewardship, Parcel B, as an exchange for the ESF's land given from Parcel C. The LLA also transfers an additional 1.03 acres to Parcel C to bring it into conformance with the minimum building site area for the zoning district (five acres). The boundary adjustments conform to the Rural Density Residential zoning standards (see subsequent Evidence "d").

- b) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 1982 County of Monterey General Plan;
 - North County Land Use Plan;
 - County of Monterey Coastal Subdivision Ordinance (Title 19); and
 - County of Monterey Coastal Zoning Ordinance (Title 20).

No significant 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 these documents.

- c) Lot Legality. The project is a LLA between fewer than four existing adjoining parcels that the County recognizes as legal lots of record. Parcel A was in the ownership of Dean and Georgina Sanders, shown in the same configuration on the 1972 Assessor Parcel Map, Book 181, Page 1. Parcel A met the underlying zoning requirements in 1972 (Rural or "N" zoning district, minimum lot size 20,000 square feet); therefore, Parcel A is recognized as a legal lot of record. Parcel B was created by Quitclaim Deed to Estelle M. Blohm dated October 24, 1967 in Reel 527, Page 929 of County of Monterey records. This deed's legal description matches the current size and shape of Parcel B and conforms to the zoning regulations at the time (Rural or "N" zoning district, minimum lot size 20,000 square feet). Therefore, Parcel B is recognized by the County as a legal lot of record. Parcel C was described in a Grant Deed to Shirley Anne Brinkley dated March 3, 1972 in Reel 757, Page 301 of County of Monterey Records. This deed's legal description matches the current size and shape of Parcel C and conforms with the zoning regulations at the time (Rural or "N" zoning district, minimum lot size 20,000 square feet). Therefore, Parcel C is recognized by the County as a legal lot of record.

- d) Allowed Uses and Site Development Standards. The properties are located at 827 Elkhorn Road and 695 Elkhorn Road and a third adjacent parcel without address in Royal Oaks, (Assessor's Parcel Numbers 181-151-009-000, 181-011-022-000 and 181-151-008-000), in the North County Land Use Plan area. The parcels are zoned Rural Density Residential ("RDR") and have three different density requirements.
- Parcel A has a density requirement of 10 acres per unit (RDR)/10(CZ). This parcel is currently vacant, other than a shared private drive. A residence and site improvements are being concurrently processed under PLN220229. Adjusted Parcel A will conform to the allowed density.
 - Parcel B has a density requirement of 40 acres per unit (RDR)/40(CZ). This parcel includes an existing residence with a septic system. Adjusted Parcel B will conform to the allowed density.
 - Parcel C has a density requirement of 5 acres per unit (RDR)/5(CZ). This parcel has a shared drive formalized in a December 31, 1979, agreement in Reel 1381 of Official Records, Page 285, but there is no residential development
- As described above, development on Adjusted Parcel A is proposed through PLN220229. No development is proposed under this permit (PLN240187). The reconfiguration of the parcels will not otherwise intensify groundwater use or impacts to natural resources or create potential development beyond what currently exists. Minimum building site for the RDR zoning district is 5 acres. Parcels A and B meet this requirement; however, Parcel C is only 4.58 acres and therefore is non-conforming to the minimum building site acreage. With the implementation of the LLA, Adjusted Parcel A -- 13.53 acres and Adjusted Parcel B -- 290.14 acres will continue to the minimum lot size, and Adjusted Parcel C -- 5.13 acres will come into compliance with the minimum building site requirement. The building site coverage requirements for the RDR/10(CZ) and RDR/40(CZ) zoned parcels (Adjusted Parcels A and B) will continue to be met, as they will result in parcels of 13.53 acres and 290.14 acres, respectively. Finally, all setback requirements will continue to be complied with. Therefore, the project is an allowed land use for this site, and the LLA ensures compliance with required site development standards.
- e) Land Use Advisory Committee. The project was referred to the North County Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application warranted referral to the LUAC because it involves a lot line adjustment in the coastal zone. In a duly-noticed hearing on November 20, 2024, the LUAC voted unanimously to recommend approval as proposed (7 ayes, 0 noes, 2 absent).
- f) LUP Visual Resources. During a site visit on May 7, 2024, staff assessed the potential viewshed impact of the shorter driveway area that would result from this LLA as viewed from Elkhorn Slough Road, which is classified as a scenic corridor in the North County

LUP, and Highway 1, which is classified as a scenic highway, and from the Elkhorn Slough's trail and trailheads, also public viewing areas. The areas that are proposed for exchange in this LLA are not within the viewsheds from these roadways or from Elkhorn Slough due to topography, vegetation, and distance.

- g) Subdivision Map Act Consistency. Pursuant to section 66412(d) of the Subdivision Map Act (SMA), the SMA is inapplicable to this LLA because the final outcome of the LLA is not more than four adjoining parcels, and a greater number of parcels than previously existed is not being created. See also Finding No. 6 and supporting evidence.
- h) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development found in Project File PLN240187.

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 Services, North Monterey County Fire Protection District, HCD Engineering Services, HCD Environmental Services and the County of Monterey Environmental Health Bureau (EHB). There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended by HCD Planning have been incorporated.
 - b) Parcel C was granted to the Elkhorn Slough Foundation for the purpose of resource protection and enhancement, consistent with the Elkhorn Slough Wetland Management Plan of 1988 (as it may be revised from time to time). By transferring approximately 4 acres from Parcel A (Boccone & Igel) to Parcel B (Elkhorn Slough Foundation, or ESF), the area will be protected as an environmental resource. The transfer was negotiated between the parties so that Boccone & Igel can own and utilize the 0.48 acre area on ESF's Parcel C between the existing shared drive and a new residential development proposed by PLN220229 on Parcel A. The owners will use the 0.48 acres area of Parcel C to install a driveway for the residence. The 0.48-acre area is more suitable for driveway installation than areas on Parcel A, where steep slopes and oak woodland occupy potential areas for a driveway.
 - c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development are found in Project File PLN240187.

3. 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:**
- a) The project was reviewed by the HCD Planning Services, North Monterey County Fire Protection District, HCD Engineering Services, HCD Environmental Services and County of Monterey EHB. 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) EHB records confirmed the presence of a well within Parcel A, Elkhorn Road Water System #9 (a small water system with six available connections), that provides drinking water to four other parcels. Parcel B has an onsite wastewater treatment system (OWTS), a well, and a residential dwelling, and as adjusted, meets horizontal setback requirements outlined in Monterey County Code (MCC) 15.20 and the Monterey County Local Agency Management Plan (LAMP). EHB reviewed a planned OWTS for Parcel A (as part of residential development in project PLN220229) and found that there will be an adequate amount of future OWTS replacement area on the parcel with the implementation of this lot line adjustment. There is no proposed dwelling on Parcel C at this time; however, based on size, it is presumed that there is sufficient room for a future OWTS, and water could be served by either Elkhorn Road Water System #9 or the existing well on Parcel B (property under common ownership). Accordingly, EHB found Parcel C acceptable for the LLA to proceed as proposed without additional requirements or conditions.
 - c) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development are found in Project File PLN240187.

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 Services and Building Services records and is not aware of any violations existing on subject property.
 - b) There are no known violations on the subject parcels.
 - c) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development are found in Project File PLN240187.

5. FINDING: **CEQA (Previously Mitigated Negative Declaration)** –A Mitigated Negative Declaration was previously adopted for the project, and in accordance with CEQA Guidelines section 15162, the proposed LLA does not require any further environmental documentation.

- EVIDENCE:**
- a) Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, when an EIR has been certified or a negative declaration has been adopted, no subsequent EIR or negative declaration shall be prepared for the project unless the agency determines that substantial changes are proposed, or substantial changes occur with respect to the circumstances under which the project is undertaken. In this case, no new information has been presented to warrant further environmental review. None of the

conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

- b) On June 25, 2025, the County of Monterey Planning Commission adopted a Mitigated Negative Declaration for the construction of the (SCH No. 2025050246), pursuant to Planning Commission Resolution No. -----.
- c) An Initial Study/Mitigated Negative Declaration (IS/MND) (SCH# 2025050246) analyzed the project as a whole: the proposed LLA, single-family dwelling, guesthouse, garage, and other associated site improvements on Parcel A.
- d) Resource areas that were analyzed in the Draft IS/MND included: aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, tribal cultural resources, utilities/service systems, and wildfire. Potentially significant impacts were identified on biological and tribal cultural resources. Eleven mitigation measures were adopted to reduce identified impacts to less than significant.
- e) The County identified no impacts to agriculture and forest resources, mineral resources, population and housing, public services, and recreation.
- f) No new information of substantial importance has been identified which was not known at the time the Mitigated Negative Declaration was adopted which would indicate that: the project would have significant effects which have not been evaluated, an increase in severity for any potential environmental effects, or the modification of any of the adopted mitigation measures.
- g) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which would involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- h) There are no significant adverse impacts associated with the project that have not been adequately analyzed and mitigated in the MMRP adopted by Planning Commission Resolution No. -----.
- i) None of the previously adopted mitigation measures are applied to this project as no impacts on the environment will occur with the implementation of this lot line adjustment.
- j) Evidence that has been received and considered includes: the application, technical studies/reports, staff reports that reflect the County's independent judgment, comment letters, and information and testimony presented during public meetings and the Planning Commission hearing. These documents are on file in HCD-Planning (File Nos. PLN220229 and PLN240187) and are hereby incorporated herein by reference.
- k) County of Monterey HCD-Planning, located at 1441 Schilling Place, 2nd Floor, Salinas, California, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the MND is based.

6. FINDING: LOT LINE ADJUSTMENT – Section 66412 of the California Government Code (Subdivision Map Act) Title 19 (Subdivision

Ordinance) of the Monterey County Code states that lot line adjustments may be granted based upon the following findings:

1. The LLA 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 LLA; and
3. The parcels resulting from the LLA conform to the County's 1982 General Plan, the North County Land Use Plan, and applicable building ordinances and do not conflict in a significant way with Title 20, the applicable Zoning Ordinance.

- EVIDENCE:**
- a) The subject parcels are zoned Rural Density Residential and each has a different density requirement as discussed in Finding 1, Evidence "d." The LLA is consistent with the Title 20 development density and building site area requirements. As described in Finding 1, Evidence "a" and "b", the intent of the policies and regulations of the 1982 General Plan and the North County Area Plan is met. (See Finding No. 1 for consistency review.)
 - b) Three contiguous separate legal parcels of record will be adjusted, and three contiguous separate legal parcels of record will result from the adjustment. Therefore, the lot line adjustment will not create a greater number of parcels than originally existed.
 - c) The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 20). County staff verified that the subject property complies with all rules and regulations pertaining to the use of the property, and that no violations exist on the property (see Finding Nos. 1, 2, 3, and 4; and supporting evidence).
 - d) The subject properties are zoned for residential purposes. Parcels B is developed with a single-family dwelling, and Parcels A and C are vacant at the time of this permit. No changes in residential use are proposed. None of the property area is under a Williamson Act contract or used for agricultural purposes.
 - e) No map is recorded for a LLA because it is a process excluded from the Subdivision Map Act. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required per a standard condition of approval.
 - f) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development are found in Project File PLN240187.

- 7. FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.145.150 of the County of Monterey Coastal Implementation Plan can be demonstrated.
 - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over the areas that are proposed for transfer.
 - c) The subject project site is located on Elkhorn Road more than 1 and ¼ miles from Highway 1 and is on Elkhorn Slough Road, accessed by a

private driveway. The area is not illustrated or described as one requiring physical public access pursuant to the Local Coastal Program (Figure 4, Public Access and Recreation, in the North County LUP).

- d) The subject project site is identified as an area adjacent to Elkhorn Slough, where the Local Coastal Program requires visual public access (Figure 4, Public Access and Recreation, in the North County LUP). Visual impacts were analyzed in the IS/MND and were found to be less than significant.

8. FINDING: **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

- EVIDENCE:**
- a) Section 19.16.020.A of the Monterey County Zoning Ordinance and Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20) allows an appeal to be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
 - b) Coastal Commission. Pursuant to Title 20 section 20.86.080.A, the project is subject to appeal by/to the California Coastal Commission because it involves development project involving development that is permitted in the underlying zone as a conditional use.

DECISION

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

- 1) Consider a previously adopted Mitigated Negative Declaration (SCH# 2025050246) and finding that no further environmental review is warranted pursuant to CEQA Guidelines section 15162; and
- 2) Approve a Lot Line Adjustment between three legal lots of record consisting of Parcel A (approximately 18.17 acres; Assessor's Parcel Number 181-151-009-000), Parcel B (approximately 286.05 acres; Assessor's Parcel Number 181-011-022-000), and Parcel C (approximately 4.58 acres; Assessor's Parcel Number 181-151-008-000), resulting in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C), respectively.

All of which are in general conformance with the attached sketch and subject to the attached six conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 25th day of June 2025, upon motion of Shaw, seconded by Mendoza, by the following vote:

AYES: Mendoza, Diehl, Hartzell, Gonzalez, Roberts, Work, Monsalve, Shaw

NOES: None

ABSENT: Gomez, Getzelman

ABSTAIN: None

DocuSigned by:

Melanie Beretti

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Melanie Beretti, AICP

Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON **JUNE 27, 2025**.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **JULY 7, 2025**.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION-MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

County of Monterey HCD Planning

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

PLN240187

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Coastal Development permit (PLN240187) allows a Lot Line Adjustment among three legal lots of record consisting of Parcel A, approximately 18.17 acres (Assessor's Parcel Number 181-151-009-000), Parcel B, approximately 286.05 acres (Assessor's Parcel Number 181-011-022-000), and Parcel C, approximately 4.58 acres (Assessor's Parcel Number 181-151-008-000). The adjustment would result in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C), respectively. The properties are located at 827 Elkhorn Road and 695 Elkhorn Road, and a third adjacent parcel without address in Royal Oaks (Assessor's Parcel Number 181-151-009-000, 181-011-022-000 and 181-151-008-000), North County Land Use 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 Director of HCD - 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 on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure: "A Coastal Development Permit (Resolution Number 25-019) was approved by Planning Commission for Assessor's Parcel Numbers 181-151-009-000, 181-011-022-000 and 181-151-008-000 on June 25, 2025. The permit was granted subject to 6 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 Prior to the issuance of grading and building permits, certificates of compliance, or
Monitoring commencement of use, whichever occurs first and as applicable, the Owner/Applicant
Action to be shall provide proof of recordation of this notice to the HCD - Planning.
Performed:

3. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: Planning

Condition/Mitigation The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee
Monitoring Measure: schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Prior to clearance of conditions, the Owner/Applicant shall pay the Condition
Monitoring Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.
Action to be
Performed:

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

Responsible Department: 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 to the lot line adjustment approved by the County of Monterey, PLN240187. This deed is being recorded pursuant to §66412(d) of the California Government Code 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 submit copies of the fully executed and acknowledged deed(s) for the adjustment 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, execute the deeds before a notary public, and have the deeds recorded.
 - d. Owner/Applicant shall submit copies of all recorded deeds to the project planner.

5. PD045 - COC (LOT LINE ADJUSTMENTS)

Responsible Department: 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. CC01 INDEMNIFICATION

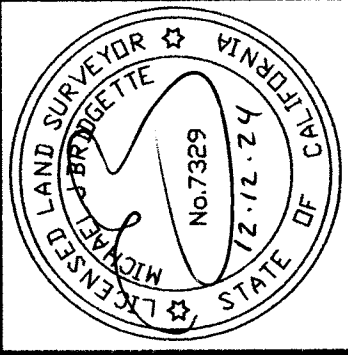
Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: Owner/Applicant 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 and/or its agents, officers, and/or employees from any claim, action, or proceeding against the County and/or its agents, officers, and/or or employees to attack, set aside, void, or annul this approval and/or related subsequent approvals, including, but not limited to, design approvals, which action is brought within the time provided for under law. Owner/Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required by a court to pay as a result of such action.

The County shall notify Owner/Applicant of any such claim, action, and/or proceeding as expeditiously as possible. The County may, at its sole discretion, participate in the defense of such action. However, such participation shall not relieve Owner/Applicant of his/her/its obligations under this condition. Regardless, the County shall cooperate fully in defense of the claim, action, and/or proceeding.

(County Counsel-Risk Management)

Compliance or Monitoring Action to be Performed: This Indemnification Obligation binds Owner/Applicant from the date of approval of this discretionary development permit forward. Regardless, on written demand of the County County's Office, Owner/Applicant shall also execute and cause to be notarized an agreement to this effect. The County Counsel's Office shall send Owner/Applicant an indemnification agreement. Owner/Applicant shall submit such signed and notarized Indemnification Agreement to the Office of the County Counsel for County's review and signature. Owner/Applicant shall then record such indemnification agreement with the County of Monterey Recorder's Office. Owner/Applicant shall be responsible for all costs required to comply with this paragraph including, but not limited to, notary costs and Recorder fees.



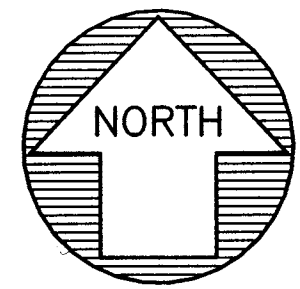
BRIDGETTE LAND SURVEYING
80 ASPEN WAY, STE A, WATSONVILLE, CA 95076
T.831.722.5800 bridgettelandsurveying.com

TENTATIVE MAP FOR LOT LINE ADJUSTMENT
Mr. Norman Boccone
827 Elkhorn Road, Royal Oaks, CA 95076

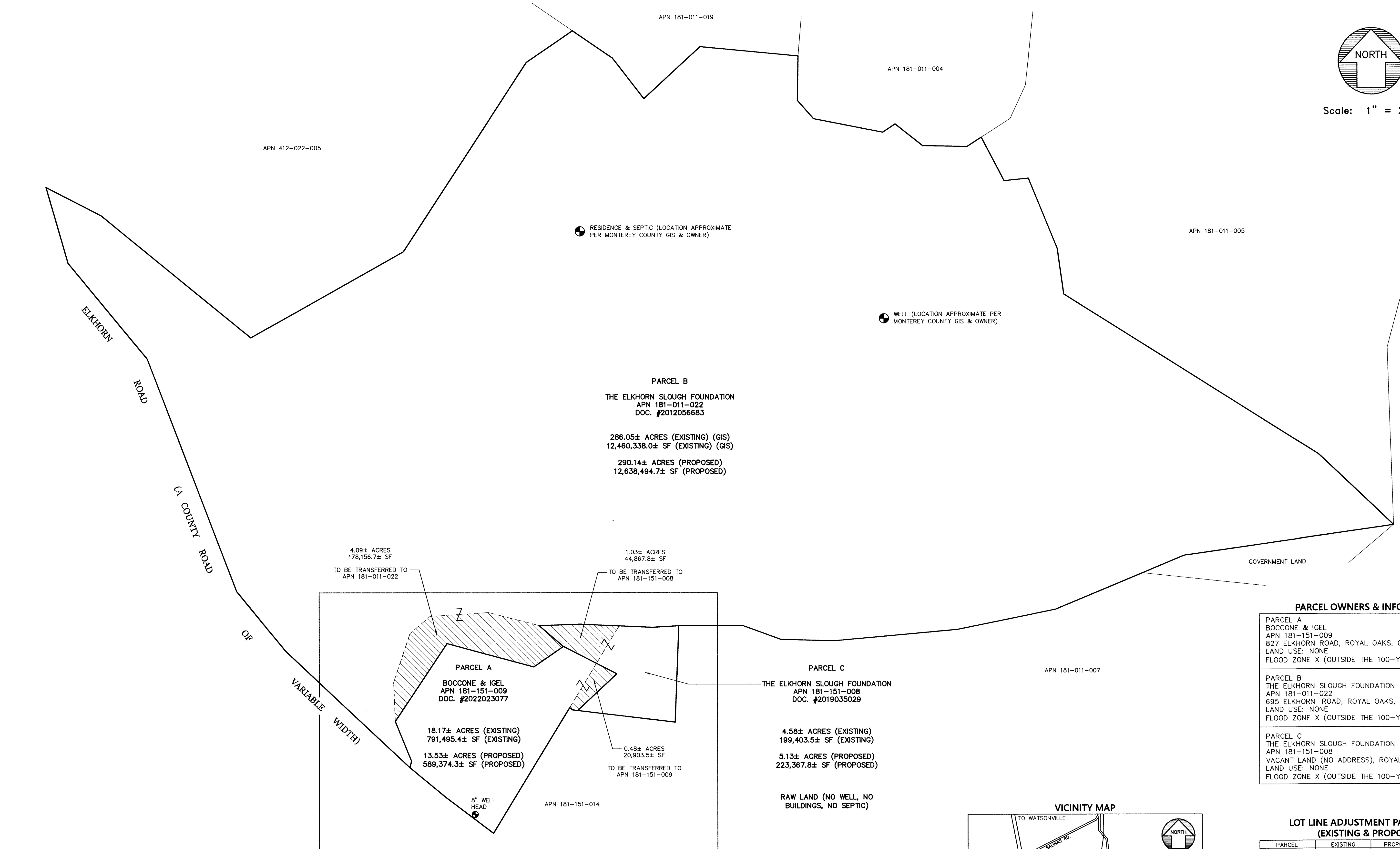
**APNs 181-151-008, 181-151-009
& 181-011-022**
MONTEREY COUNTY
CALIFORNIA

DATE: 9-16-2024
SCALE: 1" = 240'
CONTOUR INTERVAL: N/A
REVISIONS: 12-11-2024

Sheet
1
of 2



Scale: 1" = 240'



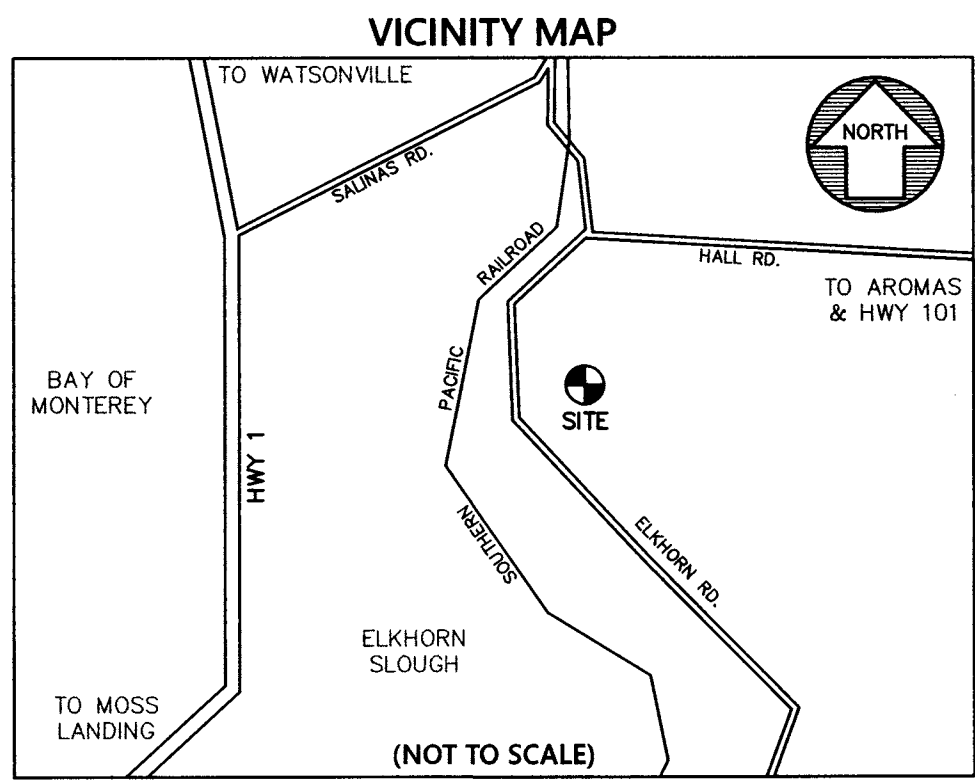
SITE OF PROPOSED LOT LINE ADJUSTMENT (SEE SHEET 2 FOR DETAIL)

- LEGEND**
- AREA(S) TO BE TRANSFERRED
 - BOUNDARY LINE (TO BE ELIMINATED)
 - BOUNDARY LINE (PROPOSED AND/OR RESULTING PARCELS)

NOTES

DISTANCES ARE IN FEET AND DECIMALS THEREOF.
SURVEY DATA, ADJOINING PROPERTY LINES, EASEMENTS &
RIGHTS-OF-WAY AT SITE OF PROPOSED LOT LINE ADJUSTMENT
SHOWN IN DETAIL ON SHEET 2.
LAND USES SHOWN PER MONTEREY COUNTY GIS.
PARCEL B BOUNDARY LINES AS SHOWN ARE COMPILED FROM
MONTEREY COUNTY GIS.

PARCEL OWNERS & INFORMATION			
PARCEL A BOCCONE & IGEL APN 181-151-009 827 ELKHORN ROAD, ROYAL OAKS, CA 95076 LAND USE: NONE FLOOD ZONE X (OUTSIDE THE 100-YEAR FLOODPLAIN)			
PARCEL B THE ELKHORN SLOUGH FOUNDATION APN 181-011-022 695 ELKHORN ROAD, ROYAL OAKS, CA 95076 LAND USE: NONE FLOOD ZONE X (OUTSIDE THE 100-YEAR FLOODPLAIN)			
PARCEL C THE ELKHORN SLOUGH FOUNDATION APN 181-151-008 VACANT LAND (NO ADDRESS), ROYAL OAKS, CA 95076 LAND USE: NONE FLOOD ZONE X (OUTSIDE THE 100-YEAR FLOODPLAIN)			



LOT LINE ADJUSTMENT PARCEL SIZES (EXISTING & PROPOSED)			
PARCEL	EXISTING	PROPOSED	CHANGE
PARCEL A APN 181-151-009	18.17± ACRES 791,495.4± SF	13.53± ACRES 589,374.3± SF	-4.64± ACRES -202,121.1± SF
PARCEL B APN 181-011-022	286.05± ACRES 12,460,338.0± SF	290.14± ACRES 12,638,494.7± SF	4.09± ACRES 178,156.7± SF
PARCEL C APN 181-151-008	4.58± ACRES 199,403.5± SF	5.13± ACRES 223,367.8± SF	0.55± ACRES 23,964.3± SF

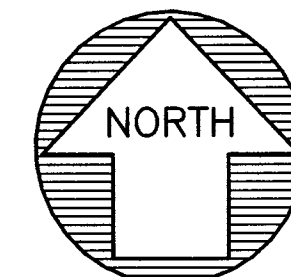
SEE SHEET 1 FOR PARCEL B ENTIRETY

PARCEL B
THE ELKHORN SLOUGH FOUNDATION
APN 181-011-022
DOC. #2012056683

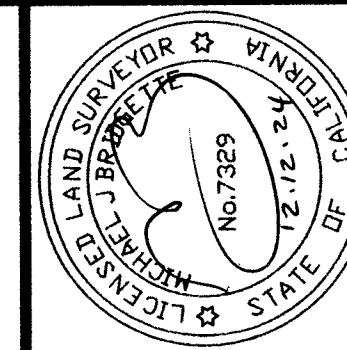
286.05± ACRES (EXISTING) (GIS)
12,460,338.0± SF (EXISTING) (GIS)
290.14± ACRES (PROPOSED)
12,638,494.7± SF (PROPOSED)

RESIDENCE & SEPTIC BEAR
NORTHERLY ±2000' PER MONTEREY
COUNTY GIS & OWNER

WELL BEARS NORTHEASTERLY
±2200' PER MONTEREY COUNTY GIS
& OWNER



Scale: 1" = 60'



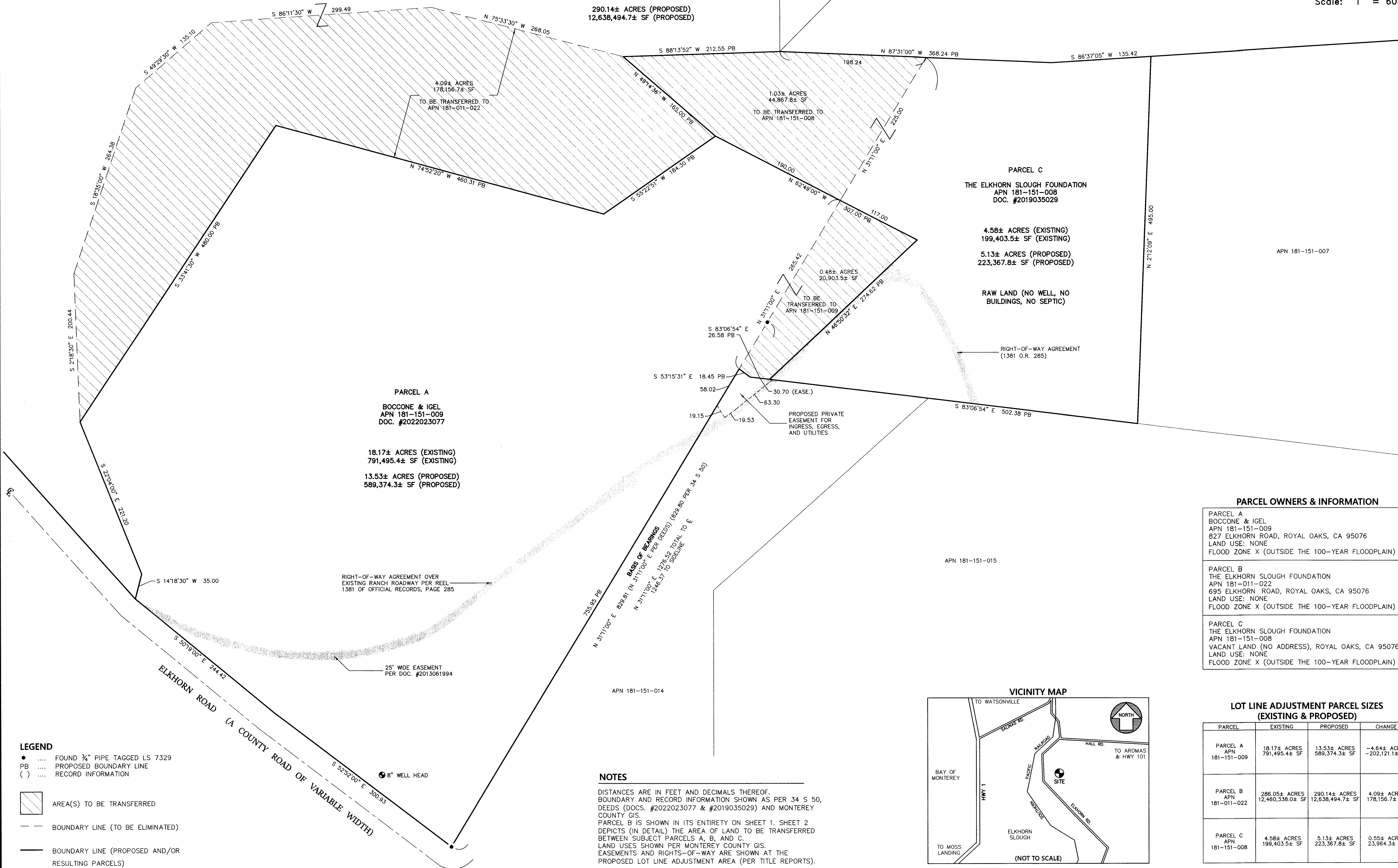
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APNs 181-151-008, 181-151-009
& 181-011-022
MONTEREY COUNTY
CALIFORNIA

DATE: 9-16-2024
SCALE: 1" = 60'
CONTOUR INTERVAL: N/A
REVISIONS: 12-11-2024

Sheet
2
of 2
22-30

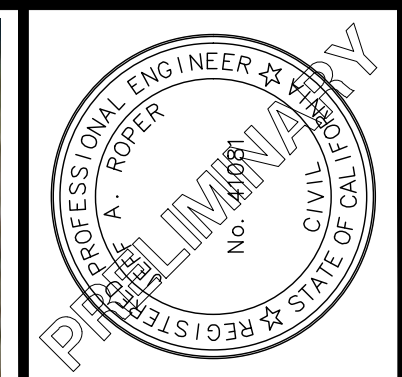


PARCEL OWNERS & INFORMATION

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(EXISTING & PROPOSED)

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UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.



ROPER ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING
48 MANN AVENUE CORRALITOS, CA 95076
(831) 724-5300 jeff@roperengineering.com

NEW RESIDENCE FOR
NORMAN BOCCONE & VICTORIA IGEL
ELKHORN ROAD ROYAL OAKS APN 181-151-009

LOT LINE ADJUSTMENT AERIAL PHOTO

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	OCT. 17, 2024
REVISED:	DEC. 12, 2024
JOB NO.:	22025
SHEET	
C1	
OF	1 SHEETS