



# Monterey County Planning Commission

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Agenda Item No. 2

Legistar File Number: PC 19-081

December 04, 2019

Introduced: 11/22/2019

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

### PLN190036 - TOTTINO TRUST ET AL AND ELKHORN SLOUGH FOUNDATION

Public hearing to consider a Lot Line Adjustment between two legal lots of record transferring 33.6 acres from a 255.4 acre parcel (Parcel A - Tottino) to a 41.2 acre parcel (Parcel B- Elkhorn Slough Foundation) resulting in a 221.8 acre parcel (reconfigured Parcel A) and a 74.8 acre parcel (reconfigured Parcel B).

**Project Location:** Parcels involved in the Lot Line Adjustment are **generally** located on the south bank of Moro Cojo Slough, east of Watsonville Road and north of Highway 156, north and east of the town of Castroville.

**Proposed CEQA action:** Categorically Exempt per Section 15305 of the CEQA Guidelines

#### RECOMMENDATION:

It is recommended the Planning Commission adopt a resolution to:

- a. Find the project is a Lot Line Adjustment that does not result in the creation of any new parcel, is categorically exempt pursuant to Section 15305(a) of the CEQA Guidelines, and none of the exceptions under Section 15300.2 apply; and
- b. Approve a Coastal Development Permit to allow a Lot Line Adjustment between two legal lots of record transferring 33.6 acres from a 255.4 acre parcel (Parcel A - Tottino) to a 41.2 acre parcel (Parcel B- Elkhorn Slough Foundation) resulting in a 221.8 acre parcel (reconfigured Parcel A) and a 74.8 acre parcel (reconfigured Parcel B).

The attached resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to four (4) conditions of approval.

#### PROJECT INFORMATION:

**Agent:** Coastal Conservation & Research, Inc.

**Property Owner:** Charles Ed Boutonnet and the Elkhorn Slough Foundation

**APN:** 133-081-006-000 & 133-151-023-000

**Parcel Size:** Parcel A - 255.4 acres (existing), 221.8 acres (proposed); Parcel B - 41.2 acres (existing), 74.8 acres (proposed)

**Zoning:** CAP(CZ)|CP|RC(CZ)

**Plan Area:** North County Land Use Plan

**Flagged and Staked:** Not Applicable

#### SUMMARY:

The applicant, Coastal Conservation & Research Inc., on behalf of two different property owners (Tottino Trust and Elkhorn Slough Foundation) is proposing to adjust the boundaries between two lots of record transferring 33.6 acre from the Tottino Trust property (Assessor's Parcel Number 133-081-006-000) to an adjacent property owned by the Elkhorn Slough Foundation (Assessor's

Parcel Number 133-151-023-000). The intent of the applicant is to expand on wetland restoration efforts currently occurring on the Elkhorn Slough Foundation property by incorporating 33.6 acres on the northern end of the Tottino Trust property (abutting Moro Cojo Slough) into the Elkhorn Slough Foundation property.

The Tottino property currently has 255.4 acres, nearly all of which is used for row crop production. This 33.6 acre portion of the Tottino property was farmed at one time, but is now is disked annually to manage weeds and has not been actively farmed in decades. Vegetation on this unused portion of the property consists of weedy, non-native annuals such as annual bluegrass, black mustard, cultivated radish, hemlock, wall barley, and bur clover. In addition to the non-natives, there are a few native plants, including pickleweed and salt grass. There are no existing or proposed buildings, wells or septic systems, and no trees currently on the either parcel. As such, there is no issue with setbacks. Staff has analyzed the proposed lot line adjustment and found it consistent with North County Land Use Plan and Coastal Implementation Plan Parts 1 (Coastal Zoning, Title 20 of the Monterey County Code) and 2 (North County Land Use Plan). The proposed lot line adjustment conforms to the Coastal Agriculture Preserve/ Coastal Preserve and Resource Conservation zoning designations.

**DISCUSSION:**

The purpose of this lot line adjustment is to incorporate a 33.6 acre area of the Tottino Trust property for future expansion of wetland restoration efforts occurring on the Elkhorn Slough Property. A discretionary permit for restoration of the wetland habitat will be processed under a separate application which has already been submitted (PLN190037). The goal of the restoration project is habitat enhancement, flood water retention, and water quality improvement. The water quality improvement will be accomplished through the use of water filtration, nutrient uptake, and denitrification performed by native vegetation.

The proposed LLA would not create new lots (i.e., not subdivide any of the existing parcels). No demolition, construction, or other type of development is proposed. There are no identified impacts to environmental resources, and the LLA would not intensify the level of development allowed on the parcels. Any future development would be required to conform to the Monterey County Code (MCC) requirements in effect at the time of proposed development.

**Map Act Consistency:**

Section 66412 of the Subdivision Map Act (SMA) details the circumstances where projects can be excluded from the provision of the SMA. This project qualifies for that exclusion under Section 66412.d, because the LLA is between two adjoining parcels, and there will not be a greater number of parcels than previously existed.

**CEQA:**

This project is categorically exempt from CEQA review pursuant to Section 15305 (a), Class 5. The project consists of a lot line adjustment between two legal lots of record not in resulting in the creation of any new parcel. None of the circumstances in Section 15300.2 disqualifying the project from a Class 1 categorical exemption apply. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, or unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.

OTHER AGENCY INVOLVEMENT:

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

RMA-Public Works  
RMA-Environmental Services  
Environmental Health Bureau  
North County Fire Protection District

LUAC:

The proposed projects were referred to the North County Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on July 17, 2019, voted 6 - 0 to support the project as proposed (**Exhibit D**).

Prepared by: Yasmeen Hussain, Associate Planner, x6407

Reviewed by: Craig Spencer, RMA Planning Services Manager

Approved by: John M. Dugan, AICP, RMA Deputy Director of Land Use and Community Development

The following attachments are on file with the RMA:

Exhibit A - Draft Resolution, including:

- Conditions of Approval
- Tentative Parcel Map

Exhibit B - Vicinity Map

Exhibit C - LUAC Minutes

cc: Front Counter Copy; North County Fire Protection District; RMA- Public Works; Environmental Health Bureau; California Coastal Commission; Craig Spencer, Planning Services Manager; Yasmeen Hussain, Planner; Charles Ed Boutonnet Owner; Coastal Conservation & Research, Inc., Agent; The Open Monterey Project; File PLN190036.