

County of Monterey

County of Monterey Government Center
1441 Schilling Place, Salinas, CA 93901



Meeting Agenda - Final

Wednesday, April 2, 2025

Administrative Permit

The Recommended Action indicates the staff recommendation at the time the agenda was prepared. That recommendation does not limit the Chief of Planning's alternative actions on any matter before it.

Notice is hereby given that on April 2, 2025 the Chief of Planning of the County of Monterey Housing and Community Development, is considering the project described on the following pages.

Any comments or requests regarding any of the applications scheduled for public hearing must be received in writing in the office of the County of Monterey Housing and Community Development by 5:00 pm Tuesday, April 1, 2025. A public hearing may be required if any person, based on a substantive issue, so requests.

Si necesita la traducción de esta agenda, comuníquese con el Departamento de Vivienda y Desarrollo Comunitario del Condado de Monterey ubicado en el Centro de Gobierno del Condado de Monterey, 1441 Schilling Place, segundo piso, Salinas, o por teléfono al (831) 755-5025. Después de su solicitud, la Secretaria asistirá con la traducción de esta agenda.

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132) and the federal rules and regulations adopted in implementation thereof. For information regarding how, to whom and when a person with a disability who requires a modification or accommodation in order to participate in the public meeting may make a request for disability-related modification or accommodation including auxiliary aids or services or if you have any questions about any of the items listed on this agenda, please call the County of Monterey Housing and Community Development at (831) 755-5025.

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Staff Report

SCHEDULED MATTERS

1. PLN180517-EXT2 - ECHENIQUE RANCH

Two-year extension to the expiration date of a previously approved and extended Lot Line Adjustment (Board of Supervisors Reso. No. 19-342 and Chief of Planning Reso. No. 24-047, HCD-Planning Permit File Nos. PLN180517 and PLN180517-EXT1) among four legal lots of record.

Project Location: West of Lockwood San Lucas Road, San Lucas

Proposed CEQA action: Find the project Categorically Exempt pursuant to Section 15305 of the CEQA Guidelines.

Attachments: [Staff Report](#)
 [Exhibit A – Draft Resolution](#)
 [Exhibit B – Extension Request Letter](#)
 [Exhibit C – Board of Supervisors Resolution No. 19-342, dated](#)
 [October 15, 2019](#)
 [Exhibit D – Chief of Planning Resolution No. 24-047, dated](#)
 [December 4, 2024](#)



County of Monterey

Item No.1

Board Report

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

Legistar File Number: AP 25-020

April 02, 2025

Introduced: 3/25/2025

Current Status: Agenda Ready

Version: 1

Matter Type: Administrative Permit

PLN180517-EXT2 - ECHENIQUE RANCH

Two-year extension to the expiration date of a previously approved and extended Lot Line Adjustment (Board of Supervisors Reso. No. 19-342 and Chief of Planning Reso. No. 24-047, HCD-Planning Permit File Nos. PLN180517 and PLN180517-EXT1) among four legal lots of record.

Project Location: West of Lockwood San Lucas Road, San Lucas

Proposed CEQA action: Find the project Categorical Exempt pursuant to Section 15305 of the CEQA Guidelines.

RECOMMENDATIONS

It is recommended that the Chief of Planning adopt a resolution to:

- a. Find that the project qualifies for a class 5 Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines as an extension of a permit that was previously found to qualify for a class 5 exemption; and
- b. Approve a 2-year extension to the expiration date of a previously approved and extended Lot Line Adjustment (Board of Supervisors Reso. No. 19-342 and Chief of Planning Reso. No. 24-047, HCD-Planning Permit File No. PLN180517 and PLN180517-EXT1) among four legal lots of record.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**).

PROJECT INFORMATION

Agent: Lynn Kovach

Property Owner: Echenique Ranch

APNs: 421-121-053-000 (portion of); 421-121-056-000; 421-121-027-000 (portion of); and 421-121-058-000

Zoning: Farmlands, 40 acre-minimum or "F/40" and Permanent Grazing, 40 acre-minimum or "PG/40"

Plan Area: South County Area Plan

Flagged and Staked: No

SUMMARY

Staff is recommending approval of a second two-year extension to a previously-approved Lot Line Adjustment subject to the findings and evidence in the attached Resolution (see **Exhibit A**). Please read the resolution carefully and contact the planner if you have any questions. The applicant will be required to satisfy all permit conditions of PLN180517 prior to the issuance of a building/grading

permit and/or commencement of the approved use.

On April 2, 2025, an administrative decision will be made. A public notice has been distributed for this project. The deadline for submittal of written comments in opposition to the project, its findings, or conditions, based on a substantive issue, is 5:00 p.m. on Tuesday, April 1, 2025. The permit will be administratively approved the following day if we do not receive any written comments by the deadline. You will receive a copy of your approved permit in the mail. We will notify you as soon as possible in the event that we receive correspondence in opposition to your project or if the application is referred to a public hearing.

Note: This project will be referred to the Monterey County Zoning Administrator if a public hearing is necessary. The decision on this project is appealable to the Board of Supervisors.

Prepared by: Kayla Nelson, Associate Planner, x6408

Reviewed and Approved by: Mary Israel, Supervising Planner

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Condition of Approval

Exhibit B - Extension Request Letter

Exhibit C - Board of Supervisors Resolution No. 19-342, dated October 15, 2019

Exhibit D - Chief of Planning Resolution No. 24-047, dated December 4, 2024

cc: Front Counter Copy; South County Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Kayla Nelson, Planner; Mary Israel, Supervising Planner; Echenique Ranch, Property Owner; Lynn Kovach, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN180517-EXT2



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PLN180517-EXT2 - ECHENIQUE RANCH

Two-year extension to the expiration date of a previously approved and extended Lot Line Adjustment (Board of Supervisors Reso. No. 19-342 and Chief of Planning Reso. No. 24-047, HCD-Planning Permit File Nos. PLN180517 and PLN180517-EXT1) among four legal lots of record.

Project Location: West of Lockwood San Lucas Road, San Lucas

Proposed CEQA action: Find the project Categorically Exempt pursuant to Section 15305 of the CEQA Guidelines.

RECOMMENDATIONS

It is recommended that the Chief of Planning adopt a resolution to:

- a. Find that the project qualifies for a class 5 Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines as an extension of a permit that was previously found to qualify for a class 5 exemption; and
- b. Approve a 2-year extension to the expiration date of a previously approved and extended Lot Line Adjustment (Board of Supervisors Reso. No. 19-342 and Chief of Planning Reso. No. 24-047, HCD-Planning Permit File No. PLN180517 and PLN180517-EXT1) among four legal lots of record.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**).

PROJECT INFORMATION

Agent: Lynn Kovach

Property Owner: Echenique Ranch

APNs: 421-121-053-000 (portion of); 421-121-056-000; 421-121-027-000 (portion of); and 421-121-058-000

Zoning: Farmlands, 40 acre-minimum or "F/40" and Permanent Grazing, 40 acre-minimum or "PG/40"

Plan Area: South County Area Plan

Flagged and Staked: No

SUMMARY

Staff is recommending approval of a second two-year extension to a previously-approved Lot Line Adjustment subject to the findings and evidence in the attached Resolution (see **Exhibit A**). Please read the resolution carefully and contact the planner if you have any questions. The applicant will be required to satisfy all permit conditions of PLN180517 prior to the issuance of a building/grading permit and/or commencement of the approved use.

On April 2, 2025, an administrative decision will be made. A public notice has been distributed for this project. The deadline for submittal of written comments in opposition to the project, its findings, or conditions, based on a substantive issue, is 5:00 p.m. on Tuesday, April 1, 2025. The permit will be administratively approved the following day if we do not receive any written comments by the deadline. You will receive a copy of your approved permit in the mail. We will notify you as soon as possible in the event that we receive correspondence in opposition to your project or if the application is referred to a public hearing.

Note: This project will be referred to the Monterey County Zoning Administrator if a public hearing is necessary. The decision on this project is appealable to the Board of Supervisors.

Prepared by: Kayla Nelson, Associate Planner, x6408
Reviewed and Approved by: Mary Israel, Supervising Planner

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Condition of Approval

Exhibit B - Extension Request Letter

Exhibit C - Board of Supervisors Resolution No. 19-342, dated October 15, 2019

Exhibit D - Chief of Planning Resolution No. 24-047, dated December 4, 2024

cc: Front Counter Copy; South County Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Kayla Nelson, Planner; Mary Israel, Supervising Planner; Echenique Ranch, Property Owner; Lynn Kovach, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN180517-EXT2

Exhibit A

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DRAFT RESOLUTION

Before the Housing and Community Development Chief of Planning in and for the County of Monterey, State of California

In the matter of the application of:

ECHENIQUE RANCH (PLN180517-EXT2)

RESOLUTION NO. 25-

Resolution by the County of Monterey Chief of Planning:

- 1) Finding that the project qualifies for a Class 5 Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines as an extension of a permit that was previously found to qualify for a Class 5 exemption; and
- 2) Approving a 2-year extension to the expiration date of a previously approved and extended Lot Line Adjustment (Board of Supervisors Reso. No. 19-342 and Chief of Planning Reso. No. 24-047, HCD-Planning Permit File Nos. PLN180517 and PLN180517-EXT1) among four legal lots of record.

[PLN180517-EXT2, Echenique Ranch, the properties are located west of Lockwood San Lucas Road, San Lucas, South County Area Plan (Assessor's Parcel Numbers: 421-121-027-000; 421-121-053-000; 421-121-056-000; and 421-121-058-000)]

The ECHENIQUE RANCH application (PLN180517-EXT2) came on for a public hearing before the County of Monterey Chief of Planning on April 2, 2025. Having considered all the written and documentary evidence, the Chief of Planning finds and decides as follows:

RECITALS

WHEREAS, on October 15, 2019, a Lot Line Adjustment was approved by the County of Monterey Board of Supervisors through Resolution No. 19-342. The approved Lot Line Adjustment was among four legal lots of record with each parcel being under Williamson Act Contract (AGP No. 69-012). Parcels adjusted include: Parcel 1, 160 acres (a portion of Assessor's Parcel Number 421-121-053-000); Parcel 2, 40 acres (Assessor's Parcel Number 421-121-056-000); Parcel 3, 160 acres (portion of Assessor's Parcel Number 421-121-053-000 and portion of Assessor's Parcel Number 421-121-027-000); Parcel 4, 320 acres (Assessor's Parcel Number 421-121-058-000) which are to be adjusted into four lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D), respectively. In accordance with the adopted resolution, this Lot Line Adjustment was set to expire on October 15, 2021; and

WHEREAS, on December 4, 2024, the Lot Line Adjustment was granted a 2-year extension by the County of Monterey Chief of Planning through Resolution No. 24-047, extending the expiration of the permit from October 15, 2021 to October 15, 2023; and

WHEREAS, the applicant submitted a written request for an additional 2-year extension on May 11, 2023, more than thirty (30) days prior to the expiration date of the Lot Line Adjustment. The written request was filed by the applicant's agent, Lynn Kovach. The extension was requested because various title issues needed to be resolved prior to recording the deeds that reflect the Lot Line Adjustment; and

WHEREAS, this extension does not change the previously approved Lot Line Adjustment and all findings previously made in the Board of Supervisors Resolution No. 19-342 continue to apply to this extension; and

WHEREAS, the subject properties were found to be legal lots pursuant to existing patents and include the entirety of Assessor's Parcel Numbers 421-121-056-000 and 421-121-058-000 and portions of 421-121-053-000 and 421-121-027-000 for a total of 680 acres; and

WHEREAS, Monterey County HCD-Planning and HCD-Building Services records were reviewed, and the County is not aware of any violations existing on the subject property; and

WHEREAS, condition compliance applied in Resolution No. 19-342 continues to apply except that this extension modifies the expiration date of the Lot Line Adjustment from October 15, 2023 to October 15, 2025; and

WHEREAS, the project was deemed Categorically Exempt from environmental review per California Environmental Quality Act (CEQA) Guidelines Section 15305(a) and there were no exceptions under CEQA Guidelines Section 15300.2. Section 15305(a) Categorically Exempts minor alterations in land use limitations such as Lot Line Adjustments. Therefore, the Board of Supervisors found the project consistent with CEQA Guidelines Section 15305 and that none of the exceptions under CEQA Guidelines Section 15300.2 applied to this project. There are no changes included in this extension and the conditions on the ground have not changed since the original approval. Therefore, this extension to the Lot Line Adjustment is also Categorically Exempt pursuant to Section 15305 of the CEQA Guidelines; and

WHEREAS, pursuant to County of Monterey Code Section 19.16.020.A, the discretionary decisions of the Chief of Planning are appealable to the Board of Supervisors. The decision of the Board of Supervisors would be final and may not be appealed.

NOW, THEREFORE BE IT RESOLVED, based on the above recitals, the County of Monterey Chief of Planning does hereby:

- 1) Find that the project qualifies for a Class 5 Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines as an extension of a permit that was previously found to qualify for a Class 5 exemption; and
- 2) Approve a 2-year extension to the expiration date of a previously approved and extended Lot Line Adjustment (Board of Supervisors Reso. No. 19-342 and Chief of Planning Reso.

No. 24-047, HCD-Planning Permit File Nos. PLN180517 and PLN180517-EXT1) among four legal lots of record.

PASSED AND ADOPTED this 2nd day of April 2025.

Melanie Beretti, AICP, Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

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 CLERK OF THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

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

1. You must comply with the Monterey County Building Ordinance in every respect.
2. Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.
3. Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

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County of Monterey HCD Planning

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

PLN180517-EXT2

1. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

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

Monitoring Measure: "A second two-year extension to the expiration date of a previously approved and extended Lot Line Adjustment (Resolution Number _____) was approved by the Chief of Planning for Assessor's Parcel Numbers 421-121-053-000 (portion of); 421-121-056-000; 421-121-027-000 (portion of); and 421-121-058-000 on April 2, 2025. The permit was granted subject to 1 condition of approval which runs 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 Prior to the issuance of grading and building permits, certificates of compliance, or
Action to be commencement of use, whichever occurs first and as applicable, the Owner/Applicant
Performed: shall provide proof of recordation of this notice to the HCD - Planning.

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Exhibit B

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From: lynn@polarislandsurveying.net <lynn@polarislandsurveying.net>
Sent: Thursday, May 11, 2023 2:29 PM
To: 'Spencer, Craig x5233' <SpencerC@co.monterey.ca.us>; 'Taylor, Kenny x5096' <TaylorK2@co.monterey.ca.us>
Subject: RE: PLN 180517 & 180527 Echenique LLA

Craig

We will need to get another extension for these two LLA permits. There have been various title issues which just recently got resolved so that we can move forward again.

Please let me know what else I may need to do.

Thanks,

[If you have any questions or need additional information, please call.](#)

From: lynn@polarislandsurveying.net <lynn@polarislandsurveying.net>
Sent: Wednesday, September 29, 2021 2:17 PM
To: Spencer, Craig x5233 <SpencerC@co.monterey.ca.us>
Cc: Taylor, Kenny x5096 <TaylorK2@co.monterey.ca.us>; Friedrich, Michele x5189 <friedrichm@co.monterey.ca.us>
Subject: RE: PLN 180517 & 180527 Echenique LLA

[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you

Kenny

I think we need to request an extension of time for PLN 180517. The owners are not going to be able to get all the documents recorded in a timely manner. I think we expire on Oct. 15, 2021.

Can we get an extension?

Lynn A. Kovach

P.L.S. 5321

Polaris Land Surveying

P. O. Box 1378

Carmel Valley, CA 93924

Office 831.659.9564

Mobile ~~831.214.4764~~

www.PolarisLandSurveying.net

Quote of the month

"Adopt the pace of nature: her secret is patience." — Ralph Waldo Emerson

MBE / WBE / WDBE / SBE



Lynn A. Kovach

P.L.S. 5321

Polaris Land Surveying, Inc.

www.PolarisLandSurveying.net

MBE / WBE / WDBE / SBE

P. O. Box 1378

Carmel Valley, CA 93924

831.659.9564

831.214.4764

Quote of the Month

Nature does not hurry, yet everything is accomplished. —Lao Tzu



From: Spencer, Craig x5233 <SpencerC@co.monterey.ca.us>
Sent: Friday, October 15, 2021 10:41 AM
To: lynn@polarislandsurveying.net; Taylor, Kenny x5096 <TaylorK2@co.monterey.ca.us>
Subject: RE: PLN 180517 & 180527 Echenique LLA

Hello Lynn,

I will step in here to say that it does appear that the Lot Line Adjustment would expire today. Section 19.09.030.A in Title 19 of the County Code states that an approved LLA map shall expire 24 months after its approval.

Thank you for your request for an extension.
Kenny, can you send Lynn the forms and materials needed for an extension?

Thank you

Craig Spencer
Monterey County
Housing and Community Development
Phone: (831) 755-5233
Email: spencerc@co.monterey.ca.us

Friedrich, Michele x5189

From: lynn@polarislandsurveying.net
Sent: Friday, December 3, 2021 10:42 AM
To: Taylor, Kenny x5096
Cc: Friedrich, Michele x5189; Gonzales, Liz x5102
Subject: Echenique LLA Extension Request PLN 180517



[CAUTION: This email originated from outside of the County. Do not click links or open attachments unless you recognize the sender and know the content is safe.]

Mr. Taylor

I am officially requesting an extension of time for the LLA permit for your project PLN 180517.

Please let me know what else I need to do.

Lynn A. Kovach
P.L.S. 5321
Polaris Land Surveying
P. O. Box 1378
Carmel Valley, CA 93924
Office 831.659.9564
Mobile 831.214.4764
www.PolarisLandSurveying.net

MBE / WBE / WDBE / SBE

Quote of the month

"Adopt the pace of nature: her secret is patience." — Ralph Waldo Emerson

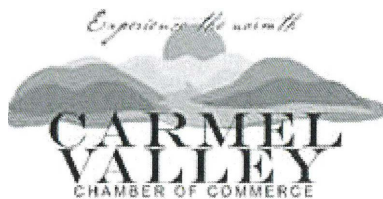


Exhibit C

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Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to Adopt Resolution No.: 19-342 to:

PLN180517 - ECHENIQUE RANCH, A LIMITED PARTNERSHIP

- a. Finding that the project is a Lot Line Adjustment, which qualifies as a Class 5 Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Section 15305(a), and there are no exceptions pursuant to CEQA Guidelines Section 15300.2; and
- b. Approving a Lot Line Adjustment between four (4) legal lots of record currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four (4) resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) No. 69-012 established by County Board of Supervisors Resolution No. 69-35-12 with no net decrease in acreage under Williamson Act Contract; and
- c. Authorizing the Chair to execute a new or amended Land Conservation Contract in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lots only and simultaneously execute a new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and the Echenique Ranch, A Limited Partnership, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- d. Directing the Clerk of the Board to record the new or amended Land Conservation Contract or Contracts subject to the submittal of the appropriate recording fees from the property owners of record.

PASSED AND ADOPTED on this 15th day of October 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Lopez, Phillips, Parker and Adams

NOES: None

ABSENT: None

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 of Minute Book 82 for the meeting October 15, 2019.

2nd Revision Date: October 28, 2020

Dated: October 17, 2019

File ID.: RES 19-131

Agenda Item No.: 27

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

Joel Pablo
Joel G. Pablo Deputy

**Before the Board of Supervisors in and for the
County of Monterey, State of California
(REVISED RESOLUTION)**

**PLN180517 – ECHENIQUE RANCH, A LIMITED PARTNERSHIP
Resolution No. 19 – 342**

- Resolution of the Monterey County Board of Supervisors:)
- a. Finding that the project is a Lot Line Adjustment, which qualifies as a Class 5)
Categorical Exemption per California Environmental Quality Act (CEQA))
Guidelines Section15305(a), and there are no exceptions pursuant to CEQA)
Guidelines Section15300.2; and)
 - b. Approving a Lot Line Adjustment between four (4) legal lots of record)
currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres)
(Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four (4) resulting)
lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93)
acres (Parcel D) under Williamson Act Agricultural Preserve Land)
Conservation Contract (AGP) No. 69-012 established by County Board of)
Supervisors Resolution No. 69-35-12 with no net decrease in acreage under)
Williamson Act Contract; and)
 - c. Authorizing the Chair to execute a new or amended Land Conservation)
Contract in order to rescind a portion of the existing Land Conservation)
Contract as applicable to the reconfigured lots only and simultaneously)
execute a new or amended Land Conservation Contract or Contracts for the)
reconfigured lots between the County and the Echenique Ranch, A Limited)
Partnership, reflecting the new legal descriptions, current ownership interests)
and to incorporate any legislative changes to State Williamson Act provisions)
and current County Agricultural Preserve Policies or Procedures; and)
 - d. Directing the Clerk of the Board to record the new or amended Land)
Conservation Contract or Contracts subject to the submittal of the appropriate)
recording fees from the property owners of record.)
(PLN180517/ ECHENIQUE RANCH, A LIMITED PARTNERSHIP).....)

RECITALS:

WHEREAS, an application was submitted for a Lot Line Adjustment between four (4) legal lots of record currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four (4) resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D), owned by ECHENIQUE RANCH, A LIMITED PARTNERSHIP, hereinafter called “Owner”, and

WHEREAS, the legality of the four (4) subject parcels is based on the following existing patents: Volume H of Patents, Page 316 dated May 16, 1896 (Parcel 1); Patent No. 1102506 dated April 25, 1939 (Parcel 2); Volume K of Patents, Pages 344-345 dated August 30, 1904 (Parcel 3); and Volume 403 of Original Patent Records Page 229-230 dated July 25, 1934 (Parcel 4), on file with the Monterey County Recorder’s Office and Planning File No. PLN180517 and incorporated herein by this reference; and

WHEREAS, Parcels 1 through 4 are subject to Agricultural Preserve Land Conservation Contract No.

69-012 (Document No. G05455, Reel 595, Pages 443-469) established by Board of Supervisors Resolution No. 69-35-12 dated February 28, 1969, and will be reconfigured; and

WHEREAS, the Lot Line Adjustment will result in four (4) reconfigured lots consisting of approximately 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D) with no net decrease in acreage under Williamson Act Contract; and

WHEREAS, the Lot Line Adjustment will allow the continued use of agricultural grazing operations consistent with the Williamson Act Agricultural Preserve Land Conservation Contract No. 69-012 (Document No. G05455, Reel 595, Pages 443-469) established by Board of Supervisors Resolution No. 69-35-12 dated February 28, 1969 for the respective parcels, and is consistent with the Board approved list of compatible uses; and

WHEREAS, the Board of Supervisors finds that the proposed Lot Line Adjustment of property is consistent with policies of the 2010 Monterey County General Plan, the South County Land Use Area Plan, regulations in the Zoning Ordinance (Title 21 of the Monterey County Code) and the Subdivision Ordinance (Title 19 of the Monterey County Code), and Section 51257 of the California Government Code (Williamson Act), and current County Agricultural Preserve Policies or Procedures as evidenced below; and,

WHEREAS, California Government Code Section 51257 requires that certain findings be made by the Board of Supervisors to facilitate Lot Line Adjustments of land under Williamson Act Contract; and

WHEREAS, the Board of Supervisors further finds that the request for a Lot Line Adjustment is consistent with California Government Code Section 51257 (Williamson Act); and

WHEREAS, the Board of Supervisors further finds that the request for a Lot Line Adjustment is consistent with Board Resolution No. 00-462 (Resolution relating to the processing of Lot Line Adjustment affecting property under Agricultural Preserve Contract pursuant to the Williamson Act); and

WHEREAS, the Board of Supervisors, having considered the application and the evidence related thereto, finds and declares that:

1. **FINDING: CONSISTENCY** – The project, as described in Condition of Approval No. 1 and as conditioned, conforms to the policies, requirements, and standards of:
 - 1.) The 2010 Monterey County General Plan;
 - 2.) The South County Land Use Area Plan;
 - 3.) The Monterey County Zoning Ordinance (Title 21);
 - 4.) The Monterey County Subdivision Ordinance (Title 19 - Inland Subdivision Ordinance); and
 - 5.) Section 51257 of the California Government Code (Williamson Act).

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during review of this application. No conflicts between these documents and this project application were found to exist as further discussed in Finding 1/Evidence Sections (b) through (j) below. No communications were received

during review of the project indicating any project inconsistencies with the text, policies, and regulations in these documents.

- (b) The subject lots are located west of Lockwood San Lucas Road, San Lucas (Assessor's Parcel Numbers: 421-121-053 (portion of); 421-121-056; 421-121-027 (portion of); and 421-121-058), South County Area Plan. The current configuration of the four (4) parcels consists of four (4) legal lots of record of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4).
- (c) The purpose for the Lot Line Adjustment is to reconfigure the property boundaries to align with the existing private roads which connect to the existing County Road: Lockwood San Lucas Road. The reconfiguration is consistent with the Board adopted list of compatible uses and the applicable Williamson Act Contract (AGP No. 69-012).
- (d) The current use of the properties is for grazing. The existing agricultural uses are to remain and are consistent with the applicable agricultural zoning designation of Permanent Grazing – 40-acre minimum (PG/40) and/or Farmland - 40-acre minimum. The use is compatible with Williamson Act Agricultural Preserve Land Conservation Contract No. 69-012 (Document No. G05455, Reel 595, Pages 443-469) established by Board of Supervisors Resolution No. 69-35-12 dated February 28, 1969.
- (e) The proposed lot line configuration would result in adjusted Parcels A: 218 acres, Parcel B: 141 acres, Parcel C: 228 acres, and Parcel D: 93 acres (Parcel D). All proposed lots meet the minimum lot size requirement for the PG/40 Zoning District.
- (f) The new configuration would promote appropriate and orderly growth and development while protecting desirable land uses consistent with the Monterey County General Plan Land Use Goal LU-1.
- (g) The proposed lot configuration would produce a superior parcel configuration as it would not create a net decrease in agricultural acreage but will allow all parcels to be aligned with the existing private roads that connect to Lockwood San Lucas Road, an existing County road, to better facilitate the routine and ongoing agricultural activities of the cattle grazing operations. Monterey County promotes agriculture, and as such, elected to include an Agricultural Element as part of the General Plan to establish policies directed at enhancing and supporting the long-term productivity and commercial viability of the County's agricultural industry. Policy AG-1.3 allows the proposed Lot Line Adjustments as it is exclusively intended for agricultural purposes.
- (h) The project was referred to the Agricultural Advisory Committee (AAC) for review on April 25, 2019. The 2010 General Plan Policy AG-1.8 requires that all discretionary applications in lands designated for agricultural use be referred to the County's Agricultural Advisory Committee (AAC) for their review and recommendation to the decision-making body. This application warrants referral to the AAC because the project involves agriculture lands under Williamson Act Contract. The AAC recommended approval of the project by a vote of 9-0 with three (3) absent and one (1) abstention.
- (i) The project planner conducted a site inspection on September 13, 2019 to verify that the existing uses on the subject parcels conform to the proposed LLA site plan provided.
- (j) The application, plans, and related support materials found in Planning File No. PLN180517.

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: RMA - Planning Division, South Monterey County Fire Protection District, RMA-Public Works, Water Resources Agency and Environmental Health Bureau. There has been no indication from these departments/agencies that the site is not suitable for the proposed Lot Line Adjustment. Conditions have been incorporated accordingly.
- (b) The Environmental Health Bureau (EHB) reviewed the application and determined that the proposed Lot Line Adjustment would not impact any wells on the associated parcels.
- (c) The application, plans, and related support materials found in Planning File No. PLN180517.
- (d) The Lot Line Adjustment would not result in any new developable parcels or an adjusted lot that is inconsistent with the general plan or with the subject Agricultural Preserve Land Conservation Contract (AGP) No. 69-012 ((Document No. G05455, Reel 595, Pages 443-469) established by Board of Supervisors Resolution No. 69-35-12 dated February 28, 1969.

3. **FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND PARCEL LEGALITY DETERMINATION** - Pursuant to Section 19.09.025.B.1 of the Monterey County Subdivision Ordinance (Title 19), the Lot Line Adjustment is between two (2) or more existing adjacent lots.

- EVIDENCE:** (a) The subject Lot Line Adjustment is between four (4) existing adjacent lots.
- (b) Parcel “1” (Portion of APN 421-121-053) containing approximately 160 acres, was recognized as a legal lot pursuant to an existing patent: Volume H of Patents Page 316, Patent granted to Vicente Feliz Junior on May 16, 1896.
- (c) Parcel “2” (APN 421-121-056) containing approximately 40 acres, was recognized as a legal lot pursuant to an existing patent: Patent No. 1102506 granted to Julius G. Trescony on April 25, 1939.
- (d) Parcel “3” (Portion of APN 421-121-053 and Portion of 421-121-027) containing approximately 160 acres, was recognized as a legal lot pursuant to existing Patent: Volume K of Patents Pages 344-345, Patent granted to Candudi Francioni on August 30, 1904.
- (e) Parcel “4” (APN 421-121-058) containing approximately 320 acres, was recognized as a legal lot pursuant to existing Patent: Volume 403 of Original Patent Records Page 229-230, Patent granted to Henry Bernstein on July 25, 1934.
- (f) The application, plans, and related support materials can be found in Planning File No. PLN180517.

4. **FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND NO NEW LOTS CREATED** – Pursuant to the MCC Section 19.09.025.B.2 of the Monterey County Subdivision Ordinance (Title 19), a greater number of parcels or lots than originally existed will not be created as a result of the Lot Line Adjustment.

- EVIDENCE:** (a) The existing four (4) contiguous lots of record will be adjusted, resulting in four (4) lots. The proposed Lot Line Adjustment would not result in more developable parcels and would not compromise the long-term agricultural productivity of the other parcels. Furthermore, no farmland will be taken out of production.
- (b) The application, plans, and related support materials found in Planning File No. PLN180517.

5. **FINDING: CONFORMANCE WITH SUBDIVISION ORDINANCE AND CONTIGUOUS LOTS OF RECORD** – Pursuant to MCC Section 19.09.025.B.3 of the Monterey County Subdivision Ordinance (Title 19), the parcels resulting from the Lot Line Adjustment conform to the County Zoning and Building Ordinances and are contiguous parcels.
EVIDENCE: (a) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180517.
 (b) See evidence in Finding 1, above.

6. **FINDING: CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)** – The project is categorically exempt from environmental review.
EVIDENCE: (a) Guidelines for CEQA, California Code of Regulations, Title 14, Chapter 3, Section 15305(a) categorically exempts Lot Line Adjustments, side yard, and setback variances in areas with an average natural slope of less than 20% not resulting in the creation of any new parcel.
 (b) Section 15317 of the CEQA Guidelines categorically exempts the establishment of agricultural preserves, the making and renewing of Open Space Contracts under the Williamson Act, or the acceptance of easements or fee interests in order to maintain the open space character of the area.
 (c) Based on a review of the project plans, approval of the project would not result in any potentially adverse impacts. No additional development is proposed with this project.
 (d) See preceding findings and related evidence.

7. **FINDING: PUBLIC NOTICE** - Public notice of the pending Lot Line Adjustment was provided pursuant to MCC Section 19.01.055, (Title 19 - Subdivisions).
EVIDENCE: Materials in Planning File No. PLN180517.

8. **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 (Title 21). No violations exist on the property.
EVIDENCE: Staff has reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on the subject property.

9. **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: See preceding findings #1, #2, #3, #4 and #5 and supporting evidence.

10. **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 amendments to Agricultural Preserve Land Conservation Contract No. 69-012 ((Document No. G05455, Reel 595, Pages 443-469) established by Board of Supervisors Resolution No. 69-35-12 dated February 28, 1969 which shall be applicable to the four (4) reconfigured lots will reflect the redistribution of 680 acres of land under Williamson Act Contract.

(b) The term of the original Land Conservation 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.

11. 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. In cases where two (2) lots involved in a Lot Line Adjustment are both subject to Contracts rescinded pursuant to this Section, this finding will be satisfied if the aggregate acreage of the land restricted by the new Contracts is at least as great as the aggregate acreage restricted by the rescinded Contracts.

EVIDENCE: (a) The Lot Line Adjustment would not result in a net decrease in the amount of the acreage restricted between the four (4) proposed lots (Parcels A through D).

(b) Condition of Approval No. 4 shall require that a surveyor prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval for recordation with the Monterey County Recorder's Office as attachments to the Certificates of Compliance for the reconfigured parcels.

(c) The application, plans, and related support materials found in Planning File No. PLN180517.

12. FINDING: WILLIAMSON ACT – NEW CONTRACTS - Pursuant to California Government Code Section 51257(a)(3), at least 90 percent of the land under the former Contract will remain under the new or amended Contract or Contracts.

EVIDENCE: (a) The proposed new or amended Contract or Contracts will continue to cover at least 90 percent of the subject lots under Agricultural Preserve Land Conservation Contract No. 69-012.

(b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN18017.

13. 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 Government Code Section 51222.

EVIDENCE: (a) The proposed Lot Line Adjustment applicable to the four (4) reconfigured parcels shall reflect the redistribution of 680 acres of land under Williamson Act Land Conservation Contracts.

(b) Pursuant to California Government Code Section 51222 (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.” All proposed parcels are greater than 40 acres and the total acreage involved in the subject Lot Line Adjustment is 680 acres.

- (c) County of Monterey Board of Supervisors Resolution No. 01-485 requires that agricultural preserves will not be considered unless the group of contiguous parcels included in the preserve contains 100 or more acres, or 40 or more acres if the Board finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area. The proposed Lot Line Adjustment will sustain the total 680-acre project site for agricultural uses within Agricultural Preserve Land Conservation Contract Nos. 69-012.
- (d) The application plans, and related support materials found in Planning File No. PLN180517.

- 14. FINDING: 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 proposed lot configuration would produce a superior parcel configuration as it would not create a net decrease in agricultural acreage between the four parcels and would better facilitate the routine and ongoing agricultural activities of the existing cattle grazing operations. Monterey County promotes agriculture, and as such, elected to include an Agricultural Element as part of the General Plan to establish policies directed at enhancing and supporting the long-term productivity and commercial viability of the County’s agricultural industry. Policy AG-1.3 allows the proposed Lot Line Adjustments as it is exclusively intended for agricultural purposes.

(b) The application plans, and related support materials found in Planning File No. PLN180517.

- 15. 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 (“PG/40”) and/or Farmland – 40-acre minimum (“F/40”). The Lot Line Adjustment will not affect current agricultural operations on the subject properties and on adjacent properties. No physical development is proposed. The adjustment would not allow any uses that could not also occur under the current configuration.

(b) The application and plans for a Lot Line Adjustment found in Planning File No. PLN180517.

- 16. 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) The existing four (4) reconfigured lots do not result in a greater number of developable parcels than existed prior to the adjustment. See Finding 4.

- (b) The application, plans, and related support materials found in Planning File No. PLN180517.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors does hereby:

- a. Find that the project is a Lot Line Adjustment not resulting in a new parcel, which qualifies as a Class 5 Categorical Exemption per California Environmental Quality Act (CEQA) Guidelines Section 15305(a), and there are no exceptions pursuant to CEQA Guidelines Section 15300.2;
- b. Approve Lot Line Adjustment between four (4) legal lots of record currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four (4) resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) No. 69-012 established by County Board of Supervisors Resolution No. 69-35-12 with no net decrease in acreage under Williamson Act Contract; and
- c. Authorize the Chair to execute a new or amended Land Conservation Contract or Contracts in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lots only and simultaneously execute a new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and the ECHENIQUE RANCH, A LIMITED PARTNERSHIP, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- d. Direct the Clerk of the Board to record the new or amended Land Conservation Contract or Contracts subject to the submittal of the appropriate recording fees from the property owners of record.

In general conformance with the attached sketch and plans, and subject to the attached conditions all being attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED on this 15th day of October 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Lopez, Phillips, Parker and Adams

NOES: None

ABSENT: None

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 of Minute Book 82 for the meeting October 15, 2019.

2nd Revision Date: October 28, 2020

(see the next page for details on revisions made)

Dated: October 17, 2019

File ID.: RES 19-131

Agenda Item No.: 27

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

Joel Pablo

Joel G. Pablo Deputy

REVISED RESOLUTION NOTATION

(from originally issued Resolution No. 19-342 dated October 17, 2019)

Under Finding: Consistency AND Evidence (b)

- From “421-121-057” to 421-121-027
- From “421-121-028” to 421-121-058

Under 16: Williamson Act – No New Developable Parcels AND EVIDENCE (b)

- From “PLN180205” to PLN180517

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

Under 1. PD001- Specific Uses Only AND Condition/Mitigation Monitoring Measure

- From “421-121-057” to 421-121-027
- From “421-121-028” to 421-121-058

REVISED RESOLUTION (2nd Revision)

- Attached Sketch and Plans

Monterey County RMA Planning

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

PLN180517

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Lot Line Adjustment (PLN180517) allows an adjustment between four (4) legal lots of record of record under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four (4) resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D). The property is located adjacent to the west of Lockwood San Lucas Road, San Lucas (Assessor's Parcel Numbers: 421-121-053 (portion of); 421-121-056; 421-121-027 (portion of); and 421-121-058), South County 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 Director of RMA - 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. (RMA - 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: RMA-Planning

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

Monitoring Measure:

"A Lot Line Adjustment (Resolution Number 19-342) was approved by the Board of Supervisors for Assessor's Parcel Number 421-121-053 (portion of); 421-121-056; 421-121-027 (portion of); and 421-121-058 on October 15, 2019. The permit was granted subject to 5 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

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

3. 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

4. PWSP0001 - LOT LINE ADJUSTMENT – RECORD DEEDS – CA Govt. Code §66412(d)

Responsible Department: RMA-Public Works

**Condition/Mitigation
Monitoring Measure:**

Prior to the expiration of the entitlement, the Owner(s)/Applicant(s) shall do the following:

1. Prepare deed(s) containing a legal description and plat for all areas being conveyed by Owner(s) in conformance to the approved lot line adjustment.
 - a. The legal description and a plat shall be prepared, signed and stamped by a professional land surveyor.
 - b. 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.
 - c. The deeds shall comply with the Monterey County Recorder's guidelines as to form and content.
 - d. 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, PLN180517. This deed is being recorded pursuant to §66412(d) of the California Government Code and shall be deemed to reconfigure the subject parcels in conformance to said approved lot line adjustment. Any configuration of said subject parcels that existed prior to recordation of this deed shall no longer be valid and shall not be used for the purpose of sale, lease or financing, whether immediate or future."
2. Record the fully executed and acknowledged deed(s) with the County Recorder.
3. Acquire a new Assessor's Parcel Number (APN) from the County Assessor's Office.

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. Deliver a copy of the recorded deed(s) and new APNs to the project planner.

**Compliance or
Monitoring
Action to be Performed:**

Prior to the expiration of the entitlement, the Owner/Applicant shall do the following:

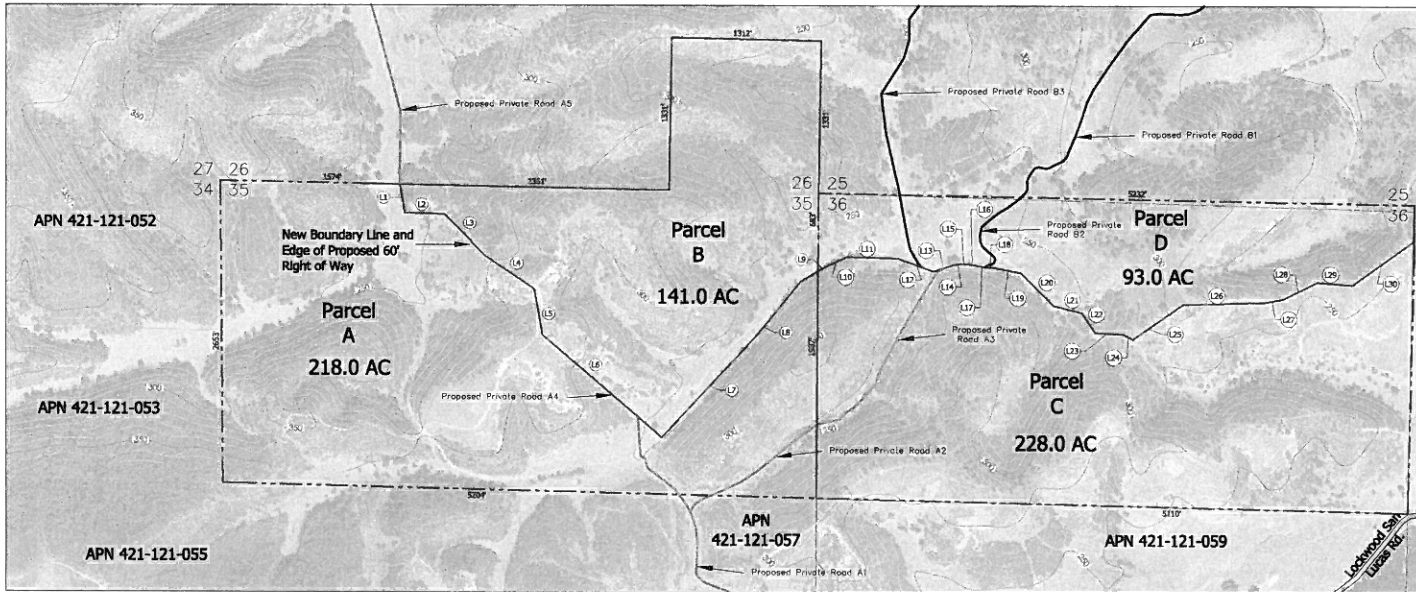
1. Have a professional land surveyor prepare a legal description and plat for each newly adjusted parcel together with closure calculations. The legal description shall be entitled "Exhibit A" and shall have the planning permit no. (PLN) in the heading. The plat may be incorporated by reference into Exhibit "A," or be entitled Exhibit "B." The legal description and plat shall comply with the Monterey County Recorder's guidelines as to form and content.
2. Deliver the legal description and plat to RMA-Planning for review and approval, together with a check, payable to the "Monterey County Recorder," for the appropriate fees to record the Certificates of Compliance.

5. PD037 - WILLIAMSON ACT

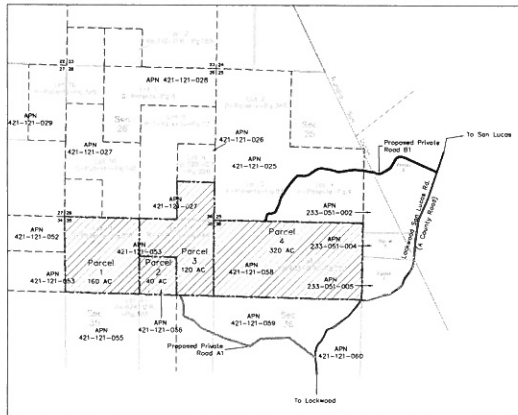
Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The property owner shall enter into a new or amended Agricultural Preserve Land Conservation 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. (RMA - 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.



PROPOSED LOT LINE CONFIGURATION
Scale 1"=500'



EXISTING LOT LINE CONFIGURATION
Scale 1"=2000'

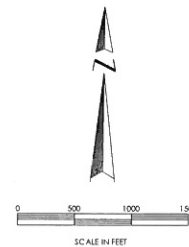
Line Table	
Line #	Distance
L2	343.47'
L3	517.41'
L4	521.19'
L5	407.62'
L6	1377.31'
L7	1213.18'
L8	614.76'
L9	80.11'
L10	201.52'
L11	445.78'

Line Table	
Line #	Distance
L12	333.93'
L13	193.73'
L14	60.79'
L15	57.22'
L16	74.22'
L17	98.48'
L18	97.68'
L19	233.39'
L20	415.99'
L21	253.98'

Line Table	
Line #	Distance
L22	306.90'
L23	245.81'
L24	98.04'
L25	539.79'
L26	715.92'
L27	162.57'
L28	334.67'
L29	310.00'
L30	674.23'

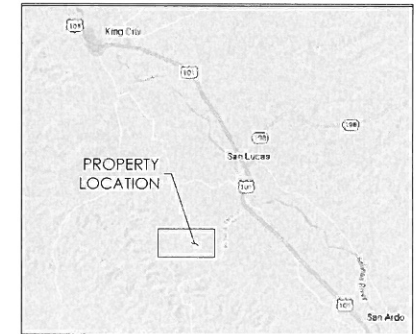
LEGEND

- PROPERTY LINE
- - - EXISTING LOT LINES
- PROPOSED PRIVATE ROAD A
- PROPOSED PRIVATE ROAD B
- ASSESSOR'S PARCEL LINES



SUMMARY TABLE

Subject Property APN	Existing Parcel Designation	Existing Acreage	Existing Zoning	GP Land Use Designation	Proposed Property Designation	Proposed Acreage	Proposed Zoning
Portion of 421-121-053	1	160	PG-40	PG 10-160 ACHN	Parcel A	218.0	No Change
421-121-056	2	40	PG-40	PG 10-160 ACHN	Parcel B	141.0	No Change
Portion of 421-121-053 Portion of 421-121-027	3	160	PG-40	PG 10-160 ACHN	Parcel C	228.0	No Change
421-121-058	4	320	F-40/PG-40	PG 10-160 ACHN & FL 40-160 ACHN	Parcel D	93.0	No Change



VICINITY MAP
Not to scale

STATEMENT

THIS PROPERTY LOCATED WITHIN SECTIONS 26, 35 & 36, T.21 S., R.8 E., M.D.B. & M. INVOLVES LOT LINE ADJUSTMENT OF 4 PARCELS RANGING FROM 40.0 ACRES TO 320.0 ACRES IN SIZE INTO FOUR PARCELS OF 93.0 ACRES TO 228.0 ACRES IN SIZE.

THE CONTOURS SHOWN HEREON ARE DERIVED FROM UGHS 1 ARC-SECOND DTM (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 "PG-40" AND "PG-40". THE PROPERTY IS CURRENTLY SUBJECT TO THE WILLIAMSON ACT. THE PROPOSED PARCELS WILL REMAIN IN THE WILLIAMSON ACT. THE PROPERTY IS CURRENTLY USED FOR AGRICULTURAL PURPOSES (ORANGE). THE PROPOSED USE OF THE PROPERTY IS THE SAME, WILLIAMSON ACT CONTRACT NO. 6 ACP 49-012.

THERE ARE CURRENTLY NO STRUCTURES ON THE PROPERTY AS SHOWN ON THE MAP. THERE ARE NO WATER SUPPLY OR WASTEWATER FACILITIES ON-SITE. WATER SUPPLY SHALL BE BY PRIVATE WELLS. SANITARY SEWER SHALL BE PROVIDED BY PRIVATE SEPTIC SYSTEMS.

ELECTRICITY MAY BE PROVIDED BY PACIFIC GAS & ELECTRIC COMPANY OR SIMILAR PROVIDER. TELEPHONE MAY BE PROVIDED BY PACIFIC BELL COMPANY OR SIMILAR PROVIDER.

NO TREES ARE TO BE PLANTED OR REMOVED.

THERE ARE NO PROPOSED COMMON AREAS OR AREAS TO BE DEDICATED TO PUBLIC USE.

THIS PROPERTY DOES NOT LIE WITHIN THE FLOOD PLAIN.

SINCE NO DEVELOPMENT STRUCTURES OR GRADING ARE BEING PROPOSED, WITH THIS APPLICATION, NO EROSION CONTROL MEASURES ARE NECESSARY.

ACCESS TO EACH PARCEL WILL BE PROVIDED BY HAVING APPROVED LEGAL ACCESS VIA A PRIVATE ROAD OF 60' RIGHT OF WAY WIDTH.

OWNERS

A.P.N. 421-121-027, -053, -058 & -058
ECHENIQUE RANCH ET AL
1148 OLD PEACHY CYN RD.
PASO ROBLES CA 93446

APPLICANT

ECHENIQUE RANCH
1148 OLD PEACHY CYN RD.
PASO ROBLES CA 93446

REPRESENTATIVE

LINN KOVACH, POLARS CONSULTING
P.O. BOX 1376
CARMEL VALLEY, CA 93924
831-214-4764

PLN 180517
TENTATIVE LOT LINE ADJUSTMENT MAP
SHOWING THE PROPOSED ADJUSTMENT OF TRACTS OF LAND
WITHIN PORTIONS OF SECTIONS 26, 35 & 36
TOWNSHIP 21 SOUTH, RANGE 8 EAST, MDB & M

MONTEREY COUNTY, CALIFORNIA

PREPARED FOR: LUIS ECHENIQUE TRUST
SURVEYED BY: POLARS CONSULTING
P.O. BOX 1376
CARMEL VALLEY, CA 93924

SCALE: 1"= 500' VIEW: TM DATE: July 25, 2019 r. 8-27-19
FILE NAME: ECHENIQUE NEW BNDRY TM SOUTH.DWG

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Exhibit D

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**Before the Housing and Community Development Chief of Planning
in and for the County of Monterey, State of California**

In the matter of the application of:

ECHENIQUE RANCH (PLN180517-EXT1)

RESOLUTION NO. 24-047

Resolution by the County of Monterey HCD Chief of Planning:

- 1) Finding that the project is an Extension of a permit which was granted with a Class 5 Categorical Exemption of the CEQA Guidelines; circumstances and conditions of the project have not changed and therefore, subsequent environmental review is not required; and
- 2) Approving a 2-year Permit Extension to a previously-approved Lot Line Adjustment (Board of Supervisors Resolution No. 19-342, HCD-Planning Permit File No. PLN180517) allowing a Lot Line Adjustment between four legal lots of record currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) No. 69-012 established by County Board of Supervisors Resolution No. 69-35-12 with no net decrease in acreage under Williamson Act Contract.
[PLN180517-EXT1, Echenique Ranch, the properties are located west of Lockwood San Lucas Road, San Lucas, South County Area Plan (Assessor's Parcel Numbers: 421-121-027-000; 421-121-053-000; 421-121-056-000; and 421-121-058-000)]

The ECHENIQUE RANCH application (PLN180517-EXT1) came on for a public hearing before the County of Monterey HCD Chief of Planning on December 4, 2024. Having considered all the written and documentary evidence, the Chief of Planning finds and decides as follows:

RECITALS

WHEREAS, on October 15, 2019, a PLN180517, Lot Line Adjustment was approved by the County of Monterey Board of Supervisors through Resolution No. 19-342 and is incorporated by reference. As approved, the project consists of a Lot Line Adjustment among four legal lots of

record under Williamson Act Contract (AGP No. 69-012): Parcel 1, 160 acres (a portion of Assessor's Parcel Number 421-121-053-000); Parcel 2, 40 acres (Assessor's Parcel Number 421-121-056-000); Parcel 3, 160 acres (portion of Assessor's Parcel Number 421-121-053-000 and portion of Assessor's Parcel Number 421-121-027-000); Parcel 4, 320 acres (Assessor's Parcel Number 421-121-058-000), into four resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D), respectively. In accordance with the resolution, this entitlement was set to expire on October 15, 2021;

WHEREAS, pursuant to Monterey County Code section 19.09.035, the applicant submitted a written request from the permittee and provided such request be made at least thirty (30) days prior to the expiration of the Lot Line Adjustment. The written request was filed by the agent, Lynn Kovach, with the Appropriate Authority, HCD Director, and set forth reasons supporting the request because various title issues needed to be resolved;

WHEREAS, pursuant to Government Code Section 51257 involving Lot Line Adjustments among land under Williamson Act Contract, seven findings shall be made. The granting of this extension does not change the seven findings previously made under Board of Supervisors Resolution No. 19-342: 1) the new contracts are for no less than 20 years, 2) there is no net decrease in contracted acreage, 3) 90 percent of the original contracted acreage remains under the new contract, 4) the newly created parcels are large enough to sustain their agricultural use, 5) the Lot Line Adjustment would not compromise agricultural productivity of parcel or neighboring parcels, 6) the Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use, and 7) the Lot Line Adjustment does not create a greater number of developable parcels than previously existed;

WHEREAS, the subject properties were found to be legal lots pursuant to existing patents and include the entirety of Assessor's Parcel Numbers 421-121-056-000 and 421-121-058-000 and portions of 421-121-053-000 and 421-121-027-000 for a total of 680 acres;

WHEREAS, this extension does not include any change to the approved project scope; therefore, there is no change to the findings of site suitability and health life and safety;

WHEREAS, Monterey County HCD-Planning and HCD-Building Services records were reviewed, and the County is not aware of any violations existing on the subject property;

WHEREAS, the original planning permit (PLN180517) is and will continue to be the operating permit for condition compliance;

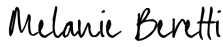
WHEREAS, the project was deemed categorically exempt from environmental review per California Environmental Quality Act (CEQA) Guidelines Section 15305(a) and there were no exceptions under CEQA Guidelines Section 15300.2. Section 15305(a) categorically exempts minor alterations in land use limitations such as Lot Line Adjustments. Therefore, the Board of Supervisors found the project consistent with CEQA Guidelines Section 15305 and that none of the exceptions under CEQA Guidelines Section 15300.2 applied to this project. No new adverse environmental effects were identified during staff review of the application for permit extension, therefore no new environmental review is required; and

WHEREAS, pursuant to MCC Section 19.16.020.A, the Board of Supervisors shall consider appeals from the discretionary decisions of the HCD Chief of Planning. The decision of the Board of Supervisors would be final and may not be appealed.

NOW, THEREFORE BE IT RESOLVED, based on the above recitals, the County of Monterey HCD-Chief of Planning does hereby:

- 1) Find that the project is an Extension of a permit which was granted with a Class 5 Categorical Exemption of the CEQA Guidelines; circumstances and conditions of the project have not changed and therefore, subsequent environmental review is not required; and
- 2) Approve 2-year Permit Extension to a previously-approved Lot Line Adjustment (Board of Supervisors Resolution No. 19-342) allowing a Lot Line Adjustment between four legal lots of record currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) No. 69-012 established by County Board of Supervisors Resolution No. 69-35-12 with no net decrease in acreage under Williamson Act Contract.

PASSED AND ADOPTED this 4th day of December 2024.

DocuSigned by:

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Melanie Beretti, AICP
HCD, Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON **DECEMBER 4, 2024.**

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 CLERK OF THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **DECEMBER 16, 2024.**

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

1. You must comply with the Monterey County Building Ordinance in every respect.

2. Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.
3. Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

County of Monterey HCD Planning

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

PLN180517-EXT1

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Extension Permit (PLN180517-EXT1) to a previously-approved Lot Line Adjustment (Board of Supervisors Resolution No. 19-342, HCD-Planning File No. PLN180517) allows a Lot Line Adjustment between four legal lots of record currently under Williamson Act Contract of 160 acres (Parcel 1), 40 acres (Parcel 2), 160 acres (Parcel 3) and 320 acres (Parcel 4) into four resulting lots of 218 acres (Parcel A), 141 acres (Parcel B), 228 acres (Parcel C) and 93 acres (Parcel D) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) No. 69-012 established by County Board of Supervisors Resolution No. 69-35-12 with no net decrease in acreage under Williamson Act Contract. The properties are located west of Lockwood San Lucas Road and the intersection of Highway 101, San Lucas (Assessor's Parcel Numbers: 421-121-027-000; 421-121-053-000; 421-121-056-000; and 421-121-058-000), South County 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 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: "An Extension to a previously approved Lot Line Adjustment (Resolution Number 24-047) was approved by the HCD Chief of Planning for Assessor's Parcel Numbers: 421-121-027-000; 421-121-053-000; 421-121-056-000; and 421-121-058-000 on December 4, 2024. The permit was granted subject to 2 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 the HCD - Planning.