



# Monterey County

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## Board Report

Legistar File Number: 18-391

April 17, 2018

Introduced: 4/4/2018

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

### **PLN150619 - RCT LAND COMPANY LP, A CALIFORNIA LIMITED PARTNERSHIP**

- a. Accept a Parcel Map for a minor subdivision to divide a 121.4 acre parcel into two (2) parcels (Parcel 1, 121.4 acres and Parcel 2, 51.6 acres);
- b. Accept a Property Tax Clearance Certification and Parcel Map Guarantee;
- c. Approve 2018 Amendment to Land Conservation Contract No. 73-9 and authorize the Chair to execute 2018 Amendment to Land Conservation Contract No. 73-9;
- d. Approve and accept an Agricultural Buffer Easement Deed on portions of Parcel 1 and authorize the Chair to sign the Acceptance and Consent to Recordation;
- e. Approve Agricultural Conservation Easements on the Vanoli Ranch, Samovia Ranch and Redding Ranch properties; and
- f. Direct the Clerk of the Board to submit the Parcel Map, 2018 Amendment to Land Conservation Contract No. 73-9, Vanoli Ranch (Parcel 1) Agricultural Buffer Easement Deed and the Vanoli Ranch, Samovia Ranch and Redding Ranch Agricultural Conservation Easement Deeds to the County Recorder for recording, subject to the submittal of the applicable recording fees by the property owner.

**Proposed California Environmental Quality Act (CEQA) Action:** Statutorily Exempt per CEQA Guidelines Section 15268(b)(3).

#### PROJECT INFORMATION:

Planning File Number: PLN150619

Owner: RCT Land Company LP, a California Limited Partnership

Agent: Kathy Francioni

Project Location: Northeast of Espinosa Road and Patricia Lane, Greenfield

Assessor's Parcel Number: 221-001-017-000

Zoning: F/40 (Farmlands Minimum 40 acres)

#### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Find that accepting the Parcel Map for a minor subdivision to divide a 121.4 acre parcel into two (2) parcels is Statutorily Exempt per Section 15268(b)(3) of the CEQA Guidelines;
- b. Accept a Parcel Map for a minor subdivision to divide a 121.4 acre parcel into two (2) parcels (Parcel 1, 121.4 acres and Parcel 2, 51.6 acres);
- c. Accept a Property Tax Clearance Certification and Parcel Map Guarantee;
- d. Approve 2018 Amendment to Land Conservation Contract No. 73-9 and authorize the Chair to execute 2018 Amendment to Land Conservation Contract No. 73-9;
- e. Approve and accept an Agricultural Buffer Easement Deed on portions of Parcel 1 and authorize the Chair to sign the Acceptance and Consent to Recordation;

- f. Approve Agricultural Conservation Easement Deeds on the Vanoli Ranch, Samovia Ranch and Redding Ranch properties; and
- g. Direct the Clerk of the Board to submit the Parcel Map, 2018 Amendment to Land Conservation Contract No. 73-9, Vanoli Ranch (Parcel 1) Agricultural Buffer Easement Deed and the Vanoli Ranch, Samovia Ranch and Redding Ranch Agricultural Conservation Easement Deeds to the County Recorder for recording, subject to the submittal of the applicable recording fees by the property owner.

SUMMARY/DISCUSSION:

RCT Land Company LP, a California Limited Partnership owns approximately 173 acres located south of the City of Greenfield. On May 23, 2017, the Board of Supervisors considered a Supplemental Environmental Impact Report (EIR) that was previously adopted by the City of Greenfield; adopted a Mitigation Monitoring and Reporting Program, and approved a Tentative Parcel Map and findings for approval of a partial cancellation of Williamson Act Agricultural Preserve Land Conservation Contract No. 73-9 for RCT Land Company LP pursuant to Board of Supervisors Resolution No. 17-155, adopted May 23, 2017 as revised on October 25, 2017 (Resolution Only) and subject to the approved Tentative Parcel Map and conditions of approval.

The Final Map would divide the subject property as follows:

- Parcel 1. Create a 121.4 acre parcel that would be annexed into the City and developed for commercial and industrial land uses. Parcel 1 would have a seventy foot (70') wide Agricultural Buffer Easement across the easterly property line and a ten foot (10') wide Agricultural Buffer Easement along the southern property line adjacent to Espinosa Road, encumbering approximately 6.7 acres of the property which would be held by the Ag Land Trust and the County of Monterey.
- Parcel 2. Create a 51.6 acre parcel that would remain under the existing Williamson Act contract.

Parcel 1 is within the City of Greenfield's Sphere of Influence boundary and is proposed to be annexed. Annexation of this land would be part of the City of Greenfield's South End Annexation (LAFCO File No. 17-07) which involves four (4) parcels (including the subject parcel) with a total of approximately 290 acres located at the City's southern edge. Most of the area proposed for annexation, including the subject parcel, consists of irrigated farmland currently used to grow row crops and vineyards. The proposed annexation is consistent with the "Final Greater Greenfield Area Memorandum of Agreement" between the City of Greenfield (adopted by the Greenfield City Council on May 21, 2013), County of Monterey (adopted by the Board of Supervisors on June 11, 2013) and the Local Agency Formation Commission of Monterey County (LAFCO Monterey) (adopted by LAFCO Monterey on June 24, 2013).

RCT Land Company LP has submitted a Property Tax Clearance Certification in accordance with Government Code Section 66492, and the Parcel Map Guarantee in accordance with Government Code Section 66465 of the Subdivision Map Act, and has met all the conditions of approval required for clearance prior to recording the Parcel Map. The Parcel Map is in substantial compliance with the

approved Tentative Parcel Map, and all applicable fees associated with the recordation of the Parcel Map, have been satisfied, collected, and deposited. There are no subdivision improvements associated with this Parcel Map. Therefore, staff recommends that the Board accept the RCT Land Company LP Parcel Map for recording, subject to the submittal of the applicable recording fees by the Property Owner.

Condition 10 (PLN150619) of Board Resolution No. 17-155 requires the owner/applicant to enter into an amended contract with the Board of Supervisors for the division of the property which is the subject of the Minor Subdivision and the partial cancellation (rescission) of Land Conservation Contract No. 73-9. The 2018 Amendment to Land Conservation Contract No. 73-9 (**Attachment D**), which partially rescinds/cancels Land Conservation Contract No. 73-9 as applicable to Parcel 1 (121.4 acres) has been prepared by the Office of the County Counsel pursuant to Condition No. 10 of Board of Supervisors Resolution No. 17-155.

The applicant filed an owner initiated Notice of Non-Renewal of the Williamson Act Agricultural Preserve Land Conservation Contract No. 73-9 (hereafter, “Ag P LCC No. 73-9” or “Contract”) for the entire 173-acre parcel in 2004 (recorded in September 14, 2006). Per the owner initiated Notice of Nonrenewal, the existing Contract would expire on December 23, 2023. The applicant proposes to cancel the Williamson Act Contract on the land to be annexed (121.4 acres, Parcel 1) to make it possible for development on this parcel to occur prior to the anticipated December 23, 2023 expiration date to help provide economic activity, jobs, and revenue to benefit the City of Greenfield. Ag P LCC No. 73-9 was amended (**Attachment D**) to reflect the partial cancellation of the 121.4 acres (Parcel 1). Parcel 2 (51.6 acres) will remain within Agricultural Preserve No. 73-9 pursuant to the 2018 Amendment to Land Conservation Contract No. 73-9 which will partially rescind and supersede Land Conservation Contract No. 73-9.

Mitigation for contract cancellation and annexation consists of placing Parcel 2 under a permanent Agricultural Conservation Easement, as well as two (2) other properties (Samovia Ranch and Redding Ranch) that will also be placed under permanent Agricultural Conservation Easement Deeds through the Williamson Act Easement Exchange Program administered by the Department of Conservation. The permanent Agricultural Conservation Easement Deeds would be held and managed by the Ag Land Trust of Monterey County.

The County received a letter (**Attachment J**) from the Department of Conservation (Department) dated December 13, 2016 stating that the Department concurs that the proposed project should be able to meet the consistency findings of Public Resources Code Sections 10251 and 10252 based on the data provided in the Supplemental EIR.

On September 21, 2017, the County received a letter (**Attachment K**) from the Department indicating,

...the Department approves the agreement between the County of Monterey, Ag Land Trust and the applicant known as RCT Lands LP to rescind the Williamson Act contract and simultaneously place a permanent (agricultural) conservation easement on Redding Ranch, Somavia Road Ranch and Parcel 2 (51.6 acres) from Vanoli Ranch as passed and adopted

by the Monterey County Board of Supervisors' Resolution No: 17-155.

The County received an e-mail message (**Attachment L**) from the Department of Conservation on March 23, 2018 stating that no additional responses are required from the Department.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project and have cleared their recommended conditions for recording of the Parcel Map:

Environmental Health Bureau

FINANCING:

Funding for staff time associated with this project is included in the FY2017-2018 Adopted Budget for RMA-Planning.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our RMA customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources. Agricultural Buffer Easements and Agricultural Conservation Easements which serve as mitigation lands provide protection for existing agricultural operations, which make a large portion of Monterey County's economy and is one of the four (4) economic pillars for economic development. The annexation will generate potential area for commercial and industrial development within the City of Greenfield.

Check the related Board of Supervisors Strategic Initiatives:

- ☒ Economic Development
- ☒ Administration
- ☐ Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

Prepared by: Bob Schubert, AICP, Senior Planner, ext. 5183

Reviewed by: Brandon Swanson, RMA Services Manager

Approved by: Carl P. Holm, AICP, RMA Director

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

- Attachment A - Cover Letter to the Clerk of the Board
- Attachment B - Parcel Map
- Attachment C - Property Tax Clearance Certification
- Attachment D - 2018 Amendment to Land Conservation Contract No. 73-9
- Attachment E - Vanoli Ranch Agricultural Buffer Easement Deed
- Attachment F - Vanoli Ranch Agricultural Conservation Easement Deed
- Attachment G - Samovia Ranch Agricultural Conservation Easement Deed
- Attachment H - Redding Ranch Agricultural Conservation Easement Deed
- Attachment I - Parcel Map Guarantee
- Attachment J - Letter from Department of Conservation dated December 13, 2016

Attachment K - Letter from Department of Conservation dated September 21, 2017

Attachment L - E-mail from Department of Conservation dated March 23, 2018

cc: Front Counter Copy; Brandon Swanson, RMA Services Manager; Bob Schubert, RMA-Planning; Kathy Franscioni, Applicant/Owner; Geary Coates, Applicant/Owner's representative; Amy Roberts, Applicant/Owner's representative - Moncrief and Hart; Alan Searson, Applicant/Owner's Engineer; Mic Steinman, City of Greenfield; Sherwood Darrington, Ag Land Trust; Kate McKenna, LAFCO Monterey, Darren McBain, LAFCO Monterey, Mary Grace Perry, Deputy County Counsel, Office of the County Counsel; Robert A. Roach, Assistant Agricultural Commissioner; Gregg MacFarlane, Senior Agricultural Appraiser, Assessor's Office; Nadia Garcia, Associate Planner, RMA-Planning; The Open Monterey Project (Molly Erickson); LandWatch; John H. Farrow; Janet Brennan; Project File PLN150619