



Monterey County

Board Report

Legistar File Number: RES 19-131

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

October 15, 2019

Introduced: 9/30/2019

Version: 1

Current Status: RMA Land Use - Consent

Matter Type: BoS Resolution

PLN180517 - ECHENIQUE RANCH, A LIMITED PARTNERSHIP

Adopt a Resolution:

- 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.

Proposed California Environmental Quality Act (CEQA) Action: Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines Section 15305(a)

Project Location: Properties are located adjacent to the west of Lockwood San Lucas Road, San Lucas (Assessor's Parcel Numbers: 421-121-053 (portion of); 421-121-056; 421-121-057 (portion of); and 421-121-028), South County Area Plan.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution:

- 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.

PROJECT INFORMATION:

APNs: Assessor's Parcel Numbers: 421-121-053 (portion of); 421-121-056; 421-121-057 (portion of); and 421-121-028

Zoning: PG/40 and F/40

GP Land Use Designation: Permanent Grazing 10-160 Acre Min/ Farmlands 40-160 Acre Min.

SUMMARY:

The subject Lot Line Adjustment will reconfigure four (4) existing legal lots of record totaling approximately 680 acres all under Williamson Act Agricultural Preserve Land Conservation Contract No. 69-012, resulting in four (4) lots of the same total size. The current use of the properties is for agricultural purposes (grazing). The applicant intends to continue the grazing uses consistent with the agricultural zoning designation of the properties which is Permanent Grazing - 40-acre minimum (PG/40) and Farmland - 40-acre minimum (F/40). The purpose of the reconfiguration is to allow all four parcels to align with the existing private roads which connect to Lockwood San Lucas Road, an existing County Road. The use will remain compatible with the existing Williamson Act Agricultural Preserve Land Conservation Contract, and all of the required findings can be made in this case.

DISCUSSION:

Proposed Project and the 2010 Monterey County General Plan:

The Lot Line Adjustment consists of the following existing and proposed configuration:

<u>Current Parcel</u>	<u>Current Size</u>	<u>Current Zoning</u>
Parcel 1		
421-121-053 (Portion of)	160 ac	PG-40
Parcel 2		
421-121-056	40 ac	PG-40
Parcel 3		
421-121-053 (Portion of)	160 ac	PG-40
421-121-027 (Portion of)		

Parcel 4		
421-121-058	320 ac	PG-40 and F-40
Total Project Area	680 ac	PG-40 and F-40

<u>Proposed Parcel</u>	<u>Proposed Size</u>	<u>Resultant Zoning</u>
Parcel A	218 ac	PG-40
Parcel B	141 ac	PG-40
Parcel C	228 ac	PG-40
Parcel D	93 ac	PG-40 and F-40
Total Project Area	680 ac	PG-40 and F-40 (No Change)

As the table above shows, the current four (4) legal lots have a zoning designation of Permanent Grazing - 40-acre minimum (PG/40) and/or Farmland - 40-acre minimum (F/40). The proposed lot line configuration would result in four (4) lots, with the same total acreage. Proposed Parcels A through D meet the minimum parcel size requirement of 40 acres pursuant to Title 21 "Zoning" Chapter 21.34 "PG/40" Zoning District and the required lot configuration pursuant to Title 19 "Subdivisions," Chapter 19.02.150 "Lot Line Adjustment."

The proposed lot configuration would produce a superior parcel configuration as it would allow all four (4) parcels to align with the existing private roads which connect to the existing County road: Lockwood San Lucas Road (See Attachment A - Exhibit 2). The proposal would better facilitate the routine and ongoing agricultural grazing activities. 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 Adjustment as it is exclusively intended for agricultural purposes. The reconfiguration is consistent with the Board adopted list of compatible uses and the applicable Williamson Act Contract (AGP No. 68-012).

Williamson Act Findings:

Pursuant to Government Code Section 51257, to facilitate a Lot Line Adjustment of Williamson Act lands, pursuant to subdivision (d) of Section 66412, and notwithstanding any other provision of this chapter, the parties may mutually agree to rescind the contract or contracts and simultaneously enter into a new contract or contracts pursuant to this chapter, provided that the Board of Supervisors finds all of the following:

- (1) The new 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 10 years.
- (2) There is no net decrease in the amount of the acreage restricted. In cases where two parcels 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.

(3) At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.

(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 Section 51222.

(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.

(6) The lot line adjustment is not likely to result in the removal of adjacent land from agricultural use.

(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.

The Lot Line Adjustment would not result in a total net decrease in the amount of the acreage restricted under Williamson Act between the four (4) proposed lots (Parcels A through D). All the lands under the existing contracts will remain under a new contract or contracts.

The draft findings required per Board Resolution No. 00-462 (Resolution relating to the processing of Lot Line Adjustments affecting property under Agricultural Preserve Contract pursuant to the Williamson Act) and Government Code Section 51257 for the Board's consideration are included in **Attachment A - Proposed Resolution**.

OTHER AGENCY INVOLVEMENT:

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

- South Monterey County Fire Protection District
- Environmental Health Bureau
- RMA-Public Works
- RMA-Environmental Services
- Water Resources Agency
- County of Monterey Surveyor
- Office of County Counsel

AAC

The project was referred to the Agricultural Advisory Committee (AAC) for review on April 25, 2019. The AAC recommended approval of the project by a vote of 9-0 with three (3) absent and one (1) abstention.

FINANCING:

Funding for staff time associated with this project is included in the FY 2019-2020 Adopted Budget for RMA-Planning, Fund 001, Appropriation Unit RMA001. The total acreage of lands under Williamson Act Contract is not changing through this action so there is no fiscal impact associated with property taxes.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Board of Supervisors FY 2019-20 Strategic Initiatives include objectives to:

- Improve efficiency and effectiveness of County services (Administration).
- Create better paying jobs, reduce poverty and increase the revenue base through business expansion while adding to the economic vitality of the County (Economic Development).

RMA has Key Performance Measures to implement the Board's Strategic Initiatives by improving the permit process. Maintaining parcels under Williamson Act Farmland Security Zone and Land Conservation Contracts will ensure the protection of land designated for farming and permanent grazing and further the economic vitality of Monterey County. This action also represents effective and timely response to our RMA customers.

Check the related Board of Supervisors Strategic Initiatives:

☒ Economic Development

☒ Administration

☐ Health & Human Services

☐ Infrastructure

☐ Public Safety

Prepared by: Shelley Glennon, Senior Planner, ext. 5173

Reviewed by: Brandon Swanson, Interim RMA Chief of Planning

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

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

Attachment A - Proposed Resolution with:

- Conditions of Approval
- Existing & Proposed Lot Configuration Map Exhibit

Attachment B - Vicinity Map

Attachment C - Agricultural Preserve Land Conservation Contract No. 69-012

Attachment D - Board Resolution No. 00-462

cc: Front Counter Copy; Brandon Swanson, RMA Interim Chief of Planning, Craig Spencer, RMA-Planning Manager; Shelley Glennon, Project Planner; Lynn Kovach, Agent; Agricultural Preservation Review Committee: Nadia Garcia, Associate Planner; Mary Grace Perry, Deputy County Counsel; Gregg MacFarlane, Senior Agricultural Appraiser, and Henry S. Gonzales, Agricultural Commissioner; ECHENIQUE RANCH, A LIMITED PARTNERSHIP, Property Owners; The Open Monterey Project (Molly Erickson); LandWatch (Director); Project File PLN180517