



# County of Monterey

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

## Legislation Details (With Board Report)

<b>File #:</b>	12-1042	<b>Name:</b>	Yanks Air Museum
<b>Type:</b>	General Agenda Item	<b>Status:</b>	Passed
<b>File created:</b>	10/28/2012	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	11/6/2012	<b>Final action:</b>	11/6/2012

**Title:** Conduct a Public hearing to consider adoption of Resolution related to the Yanks Air Museum Project to:

- a. Consider an Addendum (Addendum No. 2) to the previously certified Environmental Impact Report (EIR No. 95-01) for the Yanks Air Museum;
- b. Approve a Lot Line Adjustment of Williamson Act Lands within Agricultural Preserve No. 71-41 and related Amendment to Land Conservation Contract No. 71-41 as applicable to the reconfigured parcels;
- c. Approve Amendment to Agricultural Conservation Easement Agreement and Deed;
- d. Approve Second Amendment to Agricultural Buffer Easement Deed;
- e. Adopt Findings and Evidence as required to support the proposed Lot Line Adjustment of Williamson Act Lands and said Amendments, as applicable to the reconfigured parcels; and
- f. Authorize the Chair of the Board to execute Amendments to said instruments; and
- g. Direct the Clerk of the Board to record the Amendments to said instruments concurrently with the recordation of the Certificates of Compliance for the reconfigured parcels.

(Lot Line Adjustment: PLN120376 / Charles F. Nichols and Judith A. Nichols, Trustees of the Nichols Family Trust, U/D/T May 19, 1966; Highway 101 at Thorne Road, easterly of Highway 101 and northerly of the City of Greenfield, Greenfield area, Central Salinas Valley Area Plan.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment A - Discussion, 2. Attachment B - Draft Board Resolution, 3. Attachment C - Recommended Conditions of Approval, 4. Attachment D - Vicinity Map, 5. Attachment E - Project Plans, 6. Attachment F - City of Greenfield's Addendum..., 7. Attachment G - Addendum No. 1 to County's Certified FEIR, 8. Attachment H - County's Certified FEIR, 9. Attachment I - Land Conservation Contract No. 71-41, 10. Attachment J - Land Conservatin Contract No. 71-41 amended 2-28-94, 11. Attachment K - Agreement Regarding Agricultural Conservation Easement, 12. Attachment L - Board Resolution No. 01-344, 13. Attachment M - Agricultural Conservation Easement Agreement and Deed, 14. Attachment N - [Proposed] Amendment to Agricultural Conservation Easement Agreement and Deed, 15. Attachment O - Ag Land Trust Minutes, 16. Attachment P - Agricultural Buffer Easement Deed, 17. Attachment Q - Amendment to Agricultural Buffer Easement Deed, 18. Attachment R - Proposed Amendment No. 2 to Agricultural Buffer Easement Deed, 19. Completed Board Order / Resolution with Attachments, 20. REVISED Completed Board Order/Resolutions/Attachments, 21. Recorded Amendment to Agricultural Conservation Easement Agreement & Deed, 22. Recorded Second Amendment to Agricultural Buffer Easement Deed, 23. Recorded Certificate of Completion, 24. Recorded Second Amendment to Land Conservation Contract No. 71-41, 25. Fully Executed, Recorded Page & Second Amendment to Land Conservation Contract No. 71-74

Date	Ver.	Action By	Action	Result
11/6/2012	1	Board of Supervisors	approved	

Conduct a Public hearing to consider adoption of Resolution related to the Yanks Air Museum Project to:

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- b. Approve a Lot Line Adjustment of Williamson Act Lands within Agricultural Preserve No. 71-41 and related

Amendment to Land Conservation Contract No. 71-41 as applicable to the reconfigured parcels;

- c. Approve Amendment to Agricultural Conservation Easement Agreement and Deed;
- d. Approve Second Amendment to Agricultural Buffer Easement Deed;
- e. Adopt Findings and Evidence as required to support the proposed Lot Line Adjustment of Williamson Act Lands and said Amendments, as applicable to the reconfigured parcels; and
- f. Authorize the Chair of the Board to execute Amendments to said instruments; and
- g. Direct the Clerk of the Board to record the Amendments to said instruments concurrently with the recordation of the Certificates of Compliance for the reconfigured parcels.

(Lot Line Adjustment: PLN120376 / Charles F. Nichols and Judith A. Nichols, Trustees of the Nichols Family Trust, U/D/T May 19, 1966; Highway 101 at Thorne Road, easterly of Highway 101 and northerly of the City of Greenfield, Greenfield area, Central Salinas Valley Area Plan.)

Planning File Number: PLN120376

Owner: Charles F. Nichols and Judith A. Nichols, Trustees of the Nichols Family Trust, U/D/T (May 19, 1966).

Project Location: Highway 101 at Thorne Road, easterly of Highway 101 and northerly of the City of Greenfield.

APNs: 111-012-017-000; 111-012-018-000; 111-012-019-000; and 111-012-020-000

Area Plan: Central Salinas Valley.

**...Body**

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Consider the City of Greenfield's Addendum (Addendum No. 2) to County's previously Certified Final Environmental Impact Report (CFEIR) and County's prior Addendum to the CFEIR pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15164;
- b. Approve a Lot Line Adjustment between two legal lots of record of approximately 111.29 acres (Parcel A - Assessor's Parcel Numbers 111-012-017-000 and 111-012-019-000) and 329.38 acres (Parcel B - Assessor's Parcel Numbers 111-012-018-000 and 111-012-020-000), resulting in two lots of 134.67 acres (Parcel 1 - "Yanks Air Museum" and related mixed-use development) and 306.00 acres (Parcel 2), respectively. Consider a Lot Line Adjustment of Williamson Act Lands consisting of the removal of 34 acres under Williamson Act Agricultural Preserve No. 71-41 (AGP No.71-41 ) and Land Conservation Contract No. 71-41 (Contract No. 71-41) (Parcel B- Assessor's Parcel Numbers 111-012-018-000 and 111-012-020-000 owned by Charles F. Nichols and Judith A. Nichols, Trustees of the Nichols Family Trust, U/D/T Dated May 19, 1966) including: removal of 11 acres of the land under AGP No. 71-41 and Contract currently located in Parcel A (Assessor's Parcel Numbers 111-012-017-000 and 111-012-019-000) and removal of 23 acres of land under Contract currently located in Parcel B (Assessor's Parcel Numbers 111-012-018-000 and 111-012-020-000). The lot line adjustment would result in a Parcel (Proposed Parcel 2) of 306 acres which would all be under the Amended Contract and correspond to a 306-acre Agricultural Conservation Easement required as part of the approval of the Yanks Air Museum Project;
- c. Approve Amendment to Williamson Act AGP No.71-41 and Land Conservation Contract No. 71-41;
- d. Authorize the Chair to execute an Amendment to Land Conservation Contract No. 71-41 (Contract) in order to rescind a portion of the existing AGP and Contract as applicable to the reconfigured parcels only, and simultaneously execute said Amendment between the County and Property Owners of Record to reflect the reconfigured parcels, to incorporate the new legal description, and any legislative changes to State Williamson Act provisions and current County Williamson Act Program Policies and Procedures;
- e. Direct the Clerk of the Board to record the Contract Amendment concurrently with the recordation of the Certificate of Compliance for the reconfigured Williamson Act parcel;

- f. Approve an Amendment to Agricultural Conservation Easement Agreement and Deed between the Property Owner and the Ag Land Trust and find that said Amendment is consistent with Condition No. 6 of the Combined Development Permit (Planning File No. SH94002)(Resolution No. 97-445 and Ordinance No. 03943) and authorize the Chair to sign said Amendment;
- g. Approve an Amendment (Second Amendment) to an existing Agricultural Buffer Easement Deed recorded per Condition No. 20 of the Combined Development Permit (Planning File No. SH 94002) (Resolution No. 97-445 and Ordinance No. 03943) for the Yanks Air Museum project and authorize the Chair to execute said Second Amendment and Consent to Recordation thereof;
- h. Direct the Clerk of the Board to record Amendment to the Agricultural Conservation Easement Agreement and Deed and Second Amendment to Agricultural Buffer Easement Deed concurrently with the recordation of the Certificates of Compliance for the reconfigured parcels; and
- i. Adopt the Resolution attached as Attachment “B” with the recommended findings and evidence and subject to the conditions of approval.

SUMMARY:

The proposed project consists of a Lot Line Adjustment of Williamson Act Lands and related amendments to an existing Williamson Act Agricultural Preserve (AGP No. 71-41) and Land Conservation Contract No. 71-41 (Contract No. 71-41), Agricultural Conservation Easement Agreement and Deed and Agricultural Buffer Easement Deed to correct an error in the legal descriptions of a Record of Survey for the Yanks Air Museum Project, which was approved by the County in 1997. The recommended actions will align the boundaries of the parcels with the legal descriptions of the various documents to facilitate the intended annexation into the City of Greenfield. The corrections will result in a reduction in the area included in Williamson Act AGP No. 71-41 but will not result in any changes to the approved project, including the loss of farmland, which was analyzed in the Final EIR and addressed in the original project approval.

DISCUSSION:

Detailed discussion is provided in **Attachment A**.

OTHER AGENCY INVOLVEMENT:

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

- Assessor’s Office
- Environmental Health Bureau
- Greenfield Fire Protection District
- Public Works
- Water Resources Agency
- City of Greenfield

The project was considered by the Monterey County Agricultural Advisory Committee at their August 23, 2012 meeting, at which time the Committee recommended approval of the proposed project by a vote of 8-0.

FINANCING:

Funding for staff time associated with this project was included in the FY12-13 Adopted Budget for the Planning Department. The proposed actions are related to a lot line adjustment and will not have a financial impact to the County General Fund.

Prepared by: Steve Mason, Assistant Planner ext. 5228  
Luis Osorio, Senior Planner ext. 5177

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192  
<mailto:> Benny Young, Director Resource Management Agency

cc: Front Counter Copy; Assessor-Recorder's Office; Environmental Health Bureau; Greenfield Fire Protection District; Public Works; Water Resources Agency; Mike Novo, Planning Director; Wanda Hickman, Planning Services Manager; Charles E. Martin and Judy A. Martin, Trustees of the Martin Living Trust U/D/T May 19, 1966, Applicants/Owners; Christine Kemp, Representative; Ag Land Trust, Sherwood Darington; Agricultural Preserve Review Committee, RMA Planning - Steve Mason, Assessor-Recorder's Office - Gregg MacFarlane, Agricultural Commissioner's Office - Robert A. Roach, Office of the County Counsel - Mary Grace Perry; The Open Monterey Project; LandWatch; Paul Muga, City of Greenfield; Project File PLN120376

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

Attachment A	Discussion
Attachment B	Draft Board Resolution
Attachment C	Recommended Conditions of Approval (Matrix)
Attachment D	Vicinity Map
Attachment E	Project Plans
Attachment F	City of Greenfield's Addendum (Addendum No. 2) to County's Certified Final Environmental Impact Report (FEIR) for the Yanks Air Museum Project
Attachment G	Addendum No. 1 to County's Certified FEIR
Attachment H	County's Certified FEIR
Attachment I	Land Conservation Contract No. 71-41 between the County of Monterey and Paul Masson Inc. dated February 19, 1971
Attachment J	Land Conservation Contract No. 71-41 as amended on February 28, 1994 between the County and Nichols and Smith & Hook Winery
Attachment K	"Agreement Regarding Agricultural Conservation Easement" dated June 24, 1997 between the Department of Conservation, the County and Charles F. Nichols
Attachment L	Board Resolution No. 01-344 (Re. Amendment No. 1 to Agreement Regarding Agricultural Conservation Easement" and Agricultural Conservation Easement Agreement and Deed)
Attachment M	Agricultural Conservation Easement Agreement and Deed
Attachment N	[Proposed] Amendment to Agricultural Conservation Easement Agreement and Deed
Attachment O	Ag Land Trust Minutes dated April 30, 2012
Attachment P	Agricultural Buffer Easement Deed
Attachment Q	Amendment to Agricultural Buffer Easement Deed
Attachment R	Proposed Second Amendment to Agricultural Buffer Easement Deed