

SUMMARY/DISCUSSION:

The applicant/owners have requested an additional two-year extension for a previously approved Lot Line Adjustment (Permit No. PLN 050620) which would reconfigure three (3) existing parcels under Williamson Act Land Conservation Contract No. 04-007. The Lot Line Adjustment was approved by the Board of Supervisors on September 25, 2007 pursuant to Board of Supervisors Resolution No. 07-340. (Attachment A). The parcels involved in the adjustment are Assessor's Parcel Numbers 420-161-016 [Parcel 2] and 420-161-033 [Parcel 1 & 3] with a combined total of 230.27 +/- acres. The adjustment will result in a 121.27 +/- acre parcel (Lot 1A), a 69 acre parcel (Lot 2A), and a 40 acre parcel (Lot 3A). The approved Lot Line Adjustment will remain consistent with the General Plan designated 40 acre minimum sizes for both Farmlands and Permanent Grazing zoning designations.

The applicants made a timely extension request prior to the expiration of the first extension. The applicants are requesting an extension to allow them additional time to secure financing for project conditions of approval. Pursuant to Section 19.09.035 of the Monterey County Code, the appropriate decision making body may grant extension(s) not to cumulatively exceed two (2) years. If approved, the two year extension will reflect a beginning date of September 27, 2011 and will expire on September 26, 2013. Condition No. 4 has been amended to provide for preparation of the new or amended Land Conservation Contract or Contracts by the Office of the County Counsel and to provide for RMA Planning Department and Department of Public Works review of the revised legal description or descriptions for compliance with the approved Lot Line Adjustment. Conditions which previously required and/or referenced the preparation of a Record of Survey and recordation of a Grant Deed have been eliminated and/or replaced with conditions and/or condition language which require unconditional Certificates of Compliance and/or which reference said Certificates of Compliance for condition compliance timing purposes.

The September 27, 2007 Staff Report (Attachment B) and Board of Supervisors Resolution No. 07-0340 (Attachment A) have been attached for reference purposes. To facilitate a Lot Line Adjustment of Williamson Act lands, California Government Code Section 51257 requires that the land owner and the Board of Supervisors enter into a new Contract or Contracts as applicable to the reconfigured parcels. In addition, Government Code Section 51257 sets forth the statutory findings which must be made by the Board for a Lot Line Adjustment of Williamson Act lands. There is no new information or any changes in physical circumstances that would alter the findings and evidence for the original approval. Therefore, there are no changes to the statutory findings adopted by the Board pursuant to Board of Supervisors Resolution No. 07-340.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project and submitted comments that have been incorporated into the Conditions:

- RMA - Public Works Department
- Environmental Health Bureau
- Water Resources Agency
- CDF South County Fire Protection District

FINANCING:

The subject property is currently under Land Conservation Contract No. 04-007. The proposed extension of the approved Lot Line Adjustment will not reduce the assessed valuation of the subject property; and therefore, the proposed extension will not have an impact on the General Fund.

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This report was reviewed by Bob Schubert, Senior Planner

cc: Front Counter Copy; CDF South County; Public Works Department; Environmental Health Bureau; Water Resources Agency; Office of the County Counsel; Bob Schubert, Senior Planner; Lucy Bernal, LUT; Timothy Baldwin, Agent; Mike Novo, Director; Wanda Hickman, Planning Services Manager; Applicant/Owner (Michael and Vicky Wing); Agricultural Preserve Review Committee: Assessor-Recorder's Office - Gregg MacFarlane, Senior Agricultural Appraiser, RMA Planning - Steve Mason, Planner, Agricultural Commissioner's Officer - Dawn Mathes, Ag Program Manager, Office of the County Counsel - Mary Grace Perry, Deputy County Counsel; The Open Monterey Project; LandWatch; Project File PLN2110514

Attachments:

Attachment A September 25, 2007 Board of Supervisors Resolution No. 07-340
Attachment B September 25, 2007 Board of Supervisors Staff Report
Attachment C Proposed Resolution with attached Condition Compliance Matrix
Attachment D Vicinity Map