



County of Monterey

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

Board Report

File #: RES 19-097, **Version:** 1

PLN180205 - The Jerry and Suzanne Rava Family limited partnership and Jerry J. Rava II, trustee of the Jerry J. Rava II trust dated August 19, 1994
Public hearing to consider a Lot Line Adjustment between two (2) legal lots of record currently under Williamson Act Contract of 607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) into two (2) resulting lots of 434.1 acres (Parcel A) and 440.8 acres (Parcel B).

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

Project Location: South of Wildhorse Canyon Road, near King City (Assessor's Parcel Numbers 420-091-020-000 and 420-091-030-000) and at 51173 Freeman Flat Road, King City (Assessor's Parcel Number 420-091-031-000), Central Salinas Valley 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 two (2) legal lots of record of 607.8 acres (Parcel 1) and 267.1 acres (Parcel 2) into two (2) resulting lots of 434.1 acres (Parcel A) and 440.8 acres (Parcel B) under Williamson Act Agricultural Preserve Land Conservation Contract (AGP) Nos. 68-016 and 93-011 established by County Board of Supervisors Resolution Nos. 68-56-16 and 92-35, with a net decrease in acreage to AGP 68-016 (Parcel A) and equal net increase in acreage to AGP 93-011 (Parcel B); and
- c. Authorizing the Chair to execute a new or amended Land Conservation Contract or Contracts in order to rescind a portion of the existing Land Conservation Contracts 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 JERRY and SUZANNE RAVA FAMILY LIMITED PARTNERSHIP and Jerry J. Rava II, Trustee of The Jerry J. Rava II Trust dated August 19, 1994, 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: 420-091-020-000, 420-091-030-000 and 420-091-031-000

Zoning: PG/40 and F/40

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

SUMMARY/DISCUSSION:

The subject Lot Line Adjustment will reconfigure two (2) existing legal lots of record totaling approximately 874.9 acres, resulting in two (2) lots. The current use of the properties is grazing and row crop. The applicant intends to continue the

grazing and row crop uses. These two (2) uses are 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 uses are also compatible with the applicable Williamson Act Agricultural Preserve Land Conservation Contract No. 68-016 (Document No. G05563, Reel 545, Pages 519-534) established by Board of Supervisors Resolution No. 68-56-16 dated February 29, 1968 and Williamson Act Agricultural Preserve Land Conservation Contract No. 93-011 (Document No. 08307, Reel 2904, Pages 1481-1493) established by Board of Supervisors Resolution No. 92-35 dated February 2, 1993.

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 | | |
| 420-091-020-000 | | |
| 420-091-030-000 | 607.8 ac | PG/40 and F/40 |
| Parcel 2 | | |
| 420-091-031-000 | 267.1 ac | PG/40 and F/40 |
| Total Project Area | 874.9 ac | PG/40 and F/40 |
| <u>Proposed Parcel</u> | <u>Proposed Size</u> | <u>Resultant Zoning</u> |
| Parcel A | 434.1 ac | PG/40 and F/40 (No Change) |
| Parcel B | 440.8 ac | PG/40 and F/40 (No Change) |
| Total Project Area | 874.9 ac | PG/40 and F/40 (No Change) |

As the table above shows, the current two (2) legal lots have a zoning designation of Permanent Grazing - 40-acre minimum (PG/40) and Farmland - 40-acre minimum (F/40). The proposed lot line configuration would result in two (2) lots, with similar lot acreages (400+ acres). The proposed Parcel A and B would 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 purpose of the proposed Lot Line Adjustment is to reconfigure the property boundaries to have all the row crop farming areas currently located on Parcel 1 and 2 be located within proposed Parcel B and to have all the grazing lands currently located on Parcel 1 be located within proposed Parcel A. The reconfiguration is consistent with the Board adopted list of compatible uses and the applicable Williamson Act Contracts (AGP Nos. 68-016 and 93-011).

The proposed lot configuration would produce a superior parcel configuration as it will allow all the row crop farming areas and the existing single family residence to be located within proposed Parcel A and all the grazing lands to be located within proposed Parcel B. The proposal would better facilitate the routine and ongoing agricultural activities of grazing and row crop 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 Adjustment as it is exclusively intended for agricultural purposes.

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 will reconfigure the lots with a net decrease of 173.7 acres to AGP 68-016 (Parcel A) and with an equal net increase of 173.7 acres to AGP 93-011 (Parcel B). Therefore, the Lot Line Adjustment would not result in a total net decrease in the amount of the acreage restricted under Williamson Act between the two proposed lots (Parcel A and B). All the lands under the existing contracts will remain under a new contract or contracts.

The proposed 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

AAC

The project was referred to the Agricultural Advisory Committee (AAC) for review on June 27, 2019. The AAC recommended approval of the project by a vote of 8-0 with one recusal.

FINANCING:

Funding for staff time associated with this project is included in the FY 2018-19 and FY 2019-2020 Adopted Budgets for RMA-Planning, Fund 001, Appropriation Unit RMA001.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Board of Supervisors FY 2018-19 and 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.

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, ext. 5334

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 - Draft Resolution, including;

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

Attachment B - Vicinity Map

Attachment C - Agricultural Preserve Land Conservation Contract Nos. 68-016 and 93-011

Attachment D - Board Resolution No. 00-462

cc: Front Counter Copy; Brandon Swanson, RMA Interim Chief of Planning, Craig Spencer, Interim 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; The JERRY and SUZANNE RAVA FAMILY LIMITED PARTNERSHIP and Jerry J. Rava II, Trustee of The Jerry J. Rava II Trust dated August 19, 1994, Property Owners; The Open Monterey Project (Molly Erickson); LandWatch (Director); Project File PLN180205