



County of Monterey

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

Board Report

File #: RES 23-064, **Version:** 1

Public hearing to consider adoption of a resolution to:

- a. Find the project Categorically Exempt pursuant to Section 15305(a) of the California Environmental Quality Act (CEQA) Guidelines, and there are no exceptions pursuant to Section 15300.2 of the CEQA Guidelines;
- b. Approve a Lot Line Adjustment between four legal lots of record (under Farmland Security Zone Contract No. 68-016 and 93-011): Parcel 1 (160.0 acres), Parcel 2 (24.6 acres), Parcel 3 (692.2 acres) and Parcel 4 (440.0 acres), resulting in four lots containing 123.5 acres [Adjusted Parcel 1 (C)], 730.1 acres [Adjusted Parcel 2 (B)], 303.2 acres [Adjusted Parcel 3 (A)], and 160 acres [Adjusted Parcel 4 (D)], with no net change in acreage under the Williamson Act Contract;
- c. Authorize the Chair to execute a new or amended Land Conservation Contract(s) 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 for the reconfigured lots between the County and the property owners reflecting the new legal description, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- d. Direct the Clerk of the Board to file the Lot Line Adjustment Map with the County Recorder for recording with all applicable recording fees paid by the Property Owner in conformance with the attached Lot Line Adjustment map.

Proposed CEQA Action: Categorically Exempt per Section 15305(a) of the CEQA Guidelines

Project Location: 51701 & 51983 Freeman Flat Road, King City, Central Salinas Valley Area Plan

RECOMMENDATION:

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

- a. Find the project Categorically Exempt pursuant to Section 15305(a) of the California Environmental Quality Act (CEQA) Guidelines, and there are no exceptions pursuant to Section 15300.2 of the CEQA Guidelines;
- b. Approve a Lot Line Adjustment between four legal lots of record (under Farmland Security Zone Contract No. 68-016 and 93-011): Parcel 1 (160.0 acres), Parcel 2 (24.6 acres), Parcel 3 (692.2 acres) and Parcel 4 (440.0 acres), resulting in four lots containing 123.5 acres [Adjusted Parcel 1 (C)], 730.1 acres [Adjusted Parcel 2 (B)], 303.2 acres [Adjusted Parcel 3 (A)], and 160 acres [Adjusted Parcel 4 (D)], with no net change in acreage under the Williamson Act Contract;
- c. Authorize the Chair to execute a new or amended Land Conservation Contract(s) 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 for the reconfigured lots between the County and the property owners reflecting the new legal description, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- d. Direct the Clerk of the Board to file the Lot Line Adjustment Map with the County Recorder for recording with all applicable recording fees paid by the Property Owner in conformance with the attached Lot Line Adjustment map.

PROJECT INFORMATION:

Owner: Rava Jerry J II TR and Jerry & Suzanne Rava Family Limited Partnership and Nino Family LP

Agent: Lynn Kovach

Project Location: 51701 & 51983 Freeman Flat Road, King City

Assessor's Parcel Numbers: 420-101-006-000, 420-101-007-000, 420-101-004-000, 420-101-005-000, 420-101-003-000, 420-091-033-000, 420-091-034-000, 420-091-032-000, 420-091-029-000, 420-091-038-000, 420-091-031-000, 420-091-039-000, and 420-091-040-000.

Plan Area: Central Salinas Valley Area Plan

Flagged and Staked: No

SUMMARY/DISCUSSION:

The project is located at 51701 & 51983 Freeman Flat Road, King City, Central Salinas Valley Area Plan and involves a lot line adjustment between four parcels totaling 1,316.8 acres. These parcels are split zoned Farmland, 40 acres per unit [F/40], and Permanent Grazing, 40 acres per unit [PG/40]. The current uses of the properties are cattle grazing, row crop farming and single family residences (one on Parcel 1 and one on Parcel 4). Currently, portions of Parcel 3 and the southern portion of Parcel 4 are under Williamson Act Agricultural Preserve and Land Conservation Contract (AGP) No. 93-011. The northern remainder of Parcel 4, not included in the 1993 Agricultural Preserve Land Contract is under Farmland Security Zone Contract (FSZC) No. 68-016. Parcels 1 and 2 are not under Williamson Act Contracts.

Pursuant to California Government Code Section 66412(d), Government Code Section 51257 and Monterey County Code Section 19.09.005, the applicant proposes a lot line adjustment between four legal lots of record, consisting of the following existing and proposed configuration:

Before Adjustment:

Parcel 1: 160 acres

Parcel 2: 24.6 acres

Parcel 3: 692.2 acres

Parcel 4: 440 acres

Total: 1,316.8 acres

After Adjustment:

Parcel C (Adjusted Parcel 1): 123.5 acres

Parcel B (Adjusted Parcel 2): 730.1 acres

Parcel A (Adjusted Parcel 3): 303.2 acres

Parcel D (adjusted Parcel 4): 160 acres

Total: 1, 316.8 acres

The Lot Line Adjustment does not include any changes to the existing land/agricultural uses or any development of structures. The existing agricultural uses and single-family residences are to remain and are consistent with the applicable agricultural zoning designations. The purpose for the proposed lot line adjustment is to better conform to surrounding topography and the Williamson Act Contract boundaries. The adjusted boundaries will better achieve current overall agricultural operations and improve agricultural operation efficiency.

To facilitate a lot line adjustment of Williamson Act Lands, pursuant to Government Code Section 51257 and 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 or Council 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.
- (a) Nothing in this section shall limit the authority of the board or council to enact additional conditions or restrictions on lot line adjustments.
- (c) Only one new contract may be entered into pursuant to this section with respect to a given parcel, prior to January 1, 2004.

(Amended by Stats. 2012, Ch. 128, Sec. 1. (AB 2680) Effective January 1, 2013.)

The Monterey County Agricultural Advisory Committee, at a public meeting on January 26, 2023, recommended approval and supported the lot line adjustment as proposed. All required findings to process the Williamson Act lot line adjustment are included in **Attachment A** (Draft Resolution).

OTHER AGENCY INVOLVEMENT:

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

- Environmental Health Bureau
- South County Fire Protection District
- Office of the County Counsel

FINANCING:

Funding for staff time associated with this project is included in the FY2022-23 Adopted Budget within Community Development General Fund 001, Appropriation Unit HCD002, Unit 8543.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our HCD customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources.

Check the related Board of Supervisors Strategic Initiatives:

- X Economic Development
- X Administration
 - Health & Human Services
 - Infrastructure
 - Public Safety

Prepared by: Fionna Jensen, Senior Planner, ext. 6407

Reviewed and Approved by: Craig Spencer, AICP, Acting HCD Director

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

Attachment A - Draft Resolution with:

- Recommended Conditions of Approval
- Lot Line Adjustment Map

Attachment B - Vicinity Map

Attachment C - Williamson Act Agricultural Preserve and Land Conservation Contract (AGP) No. 93-011

Attachment D - Farmland Security Zone Contract (FSZC) No. 68-016

cc: Front Counter Copy; Erik Lundquist, Director of Housing & Community Development; Fionna Jensen, Senior Planner; Mary Grace Perry, (Agricultural Preservation Review Committee - Mary Grace Perry, Deputy County Counsel, Agricultural Commissioner's Office, Nadia Garcia, Management Analyst III, Assessor-Recorder's Office, Gregg MacFarlane, Supervising Appraiser; Kayla Nelson, Associate Planner); Craig Spencer, HCD Chief of Planning; Lynn Kovach, Agent; Rava Jerry J II TR and Jerry & Suzanne Rava Family Limited Partnership and Nino Family LP, Property Owners; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN210153