



County of Monterey

Item No.11

Board Report

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PLN250191 - FRANSCIONI ERMA A TR ET AL and JACKSON FAMILY INVESTMENTS LLC

Public Hearing to consider a Lot Line Adjustment between four parcels containing 57.62 acres (Parcel C - Assessor's Parcel Number (APN) 216-023-014-000); 66.24 acres (Parcel A - APN 216-023-015-000); 53.90 acres (Parcel B - APN 216-023-017-000); and 167.89 acres - APN 216-023-006-000). The adjustment would result in four parcels containing 56.08 acres (adjusted Parcel C); 59.38 acres (adjusted Parcel A); 60.195 acres (adjusted Parcel B); and 169.96 acres (adjusted Parcel D). Parcels A, B and C contain 177.76 acres total and are subject to Williamson Act Farmland Security Zone Contracts. As proposed, adjusted parcels A, B, and C will contain a total of 175.655 acres with these three adjusted parcels to remain under a new or amended Williamson Act Farmland Security Zone Contract. Parcel D is not subject to a Williamson Act contract.

Project Location: 32070, 32080, 32176, and 32721 River Road, Soledad, CA 93960

Proposed CEQA Action: Find that the minor Lot Line Adjustment qualifies for a Class 5 Categorical Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines (Guidelines)w, section 15305 and that the revisions to the open space contracts under the Williamson Act qualify the project for a Class 17 Categorical Exemption pursuant to Guidelines section 15317, and there are no exceptions pursuant to Guidelines section 15300.2

RECOMMENDATION:

It is recommended that the Board of Supervisors:

1. Find that the minor Lot Line Adjustment qualifies for a Class 5 Categorical Exemption from CEQA under Guidelines section 15305, that the revisions to the open space contracts under the Williamson Act qualify the project for a Class 17 Categorical Exemption pursuant to Guidelines section 15317, and there are no exceptions pursuant to Guidelines section 15300.2;
2. Approve a Lot Line Adjustment between four parcels containing 57.62 acres (Parcel C - Assessor's Parcel Number (APN) 216-023-014-000); 66.24 acres (Parcel A - APN 216-023-015-000); 53.90 acres (Parcel B - APN 216-023-017-000); and 167.89 acres - APN 216-023-006-000). The adjustment would result in four parcels containing 56.08 acres (adjusted Parcel C); 59.38 acres (adjusted Parcel A); 60.195 acres (adjusted Parcel B); and 169.96 acres (adjusted Parcel D).
3. Authorize the Chair of the Board to execute a new or amended Farmland Security Zone Contract rescinding a portion of the existing Farmland Security Zone Contract No. 2012-007 and No. 2012-008 (Board of Supervisors Resolution No. 00-462) to reflect the newly reconfigured parcels, and simultaneously execute a new or amended Farmland Security Zone Contract between the County and Gary Franscioni, reflecting the new legal description and current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural

Board of Supervisors
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Preserve Policies or Procedures; and

4. Direct the Clerk of the Board to record the new or amended contracts with corresponding recording fees to be paid by the property owners.

SUMMARY:

Property owners Gary Franscioni and Jackson Family Investments LLC propose to adjust the boundaries between four lots west of River Road outside of the City of Gonzales. As stated in the application, the purpose of the Lot Line Adjustment is to align the parcels with the current agricultural use of the land. Three of the properties (Parcels A, B, and C) are owned by Franscioni and are subject to existing Williamson Act Contracts. The fourth parcel (Parcel D) is owned by Jackson Family Investments, LLC and is not subject to a Williamson Act contract. Adjusting the boundaries, size, shape and legal description of the properties under Williamson Act triggers the need to amend the Williamson Act contracts on the land. This action includes both the Lot Line Adjustment and amendments to the Williamson Act contracts.

This Lot Line Adjustment will transfer less than 10 acres between the 4 lots resulting in similar lot sizes and configurations. All properties are over 50 acres in size and will remain over 50 acres as adjusted. No new lots will be created. HCD staff has reviewed the proposed Lot Line Adjustment and found it consistent with the applicable policies.

DISCUSSION:

Williamson Act Requirements

On December 12, 2000, pursuant to Board of Supervisors Resolution No. 00-462, the Board found and declared that:

...as long as Government Code Section 51257 remains in effect, no proposed Lot Line Adjustment involving land under agricultural preserve contract pursuant to the Williamson Act shall be approved unless all of the findings enumerated in Government Code Section 51257 are made by the Board of Supervisors with respect to the agricultural preserve parcels proposed to be adjusted. (Board Resolution No. 00-462). (**Attachment F**).

To facilitate a Lot Line Adjustment of Williamson Act Lands, Government Code section 51257 provides:

51257.

(a) To facilitate a Lot Line Adjustment, pursuant to subdivision (d) of Section 66412 [...], 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.

(b) 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.

Proposed findings pursuant to Government Code section 51257 are included in **Attachment A** - Draft Resolution and summarized below.

Pursuant to Government Code section 51257(a)(1), Parcels A, B, and C of the Lot Line Adjustment will be subject to a new or amended contract which will enforceably restrict the adjusted boundaries of the adjusted parcels for an initial term for at least as long as the unexpired term of the rescinded contract. Government Code Section 51257(a)(2) requires that there is no net decrease in the amount of the acreage restricted. However, following the adjustment there will be a 9.78 acre decrease in the amount of acreage restricted pursuant to Farmland Security Zone Contract No. 00-011.

Pursuant to Government Code section 51257(a)(3), Lot Line Adjustments involving land under Williamson Act Contract must meet the finding that 90 percent of the originally contracted acreage remains under the new contract. After the Lot Line Adjustment, at least 90 percent of the land under the former contract will remain under the new or amended contract.

Parcels A, B and C contain 177.76 acres total and are subject to Williamson Act Farmland Security Zone Contracts. Ninety percent (90%) of 177.76 acres is approximately 160 acres. As proposed, adjusted parcels A, B, and C will contain a total of 175.655 acres the amended Williamson Act Farmland Security Zone Contract. Parcel D is not subject to a Williamson Act contract currently and will not be subject to a new or amended contract as part of this project.

Pursuant to Government Code section 51257(a)(4), adjusted Parcels A and C which will remain subject to Farmland Security Zone Contract No. 2012-007 as amended, and adjusted Parcel C which will remain subject to Farmland Security Zone Contract No. 2012-008 as amended, will all be large enough to sustain agricultural use, as defined in Government Code section 51222. which provides as indicated below:

51222. The Legislature further declares that it is in the public interest for local officials and landowners to retain agricultural lands which are subject to contracts entered into pursuant to this act in parcels large enough to sustain agricultural uses permitted under the contracts. For purposes of this section, agricultural land shall be presumed to be in parcels large enough to sustain their agricultural use if the land is (1) at least 10 acres in size in the case of prime

agricultural land, or (2) at least 40 acres in size in the case of land which is not prime agricultural land.

The smallest parcel resulting from the Lot Line Adjustment would be more than 56 acres in size. Additionally, the purpose of the Lot Line Adjustment is to reflect the agricultural uses already occurring on the property.

Pursuant to Government Code section 51257(a)(5), the Lot Line Adjustment will not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts. All parcels are actively farmed and only Parcel B has two structures on it. Pursuant to Government Code Section 51257(a)(6), the Lot Line Adjustment is not likely to result in the removal of adjacent land from agricultural use. The Franscioni Living Trust has historically grown their wine vineyards along the property line of the Jackson Family Investments III LLC property and intends to continue their farming operation. The purpose of the proposed Lot Line Adjustment is to move the existing property line of Parcel 1 resulting in a transfer of acreage to Parcel 2 to be consistent with current farming operations.

Pursuant to Government Code section 51257(a)(7), the Lot Line Adjustment will 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. Four parcels exist currently, and four parcels will exist after this Lot Line Adjustment. As noted on the Lot Line Adjustment Map, portions of the two parcels lie within the floodplain of the Salinas River which bisects Parcel 1 (**Attachment A, Exhibit 2). Monterey County Code:**

The 2010 Monterey County General Plan, Policy LU-1.16, provides that lot line adjustments between or among lots that do not conform to minimum parcel size standards may be allowed if the resultant lots are consistent with all other General Plan policies, zoning, and building ordinances and the Lot Line Adjustment would:

- (c) resolve a boundary issue between or among affected owners,
- (g) better achieve the goals, policies and objectives of the General Plan and,
- (h) facilitate Routine and Ongoing Agricultural activities.

This project does conform to the minimum parcel size in the Farmland, 40-acre minimum (F/40) zoning district. Jackson Family Investments III LLC has allowed The Franscioni Living Trust to grow their vineyards on a total of 177.76 acres of land adjacent to the Salinas River which is in the Floodway Zone "AE" according to the Flood Insurance Rate Map Community Panel (No. 06053C0360G) dated April 2, 2009, but the subject parcels are not within the flood zone themselves. The proposed Lot Line Adjustment would resolve a boundary issue between Jackson Family Investments III LLC and the Franscioni Living Trust farming operations (LU-1.16(c)). No additional development is proposed with this lot line adjustment.

OTHER AGENCY INVOLVEMENT:

The agencies have reviewed the project, had no comments, and/or had no recommended conditions.

The Office of the County Counsel shall prepare a new or amended contract reflecting the changes to existing Farmland Security Zone Contracts No. 2012-007 and No. 2012-008 as it applies to the reconfigured Williamson Act parcels. The County Surveyor, and the Assessor's Office will review the legal descriptions for accuracy upon receipt from the Applicants.

ADVISORY COMMITTEE:

The proposed project was reviewed by the Agricultural Advisory Committee (AAC) on November 20, 2025. The AAC unanimously recommended approval of the project without concerns by a vote of 7-0 with 4 members absent (**Attachment C**).

FINANCING:

Funding for staff time associated with this project is included in the FY2025-26 Adopted Budget for Housing and Community Development, General Fund 001, Appropriation Unit HCD002, Unit 8543. Recording fees for new or amended Williamson Act contracts will be the responsibility of the property owners.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

The project aligns with Board of Supervisors Strategic Plan Goals A and B: Well-being and quality of life, and sustainable infrastructure for the present and future. The proposed lot line adjustment strives to provide consistency in agricultural usage of fields to prevent future potential negative impacts to the lands agricultural use or the overall quality of life for residents. It also enables the development of safe and resilient communities in its economic growth while further adhering to the requirements of the Williamson Act.

Mark a check to the related Board of Supervisors Strategic Plan Goals:

- Well-Being and Quality of Life
- Sustainable Infrastructure for the Present and Future
- Safe and Resilient Communities
- Diverse and Thriving Economy

Link to the Strategic Plan:

[<https://www.countyofmonterey.gov/home/showdocument?id=139569>](https://www.countyofmonterey.gov/home/showdocument?id=139569)

Prepared by: Jordan Evans-Polockow, Assistant Planner, x7065

Approved by: Craig Spencer, Director of Housing and Community Development

This report was reviewed by Mary Grace Perry, Deputy County Counsel, Office of the County Counsel.

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

Attachment A - Draft Resolution

Exhibit 1 - Recommended Conditions of Approval

Exhibit 2 - Lot Line Adjustment Map

Attachment B - Vicinity Map

Attachment C - Farmland Security Zone Contract No. 2012-007 (Board of Supervisors Resolution No. 00-462)

Attachment D - Farmland Security Zone Contract No. 2012-008 (Board of Supervisors Resolution No. 00-462)

Attachment E - Board Resolution No. 00-462

cc: Front Counter Copy; Gonzales Rural Fire Protection District; Environmental Health Bureau; Agricultural Commissioner's Office; Jordan Evans-Polockow, Planner; Craig Spencer, Director of Housing and Community Development; Agricultural Preservation Review Committee - Gregg Macfarlane, Assistant Assessor-Valuation, Assessor-Recorder's Office, Nadia Ochoa, Management Analyst, Agricultural Commissioner's Office, Mary Grace Perry, Deputy County Counsel, Office of the County Counsel; Franscion Living Trust and Jackson Family Investments III LLC, Property Owners; Lynn Kovach, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN250191