

# Attachment A

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## **DRAFT RESOLUTION**

### **Before the Board of Supervisors in and for the County of Monterey, State of California**

In the matter of the application of:

**PEDRAZZI (PLN210158)**

#### **RESOLUTION NO. 25-**

Resolution by the Monterey County Board of  
Supervisors:

- 1) Adopting a Mitigated Negative Declaration (State Clearinghouse No. 2025040702) pursuant to California Code of Regulations (CCR) Section 15074 of the California Environmental Quality Act (CEQA) Guidelines;
- 2) Approving a Standard Subdivision Tentative Map to allow division of a 378.19-acre parcel and 38.54-acre parcel under Williamson Act Agricultural Preserve Land Conservation Contract No. 73-12, and a 5.76-acre parcel not under contract into six parcels ranging in size from Parcel A consisting of 11.08 acres, Parcel B consisting of 42.52 acres, Parcel C consisting of 69.30 acres, Parcel D consisting of 88.27 acres, Parcel E consisting of 40.04 acres and Remainder Parcel F consisting of 174.49 acres, respectively;
- 3) Adopting a Condition Compliance and Mitigation Monitoring and Reporting Plan;
- 4) Authorizing the Chair of the Board to execute a new or amended Agricultural Preserve Land Conservation Contract No. 73-12 (Board of Supervisors Resolution No. 73-34-12) to reflect the newly reconfigured Williamson Act Parcels A through F, and simultaneously execute a new or amended Agricultural Preserve Land Conservation Contract, reflecting the new legal descriptions and current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- 5) Directing the Clerk of the Board to record the new or amended contract or contracts subject to the submittal of corresponding

recording fees by the property owners of record.

[PLN210158, 1990 Agnes Pedrazzi Revocable Trust u/d/t dated April 6, 1990, and 1993 Pedrazzi Revocable Trust u/d/t dated December 3, 1993, 800 and 808 River Road, Salinas, Toro Area Plan, Agricultural Winery Corridor Plan, (Assessor's Parcel Numbers: 167-031-003-000, 416-461-037-000, and 416-441-015-000)]

**The PEDRAZZI application (PLN210158) came on for a public hearing before the Board of Supervisors of the County of Monterey on June 24, 2025, and was continued to August 19, 2025. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors of the County of Monterey finds and decides as follows:**

## **FINDINGS**

- 1. FINDING: CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
    - the 2010 Monterey County General Plan;
    - Toro Area Plan;
    - Agricultural and Winery Corridor Plan (AWCP);
    - Monterey County Subdivision Ordinance (Title 19); and
    - Monterey County Code (MCC) Zoning Ordinance (Title 21).No conflicts were found to exist. No communications were received during review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
  - b) The proposed project is for a Standard Subdivision Tentative Map for the division of three parcels consisting of a 378.19-acre parcel and 38.54-acre parcel under Williamson Act Land Conservation Contract No. 73-12 (established pursuant to Board of Supervisors Resolution No. 73-34-12, Agricultural Preserve and Land Conservation Contract No. 73-12), and a 5.76-acre parcel not under an existing contract, into six parcels ranging from 11.08 to 174.49 acres:
    - 1. Parcel A - 11.08 acres,
    - 2. Parcel B - 42.52 acres,
    - 3. Parcel C - 69.30 acres,
    - 4. Parcel D - 88.27 acres,
    - 5. Parcel E - 40.04 acres; and
    - 6. Remainder Parcel F -174.49 acres

All parcels are proposed to remain under an amended Williamson Act Contract with the inclusion of the 5.76 acres (Assessor's Parcel Number 416-461-037-000) that was not included in the original contract. The lands proposed for subdivision were court-ordered to be subdivided on March 29, 2013. The Order resulted from a judicial partition action filed

by one of the property owners. The subject property, comprised of ranchlands, farmlands, and potential farmlands, was ordered to be subdivided in response to the judicial partition action. The sole purpose of the partition and this proposed subdivision is to separate ownership of the lands. The court's Order does not contemplate nor authorize an application by the court-appointed Referee for any change in existing use or intensification of existing use. Should any of the property owners desire to change or intensify uses in the future, they would need to independently apply for the appropriate entitlement(s) to allow development incidental to the agricultural use of the property following the completion of the subdivision. See Finding No. 7 and supporting evidence.

- c) Lot Legality. The 378.19-acre parcel is shown in its current configuration as a portion of the Guadalupe Rancho described in Subdivision 1 in Map of Partition of a tract of land in adjoining Guadalupe Rancho filed July 9, 1913 (Volume 1 of Surveys, Page 79) of Monterey County Records. The 5.76-acre parcel was created as Lot 1 of Township 16 South and Range 4 East of Mount Diablo Base and Meridian of Section 7 as memorialized in the Corporation Grant Deed (Document No. 92377) in Reel 2890 Page 310 filed with the Monterey County Recorder's Office on December 29, 1992. The 38.54-acre parcel was created as Lot 6 of Township 16 South and Range 3 East of Mount Diablo Base and Meridian of Section 12 as a portion of Assessor's Parcel Number 416-441-015-000 under Certificate No. 16258 filed with the Bureau of Land Management on April 24, 1820. Therefore, these three parcels are recognized as legal lots of record.
- d) Allowed Use. The property is located at 800 and 808 River Road, Salinas, Toro Area Plan, AWCP (Assessor's Parcel Numbers: 167-031-003-000, 416-461-037-000, and 416-441-015-000). The parcels are zoned Permanent Grazing with a 40-acre minimum and Farmland 40-acre minimum with a Design Control and Visually Sensitive overlays or "F/40-D, PG/40-D, and PG/40-VS," which allows agricultural uses, development incidental to the agricultural use of the property, and subdivision of land with a minimum lot size of 40 acres. The project consists of subdividing 3 legal lots (378.19-acre parcel, a 38.54-acre parcel, and a 5.76-acre parcel) into 6 parcels (Parcel A consisting of 11.08 acres, Parcel B consisting of 42.52 acres, Parcel C consisting of 69.30 acres, Parcel D consisting of 88.27 acres, Parcel E consisting of 40.04 acres and Remainder Parcel F consisting of 174.49 acres). Proposed Parcel A, which consists of 11.08 acres, was found to be inconsistent with the underlying zoning and land use regulations for the minimum 40-acre lot size. However, development standard policies within the AWCP allow for a 5-acre minimum meeting certain criteria associated with land use (see Finding No. 1, Evidence "i"). Therefore, the project is an allowed land use for this site.
- e) Subdivision. See Finding No. 6 and supporting evidence.
- f) Long-term Water Supply. See Finding No. 3, Evidence "b".
- g) Williamson Act. See Finding No. 7 and supporting evidence.
- h) Visual Sensitivity. The project is located in an area of visual sensitivity along River Road according to the Toro Scenic Highway Corridors and

Visual Sensitivity Map (Figure 16). However, the project does not propose to build any new structures as part of this application.

Therefore, the project was found to have no impact on visual resources.

- i) Agricultural and Winery Corridor Plan (AWCP). All three existing parcels are located within the Central/Arroyo Seco/River Road segment of the AWCP. Two of the parcels (Assessor's Parcel Numbers 167-031-003-000 and 416-441-015-000) are currently under Williamson Act Contract (Board of Supervisors Resolution No. 73-34-12, establishing Agricultural Preserve and Land Conservation Contract No. 73-12), which would allow the continued agricultural use under an amended contract after approval of the six-parcel subdivision.

During staff's review of the project, the proposed Parcel A (approximately 11 acres) was found to conflict with the existing underlying zoning for agricultural use because the parcel is under the 40-acre minimum. Pursuant to AWCP development standards, AWCP Policy 3.5 allows an exception for subdivision of land to a minimum of 5 acres (in zones requiring minimum larger lot sizes), subject to meeting strict AWCP requirements. Staff reviewed the project in relation to the AWCP and found proposed Parcel A's size (approximately 11 acres) to be consistent with the AWCP's overall intent for development of agricultural and winery-related uses within specific County areas. Applying mitigated Conditions of Approval to the project addressing the AWCP, a recommendation can be made for approval of the proposed subdivision, including the 11-acre Parcel A. See Finding No. 7 and supporting evidence.

- j) Agricultural Advisory Committee (AAC) Review. On August 24, 2023, the project was referred to the AAC pursuant to 2010 General Plan Policy AG-1.8. The policy requires that development projects on lands designated for agricultural use that require a discretionary permit shall be referred to the County's AAC for their review and recommendation to the decision-making body. The committee members unanimously recommended approval of the project without any conditions by vote of 8-0 with 3 members absent.
- k) Toro Land Use Advisory Committee (LUAC) Review. The project was referred to the Toro LUAC pursuant to the Board of Supervisors adopted LUAC Guidelines for projects requiring a public hearing. On October 23, 2023, the committee members unanimously recommended approval of the project without any changes by vote of 6-0 with 2 members absent.
- l) The project planner conducted a site inspection on February 13, 2024, to verify that the project on the subject parcel conforms to the plans listed above.
- m) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN210158.

**2. FINDING: SITE SUITABILITY** – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau (EHB), Agricultural Commissioner's Office, and Monterey County Regional Fire Protection District (FPD). County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
  - b) The topography of the three existing parcels ranges from flat and slightly sloped grazing land to heavily steep slopes exceeding 30 percent. Existing structural development includes an approximately 2,300 square foot single family dwelling (House 1) with a 2,300 square foot detached garage, a 1,500 square foot single family dwelling (House 2), a 9,200 square foot barn (Barn 1), a 4,300 square foot barn (Barn 2), a 2,300 square foot storage building (Building 1), a 3,200 square foot storage building (Building 2), and 2,400 square foot storage building (Building 3). The land consists of oak woodland and grassland, which are utilized for cattle grazing. Therefore, the property is suitable for the allowed agricultural use of the land.
  - c) The proposed Agricultural Subdivision into five parcels and a remainder parcel of no less than 40 acres each could result in up to 15 total residences (three residences per 40-acre parcel) accessory to agricultural uses under the F/40 and PG/40 zoning districts. Furthermore, the 40-acre minimum presumes the continued agricultural use of the land, and that the allowable residential development is considered an accessory to the agricultural use. In addition, the approximately 423 acres under Williamson Act Contract would be limited to residential development that supports the agricultural operations.

Any specific proposal for future residential uses on the resulting parcels would be required to undergo site-specific environmental review, where a meaningful evaluation of potential impacts could be made. Typical impacts of rural development at this density involve water wells and wastewater systems, both of which are regulated by State law as well as County standards. Therefore, the project would result in less than significant impacts on the density of development.

- d) There is no site disturbance, grading, tree removal, or structural development as part of this project application. The majority of the subject property is currently under a Williamson Act Contract and will remain in agricultural operation after approval of the subdivision. Additionally, the property's back portion (proposed remainder Parcel F) consists of oak woodland, which will be preserved, remain undeveloped, and not proposed for rezoning to a residential zoning district. Therefore, no biological or other natural resource impacts are anticipated, and the project site is suitable for the proposed Agricultural Subdivision. See Finding Nos. 6 and 7 with supporting evidence.
- e) Staff conducted a site inspection on February 13, 2024, to verify that the site is suitable for this use.

- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN210158.

**3. FINDING:**

**HEALTH AND SAFETY** – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the Housing and Community Development Department (HCD)-Planning, HCD-Engineering Services, HCD-Environmental Services, Health Department - Environmental Health Bureau (EHB), Agricultural Commissioner's Office, and the Monterey County Regional Fire District (MCRFD). The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) The property is currently served by a natural spring box water system located on proposed Parcel F, approximately one mile from the two single family dwellings (proposed Parcels A and B) that support the existing on-site residential and agricultural uses. The natural spring is considered groundwater under the direct influence of surface water. The existing water supply was found to be out of compliance with EHB's water quality standards for small water systems pursuant to Monterey County Code (MCC) Chapters 15.04 – Domestic Water Systems and 15.08 – Water Wells. The project includes Conditions of Approval to bring the current water system into compliance with local and State regulations to ensure water quality and wastewater discharge are addressed prior to Parcel Map recordation.

On July 12, 2023, water quality results were submitted to EHB, which demonstrated that E. coli and total coliform bacteria were no longer present in the current water supply. However, disinfection is required for the small water system since the main source of water is a natural spring. The treatment submittal received by EHB Drinking Water Protection Services (DWPS) for an ozone treatment system was revised to include a residual in the disinfection process (chlorinator). DWPS advised that the water system is feasible and will work with the applicant to satisfy the chlorinator and water system conditions prior to filing the Final Map. EHB applied a standard deed restriction for Parcel F (Condition of Approval No. 13), which requires the project to install a chlorinator on the distribution system prior to the use of a water tank and any domestic service connections. Additionally, the project includes a standard new water system permit application (Condition of Approval No. 11), along with the establishment of well lots and water system easements (Condition of Approval No. 12) prior to filing the Final Map.

- c) The site is currently served by an on-site wastewater treatment system (OWTS). The proposed project will be required to comply with EHB's



non-standard deed restriction for map recordation of an Agricultural Subdivision onsite wastewater disposal (Condition of Approval No. 9), and potable water system (Condition of Approval No. 10), which deed restricts Parcels C, D, and E, and notifies future potential buyers that the parcels created from this subdivision are not guaranteed to have a viable site for an OWTS or water system to serve future development. All future development would be required to undergo a separate review for a potable water source and wastewater disposal system.

- d) In October 2021, the property owner of proposed Parcel A submitted a well application on file with EHB (Permit No. 21-13551). The proposed well would provide an additional water source for agricultural irrigation and domestic use with an anticipated rate of 800 gallons per minute (GMP). The proposed well would serve the existing domestic and agricultural uses onsite but will be located closer to Parcel A's existing single family dwelling. As mentioned previously, this subdivision does not propose any new structural development or changes in the current land use.

Additionally, the property is located within the Salinas Valley groundwater basin which includes the 180/400-foot aquifer subbasin within the designated benefit assessment Zone 2C (Board of Supervisors, Resolution No. 03-017) for the Salinas Valley Water Project (SVWP). The Monterey County Water Resources Agency (MCWRA) is responsible for managing the groundwater basins and groundwater recharge areas within the County.

On October 26, 2021, the well application was reviewed by MCWRA, and comments were submitted to EHB for consideration. The MCWRA requires that the well construction design be approved once the MCWRA has completed a review of the geophysical and lithologic logs for the new well. Additionally, any abandoned wells on the property shall be destroyed in accordance with the procedures outlined in Bulletin 74-81, Water Well Standards: State of California of the California Department of Water Resources (DWR) and its subsequent updates. The Well Completion Report (DWR Form 188) shall include the depth to "first" water below the surface expressed in feet, and the "static" water level depth after the well is drilled and a pump test is completed to determine the source capacity of the water supply.

- e) Staff conducted a site inspection on February 13, 2024, to verify that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN210158.

- 4. FINDING:** **NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County HCD-Planning and HCD-Building Services records and are not aware of any violations existing on the subject property.
  - b) Staff conducted a site inspection on February 13, 2024, and researched County records to assess if any violation exists on the subject property.
  - c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN210158.

**5. FINDING:** **CEQA (Mitigated Negative Declaration)** – On the basis of the whole record before the County of Monterey, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, would have a significant effect on the environment. The Mitigated Negative Declaration (MND) reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Pursuant to Public Resources Code Section 21083, and California Code of Regulations (CCR) Sections 15063(a) and 15063(b)(2) of the California Environmental Quality Act (CEQA) Guidelines, the Lead Agency shall conduct environmental review in the form of an Initial Study to determine if the project may have a significant effect on the environment, and shall prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.
  - b) The County prepared an Initial Study pursuant to the CEQA Guidelines. The Initial Study (IS) is on file in the offices of HCD-Planning and is hereby incorporated by reference (HCD-Planning File No. PLN210158).
  - c) There is no substantial evidence, based upon the whole record, that the project may have a significant effect on the environment. The IS identified a few potentially significant effects. Based upon the analysis of the IS, HCD-Planning prepared a draft MND. The applicant has agreed to the proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
  - d) The IS and draft MND for HCD-Planning File No. PLN210158 was prepared in accordance with CEQA Guidelines; filed with the County Clerk on April 14, 2025; and circulated for public review from April 14 through May 14, 2025, with the State Clearinghouse (SCH), a division of the Governor's Office of Land Use and Climate Innovation, which coordinates the State-level review of Environmental Documents prepared Pursuant to CEQA (State Clearinghouse No. 2025040702).
  - e) Pursuant to Public Resources Code Section 21080.3.1, HCD-Planning staff initiated consultation notification on May 10, 2024, with the Ohlone/Costanoan-Esselen Nation (OCEN). On May 14, 2024, OCEN requested consultation for the proposed project. During the consultation, OCEN expressed no issues with the proposed Agricultural Subdivision since the land is under a Williamson Act Land Conservation Contract and no new development is proposed at this time. If development is to occur in the future, a site-specific archaeological report would be required in addition to obtaining the appropriate discretionary permit(s) from HCD-Planning.

- f) Resource areas that were analyzed in the IS/draft MND included: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, tribal cultural resources, utilities and service systems, and wildfire.
- g) Evidence that has been received and considered includes the application, technical studies/reports, staff reports that reflect the County's independent judgment, and information and testimony presented during tribal cultural consultation, public meetings, and public comment letters.
- h) The County identified no impacts to aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, mineral resources, noise, public services, recreation, transportation and traffic, tribal cultural resources, and wildfire.
- i) The County identified less than significant impacts to hydrology and water quality, land use and planning, population and housing, utilities and service systems. Mitigation measures will not be required for these resource areas because the regulatory environment for the project brings any potential impacts to a level of *less-than-significant*.
- j) The County identified potentially significant impacts to agricultural and forest resources. The IS and draft MND recommended two Mitigation Measures that would reduce the identified impacts to a level of *less-than-significant*. Mitigation Measures Nos. 1 and 2 (Condition Nos. 6 and 7) would reduce the potentially significant impacts to agricultural and forest resources by restricting all six parcels from future development for at least the next 10 years. Since the property is under a Williamson Act Agricultural Preserve Land Conservation Contract, the contract will automatically renew every January 1<sup>st</sup>, which adds an additional year to the 20-year term of the Contract unless a notice of nonrenewal is initiated by the County or by the property owners of record. If a notice of non-renewal is initiated by the County or the property owners of record, the property would remain subject to the new or amended Land Conservation Contract for another 19 years. See Finding No. 7, Evidence "b".
- k) The County received one comment on the IS and draft MND during the public review period from EHB in support of the project. County staff reviewed the comment received based on the specific circumstances of this project and determined that said comment does not alter the conclusions in the IS. Therefore, recirculation of the IS/MND was not warranted pursuant to CEQA Guidelines Section 15073.5.a and b.
- l) Analysis contained in the IS and the record as a whole indicates the project could result in changes to the resources listed in Section 753.5(d) of the CDFW regulations. The project is subject to a State filing fee plus the County recording fee. The IS was sent to the CDFW CEQA office for review and comment, and no written comments were received. The applicant will pay the State fee, but only the processing fee payable to the County of Monterey Clerk/Recorder for posting the Notice of Determination (Condition No. 3).

- m) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made Conditions of Approval. A Condition Compliance and Mitigation Monitoring and Reporting Plan has been prepared in accordance with the County of Monterey regulations which is designed to ensure compliance during project implementation and is hereby incorporated herein by reference. The applicant shall enter into an “Agreement to Implement a Mitigation and Monitoring and Reporting Plan” as a condition of project approval (Condition No. 4).
- n) The County of Monterey Board of Supervisors considered the MND, along with the Standard Agricultural Subdivision, at a duly noticed public hearing held on June 24, 2025.
- o) County of Monterey HCD-Planning, located at 1441 Schilling Place, 2<sup>nd</sup> Floor, Salinas, California, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the MND is based.

**6. FINDING:** **SUBDIVISION** – Section 66474 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the MCC requires that a request for subdivision be denied if any of the following findings are made:

- 1. That the proposed map is not consistent with the applicable General Plan and Specific Plans.
- 2. That the design or improvement of the proposed subdivision is not consistent with the applicable General Plan and Specific Plans.
- 3. That the site is not physically suitable for the type of development.
- 4. That the site is not physically suitable for the proposed density of development.
- 5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.
- 6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- 7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

**EVIDENCE:**

- a) Consistency. The project, as designed and conditioned, is consistent with the 2010 Monterey County General Plan, Toro Area Plan, and the AWCP (see Finding No. 1).
- b) Design. The lot design is consistent with the Lot Design Standards of MCC Section 19.10.030. All proposed lots will meet the minimum lot width and depth requirements. Section 19.10.030.B establishes minimum and maximum lot dimensions for newly created parcels unless they are created as part of a planned unit development. The minimum lot width required is 60 feet, and the minimum lot depth required is 85 feet, but no more than three times the width. All proposed lots of this Agricultural Subdivision were found to meet and exceed the minimum requirements for lot size.
- c) Site Suitability. The site is suitable for the proposed project, including the type and density of future development (see Finding No. 2).

- d) Environment. The Agricultural Subdivision design will not cause environmental damage to fish or wildlife habitat since no structural development is proposed for this project. Furthermore, the project area will remain under an amended Williamson Act Contract, and agricultural use of the site will remain unchanged (see Finding No. 5).
- e) Health and Safety. The proposed project, as designed and conditioned, will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County. See Finding No. 3 and supporting evidence.
- f) Water Supply. MCC Section 19.10.070 requires that provisions shall be made for a domestic water supply as may be necessary to protect public health, safety, or welfare, and that the source of supply is adequate and potable. MCC Sections 19.03.015.L and 19.07.020.K require Water Supply and Nitrate Loading Information in order to assess these conditions and prove that there is a long-term water supply with the project. See Finding No. 3, Evidence “b”.
- g) Sewage Disposal. MCC Sections 19.03.015.K and 19.07.020.J require that provisions be made for adequate sewage disposal. The proposed Agricultural Subdivision would not add any new structures or uses that would require increases to service from existing utility systems. Utilities required for the agricultural use of the site are already in place, and the proposed project would not generate additional demand nor warrant the expansion of the current infrastructure. The proposed subdivision would not contribute to any existing wastewater treatment facilities and would not generate an increase in solid waste. EHB reviewed the project and determined that wastewater feasibility studies would not be required, however, EHB has applied the requirement for deed restrictions to inform any future property owners that a wastewater feasibility study must be demonstrated prior to any new structural development beyond that required for the existing agricultural operation. See Finding 3, Evidence “c”.
- h) Easements. The Agricultural Subdivision will not conflict with existing road and utility easements. In 2023, the County of Monterey Public Works Department installed drainage off River Road located on proposed Parcel B. A non-standard condition was added to the project which requires dedication of the drainage easement on the parcel map to the County over the area within the existing drainage facilities (Condition of Approval No. 16). The land is and will remain under a Williamson Act Contract, which restricts future development. Therefore, no subdivision improvements will be required after project approval.
- i) Traffic. The subject property has existing access from River Road. The proposed Agricultural Subdivision involves the creation of six new parcels located on a relatively low-traffic County road. However, the project does not involve any new structural development or uses that would generate new traffic or increase the number of vehicle trips above the existing baseline (i.e., no change in roadway level of service is anticipated). The roadways in the immediate area are not at degraded levels of service, and the proposed project would not cause

any roadway or intersection level of service to be degraded. HCD-Engineering Services reviewed the proposed project and did not apply any Conditions of Approval related to traffic. Additionally, Regional and/or County traffic fees are not required for this project application.

- j) Affordable Housing. The project is subject to the County's Inclusionary Housing Ordinance, Number 5175, and General Plan Land Use Policy LU-2.13, which requires that the project contribute an in-lieu fee equal to 0.75 Affordable/Inclusionary Housing Units (Condition of Approval No. 8). The proposed Agricultural Subdivision would not displace, alter the location, distribution, or density of human population in the area in any significant way, or create a demand for additional or replacement housing. Therefore, the project would not result in impacts on existing housing or people since no new structural development is proposed.
- k) Parks and Recreation. Based on the review of County records and a site visit on February 13, 2024, the proposed project does not include any new development that would increase the use of existing recreational facilities that would cause substantial physical deterioration, nor create any demand for the construction of new recreation facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project. The project was reviewed by the County of Monterey Parks Department. Pursuant to Title 19 section 19.12.010.E(2), a deed restriction condition was added which requires the payment of a fee in-lieu of land dedication if the property owner requests building permits for the construction of a residential structure or structures on one or more of the parcels created by the subdivision within four years after the approval of the subdivision (Condition of Approval No. 15). Therefore, the proposed project would have no impacts related to recreation.
- l) Subdivision of Important Farmland. Forty-acre minimum parcels are a size recognized by the County of Monterey as large enough to preserve and maintain viable agricultural operations. In California, the Farmland Mapping and Monitoring Program (FMMP) produced the California Important Farmland (CIF) database in 2018. The main categories of farmland consist of Prime, Statewide Importance, Unique, and Local Importance Farmland, which are ideal for growing row crops. Pursuant to General Plan Policy AG-1.10, the County's Geographical Information System (GIS) uses this database to identify areas of farmland in the County. The County GIS also identifies Grazing Land, Other Land, Urban and Built-Up Land, as well as bodies of water. The 423-acre property predominantly contains Grazing Land where the active agricultural grazing operation is occurring; the rest of the property is classified as Other Land where steep terrain exists, along with two single family dwellings with supporting agricultural structures. The property does not contain any Prime Farmland and does not propose to convert any Farmland or Grazing Land to non-agricultural use.
- m) The project planner conducted a site inspection on February 13, 2024.

- n) The application, tentative map, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN210158.

**7. FINDING: SUBDIVISION ON LAND UNDER WILLIAMSON ACT CONTRACT** – The approximately 423-acre project area located southwest of River Road and is under a Williamson Act Land Conservation Contract (Board of Supervisors Resolution No. 73-34-12, Agricultural Preserve and Land Conservation Contract No. 73-12) and therefore subject to Section 66474.4 of the California Government Code (Subdivision Map Act) and County-adopted Rules and Regulations for the Administration of Agricultural Preserves. The project is required to meet the following findings:

- a. That the proposed map is consistent with the applicable General Plan policies and objectives.
- b. That the subdivision is consistent with the land use/zoning designation and minimum parcel size requirements of the zoning district.
- c. That the subdivision complies with County-adopted Rules and Regulations for the Administration of Agricultural Preserves (Board of Supervisors Resolution No. 03-383 – Procedures for Agricultural Preserves) because it has been demonstrated that:
  - i. Each parcel will be devoted to a qualifying agricultural use;
  - ii. Each parcel has a history of being used primarily for the commercial agricultural production of food or fiber for three of the past five years;
  - iii. Each parcel will meet the minimum parcel size of 100 acres or the minimum lot size;
  - iv. The property must generate at least \$8,000 annually in agricultural gross income during three of the past five years or recently improved land must have the potential for generating \$8,000 of gross income during the next succeeding year;
  - v. Each parcel will remain under a Williamson Act Contract and comply with the restrictions to agricultural and compatible uses;
  - vi. No land would be removed from the Williamson Act Program; and
  - vii. If within one mile of a city, that City has not or will not protest the preserve or contract.
- d. That the subdivision complies with Section 66474.4 of the Subdivision Map Act pertaining to land under an existing California Land Conservation Contract, referred to as a Williamson Act Contract, because the subdivision would not result in residential development that is not incidental to the agricultural operation.

**EVIDENCE:**

- a) Consistency with the General Plan. The project, as designed and conditioned, is consistent with the 2010 Monterey County General Plan, Toro Area Plan, and AWCP (see Finding No. 1).
- b) Consistency with Zoning. The parcels are zoned Permanent Grazing with a 40-acre minimum and Farmland 40-acre minimum with a

Design Control and Visually Sensitive overlays or “F/40-D, PG/40-D, and PG/40-VS,” which allows agricultural uses/development, and subdivision with a minimum lot size of 40 acres. The area under contract is proposed to be subdivided into six lots, ranging in size from 40.04 to 174.49 acres, with one non-conforming 11.08-acre parcel. The development standards for AWCP Policy 3.5 provides an exception to subdivide lots (minimum 5 acres) from a legal non-conforming lot not meeting the minimum lot size for the land use designation (e.g. 10-acre lot with 40-acre minimum designation) may be allowed based on substantial evidence that this action would: 1) reduce the number of conforming agricultural lots from being subdivided; 2) limit development in a manner to retain the rural character of the corridor; and 3) development of the lot must be in conformance with allowable uses only identified in the AWCP.

To facilitate this Standard Subdivision Tentative Map of Williamson Act Lands, Government Code Section 66474.4 (c) provides as follows:

(c) A legislative body may approve a subdivision with parcels smaller than those specified in this section if the legislative body makes either of the following findings:

- 1) The parcels can nevertheless sustain an agricultural use permitted under the contract or easement or are subject to a written agreement for joint management pursuant to Section 51230.1 and the parcels that are jointly managed total at least 10 acres in size in the case of prime agricultural land or 40 acres in size in the case of land that is not prime agricultural land.
- 2) One of the parcels contains a residence and is subject to Section 428 of the Revenue and Taxation Code; the residence has existed on the property for at least five years; the landowner has owned the parcels for at least 10 years; and the remaining parcels shown on the map are at least 10 acres in size if the land is prime agricultural land, or at least 40 acres in size if the land is not prime agricultural land.

Pursuant to Government Code Section 66474.4 (c)(2), the project meets the second finding because the existing development has been on the property since 1889, which exceeds the 5-year minimum requirement. The landowner has also owned the parcels for well over 10 years, and the remaining parcels shown on the proposed subdivision map are 40 acres or more.

Furthermore, pursuant to Government Code Section 66474.4(d) regarding subdivision of Williamson Act land, no other homesite parcels as described in paragraph (2) of subdivision (c) may be created on any remaining parcels under contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (Commencing



with Section 51200) of Division of 1 of Title 5) for at least 10 years following the creation of a homesite parcel pursuant to this section.

Staff's analysis of the applicable Government Code Sections, Subdivision Map Act, and the AWCP Policies led to the requirement for Parcels A through F to be deed restricted from further development for the next 10 years pursuant to Government Code Section 66474.4(c)(2). The following Mitigation Measures have been made Conditions of Approval to reduce project impacts to a level of *less-than-significant*:

**Condition of Approval No. 6, Mitigation Measure No. 1 - Deed Restriction for Parcel A (Agricultural Wine Corridor Plan Consistency):** Pursuant to the 2010 Monterey County General Plan and AWCP Policy 3.5, subsequent development on the 11.08-acre Parcel A shall be in conformance with allowable uses identified within the AWCP. The Owner/Applicant shall record a deed restriction as a condition of project approval stating the following: "Future development of the 11.08-acre Parcel A shall conform to the Agricultural and Wine Corridor Plan development policies and plans in conjunction with meeting proper permitting requirements from HCD-Planning."

**Condition of Approval No. 7, Mitigation Measure No. 2 - Deed Restriction for Homesites on Parcels B through F:** Pursuant to Government Code Section 66474.4(d), no other homesite parcels may be created on any remaining parcels under Williamson Act Contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (Commencing with Section 51200) of Division of 1 of Title 5) for at least 10 years following the creation of a homesite parcel pursuant to this section. The Owner/Applicant shall record a deed restriction as a condition of project approval stating the following: "Future development on Parcels B through F shall be restricted for the next 10 years after recordation of the Pedrazzi Subdivision Final Map pursuant to GC §66474.4(c)(2)."

Therefore, the Agricultural Subdivision, as conditioned and mitigated, would not conflict with the existing zoning for agricultural use or the Williamson Act Contract.

c) Compliance with County-adopted Rules and Regulations for the Administration of Agricultural Preserves:

- i. Agricultural Use. The applicant proposes to continue the existing agricultural (i.e., cattle grazing) use of the property, and no new structural development is proposed as part of this Agricultural Subdivision. On August 24, 2023, the project was reviewed by the AAC and was unanimously recommended for approval as proposed.
- ii. History of Commercial Agricultural Production. For the past 52 years, the applicant has owned and maintained a cattle grazing operation since the Agricultural Preserve and Land

Conservation Contract (No. 73-12) was established in 1973. Therefore, the applicant has satisfied the requirement of having a history of commercial agricultural production for three out of the past five years.

- iii. Minimum Lot Size per Contract. Pursuant to Board Resolution (No. 03-383 – Procedures for Agricultural Preserves), minimum lot size requirements to establish an agricultural preserve shall be a parcel or a group of contiguous parcels totaling 100 acres or greater. The total amount of acreage under the existing Agricultural Preserve and Land Conservation Contract (No. 73-12) is approximately 417 acres, which exceeds the minimum lot size requirement of 100 acres per contract. With approval of this project, an additional 5.76 acres will be added to the new or amended contract or contracts for a total of approximately 423 acres under land preservation.
- iv. Income Requirement. The proposed parcels under contract shall be large enough to meet the minimum income requirement of \$8,000 annually for the type of soil and contract. Non-prime agricultural land is presumed to be in parcels large enough to sustain its agricultural use if the land is at least 40 acres (California Government Code § 66474.4). On June 2, 2025, staff contacted the Assessor's Office to confirm that the Agricultural Property Statement (form 571-A) for Agricultural Preserve and Land Conservation Contract No. 73-12 continues to meet the minimum income requirements. Therefore, all six proposed parcels totaling 423 acres would be capable of remaining economically viable agricultural units under the new or amended contract or contracts.
- v. Remain under Williamson Act Contract with Compatible Uses. The project does not involve changes in land use or cancellation of the existing contract (Agricultural Preserve Land Conservation Contract No. 73-12). All existing structures and land uses are incidental to the agricultural use of the land. Condition No. 5 has been applied to require the applicant to amend the current Williamson Act Contract upon approval of the proposed Subdivision. Additionally, the 5.76-parcel (up from the road near Parcel F, not currently in the Williamson Act contract that covers the rest of the property) shall be, as a condition of approval, included/added to the existing contract.
- vi. Removal of Land from Contract. No land currently under contract (Agricultural Preserve and Land Conservation Contract No. 73-12) is proposed for removal from the Williamson Act Program as part of this application. However, the 5.76 acres (Assessor's Parcel Number 416-461-037-000) will be added to the new or amended Williamson Act Contract or contracts as a result of this project.
- vii. Within One Mile of a City. The project site is located off of River Road, approximately five and a half miles southeast of the City of Salinas, and seven miles northwest of the City of Gonzales. Therefore, the existing contract as well as the

amended contract will not conflict with an established City boundary.

- d) Compliance with Section 66474.4 of the Subdivision Map Act. The Subdivision would not result in residential development that is not incidental to the agricultural operation. The project area under contract is currently in active agricultural production (i.e., cattle grazing), which will remain the primary use of the land after project approval.
- e) The application, tentative map, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN210158.

### **DECISION**

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that, to facilitate the Standard Subdivision of Williamson Act Lands, the Board of Supervisors hereby:

1. Adopts a Mitigated Negative Declaration (State Clearinghouse No. 2025040702) pursuant to California Code of Regulations (CCR) Section 15074 of the California Environmental Quality Act (CEQA) Guidelines;
2. Approves a Standard Subdivision Tentative Map to allow division of a 378.19-acre parcel and 38.54-acre parcel under Williamson Act Agricultural Preserve Land Conservation Contract No. 73-12, and a 5.76-acre parcel not under contract into six parcels ranging in size from Parcel A consisting of 11.08 acres, Parcel B consisting of 42.52 acres, Parcel C consisting of 69.30 acres, Parcel D consisting of 88.27 acres, Parcel E consisting of 40.04 acres and Remainder Parcel F consisting of 174.49 acres, respectively;
3. Adopts a Condition Compliance and Mitigation Monitoring and Reporting Plan;
4. Authorizes the Chair of the Board to execute a new or amended Agricultural Preserve Land Conservation Contract No. 73-12 (Board of Supervisors Resolution No. 73-34-12) to reflect the newly reconfigured Williamson Act Parcels A through F, reflecting the new legal description and current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
5. Directs the Clerk of the Board to record the new or amended contract subject to the submittal of corresponding recording fees by the property owners of record.

**PASSED AND ADOPTED** on this 19th day of August 2025, upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, by the following vote, to- wit:

AYES:

NOES:

ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book \_\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

By \_\_\_\_\_  
Deputy

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON DATE

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

# County of Monterey HCD Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN210158

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning

**Condition/Mitigation  
Monitoring Measure:**

This Standard Subdivision Tentative Map (PLN210158) allows division of a 378.19-acre parcel and 38.54-acre parcel under Williamson Act Agricultural Preserve Land Conservation Contract No. 73-12, and a 5.76-acre parcel not under contract into six parcels ranging in size from Parcel A consisting of 11.08 acres, Parcel B consisting of 42.52 acres, Parcel C consisting of 69.30 acres, Parcel D consisting of 88.27 acres, Parcel E consisting of 40.04 acres and Remainder Parcel F consisting of 174.49 acres, respectively. The property is located at 800 and 808 River Road, Salinas, (Assessor's Parcel Numbers 167-031-003-000, 416-461-037-000, and 416-441-015-000), Toro Area Plan, Agricultural Winery Corridor Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

**Compliance or  
Monitoring  
Action to be  
Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning

**Condition/Mitigation** The applicant shall record a Permit Approval Notice. This notice shall state:

**Monitoring Measure:** "A Standard Subdivision Tentative Map (Resolution Number \_\_\_\_\_) was approved by the County of Monterey Board of Supervisors for Assessor's Parcel Numbers 167-031-003-000, 416-461-037-000, and 416-441-015-000 on August 19, 2025. The permit was granted subject to 16 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

**Compliance or** Prior to the issuance of grading and building permits, certificates of compliance, or  
**Monitoring** commencement of use, whichever occurs first and as applicable, the Owner/Applicant  
**Action to be** shall provide proof of recordation of this notice to the HCD - Planning.  
**Performed:**

## 3. PD005 - FISH & GAME FEE NEG DEC/EIR

**Responsible Department:** Planning

**Condition/Mitigation** Pursuant to the State Public Resources Code Section 753.5, State Fish and Game  
**Monitoring Measure:** Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (HCD - Planning)

**Compliance or** Within five (5) working days of project approval, the Owner/Applicant shall submit a  
**Monitoring** check, payable to the County of Monterey, to the Director of HCD - Planning.  
**Action to be**

**Performed:**

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

#### 4. PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (HCD- Planning)

**Compliance or Monitoring Action to be Performed:** Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to HCD-Planning.

#### 5. PD037 - WILLIAMSON ACT

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The property owner shall enter into a new or amended Agricultural Preserve Land Conservation Contract or Contracts with the Board of Supervisors of the County of Monterey for the Standard Subdivision Tentative Map of Williamson Act lands deemed necessary by the Office of the County Counsel.

Additionally, the 5.76-parcel (up from the road near Parcel F, not currently in the Williamson Act contract that covers the rest of the property) shall be, as a condition of approval, included/added to the existing contract. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Upon demand of County Counsel, the property owners of record shall execute a new or amended contract or contracts to be prepared by the Office of the County Counsel, which shall be recorded after the recordation of the Certificates of Compliance and subject to the submittal of the appropriate recording fees by the property owners of record.

## 6. MITIGATION MEASURE NO. 1 - DEED RESTRICTION FOR PARCEL A (AGRICULTURAL WINE CORRIDOR PLAN CONSISTE

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Pursuant to the 2010 Monterey County General Plan and the Agricultural and Wine Corridor Plan (AWCP) Policy 3.5, subsequent development on the 11.08-acre Parcel A shall be in conformance with allowable uses identified within the AWCP. The Owner/Applicant shall record a deed restriction as a condition of project approval stating the following:

“Future development of the 11.08-acre Parcel A shall conform to the Agricultural and Wine Corridor Plan development policies and plans in conjunction with meeting proper permitting requirements from HCD-Planning.”

**Compliance or Monitoring Action to be Performed:** Prior to recording of the Final/Parcel Map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit proof of recordation of the deed restriction document to HCD – Planning.

## 7. MITIGATION MEASURE NO. 2 - HOMESITE DEED RESTRICTION FOR PARCELS B THROUGH F

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Pursuant to Government Code §66474.4(d), no other homesite parcels may be created on any remaining parcels under Williamson Act contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (Commencing with §51200) of Division of 1 of Title 5) for at least 10 years following the creation of a homesite parcel pursuant to this section. The Owner/Applicant shall record a deed restriction as a condition of project approval stating the following:

“Future development on Parcels B through F shall be restricted for the next 10 years after recordation of the Pedrazzi Subdivision Final Map pursuant to GC §66474.4(c) (2).”

**Compliance or Monitoring Action to be Performed:** Prior to recording of the Final/Parcel Map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit proof of recordation of the deed restriction document to HCD – Planning.



## 8. H01 - Affordable/Inclusionary Housing

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The project is subject to the County's Inclusionary Housing Ordinance, Number 5175, which require the project contribute an In-Lieu fee equal to 0.6 Affordable/Inclusionary Housing Unit.

Prior to the recordation of the Final Map the project applicants shall pay, or secure to the satisfaction of the Housing and Community Development Director, an in-lieu fee of \$96,366.00, based on the Fee Schedule dated July 12, 2011.

**Compliance or Monitoring Action to be Performed:** Prior to the recordation of the Final Map the project applicants shall pay, or secure to the satisfaction of the Housing and Community Development Director, an in-lieu fee of \$96,366.00, based on the Fee Schedule dated July 12, 2011.

To clear this condition of approval, the applicant has agreed to secure 1/5 of the In-Lieu Fee on each of the 5-undeveloped parcels. The In-Lieu Fee will be due for each parcel when building permits are applied for. The applicant will be required to execute 5-promissory notes, each in the amount of \$19,273.20, secured by a deed of trust on each of the 5-undeveloped parcels.

**9. EHSP04 - DEED RESTRICTION / MAP RECORDATION - AGRICULTURAL SUBDIVISIONS: ONSITE WASTEWATER DISPOSAL**

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Concurrent with the filing of the Final Map, the Owner/Applicant shall record a deed restriction for lots C, D, and E created by this subdivision which includes the provision stated below. The property owners of records shall also include such provision in any grant deed or other instrument conveying any right, title or interest in any parcel/lot created by this subdivision, and shall also place a note on the Parcel Map. The provision is as follows:

"The current property owners of record and all future buyers of any of the parcels C, D and E of this subdivision are hereby notified that, at the time of the subdivision creating these parcels/lots, the subject property was not guaranteed to have a viable site for an onsite wastewater disposal system. No Soils or Percolation Report by a qualified onsite wastewater treatment system professional has been completed which demonstrates that the subject property meets state standards and local standards set forth in the Monterey County Code (MCC), Title 15, Chapter 15.20. At the time of the subdivision creating parcels C, D and E, the subject property was utilized for agricultural production, and no development of parcels C, D and E for other purposes was projected. Therefore, the County has not verified that the subject parcels C, D and E created by this subdivision have an onsite wastewater site meeting all state standards and local standards set forth in MCC Chapter 15.20. The current property owners of record and all future buyers of the subject property are hereby further notified that no development will be permitted and no building permit will be issued for development on parcels C, D or E until the owner(s) of the respective parcel proposed for development demonstrates to the satisfaction of the County that the subject parcel proposed for development has a suitable onsite wastewater site meeting all state standards and all local standards set forth in MCC Chapter 15.20. For the purpose of this restriction, the term development includes any land improvement or entitlement that would utilize water for non-irrigation purposes and require onsite wastewater disposal."

**Compliance or Monitoring Action to be Performed:** Prior to filing the final map, the Owner/Applicant shall submit a draft of the note to be placed on the final map for review and approval by the Environmental Health Bureau ("EHB"), and HCD-Public Works.

Prior to the filing the final map, the applicant shall provide a legal description for the parcel and a copy of the Grant Deed to the EHB. The EHB will prepare the deed restriction form.

Concurrent with filing the final map, record the County approved deed restriction on parcels C, D and E created by the subdivision and provide proof of recordation to the Environmental Health Bureau and Planning Department.

At the time of sale of parcel C, D or E, include the same provision in any instrument conveying right, title, or interest in each parcel/lot created by this subdivision.

**10. EHSP03- DEED RESTRICTION / MAP RECORDATION – AGRICULTURAL SUBDIVISIONS: WATER (NON-STANDARD)**

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Concurrent with the filing of the Final Map, the Owner/Applicant shall record a deed restriction for lots C, D, and E created by this subdivision which includes the provision stated below. The property owners of records shall also include such provision in any grant deed or other instrument conveying any right, title or interest in any parcel/lot created by this subdivision, and shall also place a note on the Parcel Map. The provision is as follows:

“The current property owners of record and all future buyers of parcels C, D and E created by this subdivision are hereby notified that the parcels C, D and E created by this subdivision are not guaranteed to have water of sufficient quality or quantity to meet state standards and local drinking water standards set forth in the Monterey County Code (MCC) Title 15, Chapters 15.04 and 15.08, and MCC Title 19. At the time of the subdivision, the subject property was utilized for agricultural production, and no development of parcels C, D and E for other purposes was projected. Therefore, the County has not verified that parcels C, D and E has water quality and quantity meeting state and local drinking water standards. The current property owners of record and all future buyers of any parcels C, D or E created by this subdivision are hereby further notified that no development will be permitted and no building permit will be issued for development on parcels C, D or E in this subdivision until the owner of parcels C, D or E proposed for development demonstrates to the satisfaction of the County that parcels C, D and E has a water source meeting all state and local drinking water quality and quantity standards, without treatment, as set forth in MCC Title 15, Chapters 15.04 and 15.08, and Title 19. For the purpose of this restriction, the term development includes any land improvement or entitlement that would utilize water for non-irrigation purposes and require onsite wastewater disposal.”

**Compliance or Monitoring Action to be Performed:** Prior to filing the final map, the Owner/Applicant shall submit a draft of the note to be placed on the final map for review and approval by the Environmental Health Bureau (“EHB”), and HCD-Public Works.

Prior to the filing the final map, the applicant shall provide a legal description for the parcel and a copy of the Grant Deed to the EHB. The EHB will prepare the deed restriction form.

Concurrent with filing the final map, record the County approved deed restriction on parcels C, D and E created by the subdivision and provide proof of recordation to the Environmental Health Bureau and Planning Department.

At the time of sale of parcel C, D or E, include the same provision in any instrument conveying right, title, or interest in each parcel/lot created by this subdivision.

## 11. EHSP05 – NEW WATER SYSTEM PERMIT APPLICATION

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The existing dwellings on parcels A and B receive domestic water from an existing spring located on parcel F.  
Pursuant to Monterey County Code Chapter 15.04, Domestic Water Systems, obtain a small water system permit. (Environmental Health)

**Compliance or Monitoring Action to be Performed:** Prior to filing final map, obtain a small water system permit from the Environmental Health Bureau.

## 12. EHSP02 - WELL LOTS/WATER SYSTEM EASEMENTS

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The Final Map shall denote the water distribution and access easement(s) for the spring located on parcel F and the existing water lines that serve parcels A and B to Environmental Health for review and approval. Once approved, well lots and easements shall appear as part of the final map and shall meet the requirements of Monterey County Code, Section 15.04.050 the California Code of Regulations, Title 22, Chapter 16, Section 64560 (Water Works Standards). (Environmental Health)

**Compliance or Monitoring Action to be Performed:** Prior to filing the final map, submit the final map to the Environmental Health Bureau for review and acceptance.

## 13. EHSP01 - DEED RESTRICTION AND INSTALLATION OF CHLORINATOR ON WELL

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The domestic water source for the proposed subdivision is a spring box located on parcel F, and is considered to be groundwater under the direct influence of surface water.  
A chlorinator shall be installed on the distribution system prior to the water tank and any domestic service-connections.

**Compliance or Monitoring Action to be Performed:** Prior to filing final map, the property owner:

- shall sign and notarize the deed restriction form obtained from the EHB. Record the notarized deed restriction with the Monterey County Recorder. Proof of recordation shall be provided to the EHB.
- install a Chlorinator to the well serving the accessory dwelling unit and provide documentation.

collect a finished water sample with chlorine residual and provide a copy of the water quality analysis results to the EHB for review and acceptance.

#### 14. CC01 INDEMNIFICATION AGREEMENT

**Responsible Department:** County Counsel-Risk Management

**Condition/Mitigation Monitoring Measure:** The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel-Risk Management)

**Compliance or Monitoring Action to be Performed:** Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

## 15. PKSP001 – RECREATION LAND DEDICATION OR IN-LIEU FEE

**Responsible Department:** Parks Enforcement

**Condition/Mitigation Monitoring Measure:** As a condition of approval of a tentative map, the subdivider shall dedicate land, pay a fee in-lieu thereof, or both, at the option of the County, for park or recreational purposes at the time and according to the standards and formula contained in Chapter 19.12. The land dedicated or the fees paid, or both, shall be used for local or regional community and neighborhood parks and recreational facilities in such a manner that the locations and use of such parks and recreational facilities bear a reasonable relationship to the use of the park and recreational facilities by the inhabitants of the subdivision generating such dedication or fees, or both.

The applicant shall record a deed restriction as a condition of project approval stating: "The subdivision is subject to recreation fees based on Section 19.12.010 E. (2.) Recreation Requirements of the Subdivision Ordinance, Title 19, Monterey County Code, by paying a fee in-lieu of land dedication if the property owner requests building permits for the construction of a residential structure or structures on one or more of the parcels created by the subdivision within four (4) years after the approval of the subdivision".

Proof of the recordation of a deed restriction shall be furnished to the Director of Parks and HCD-Planning. The Parks Department shall determine the fee in accordance with provisions contained in Section 19.12.010(D). (Parks Department)

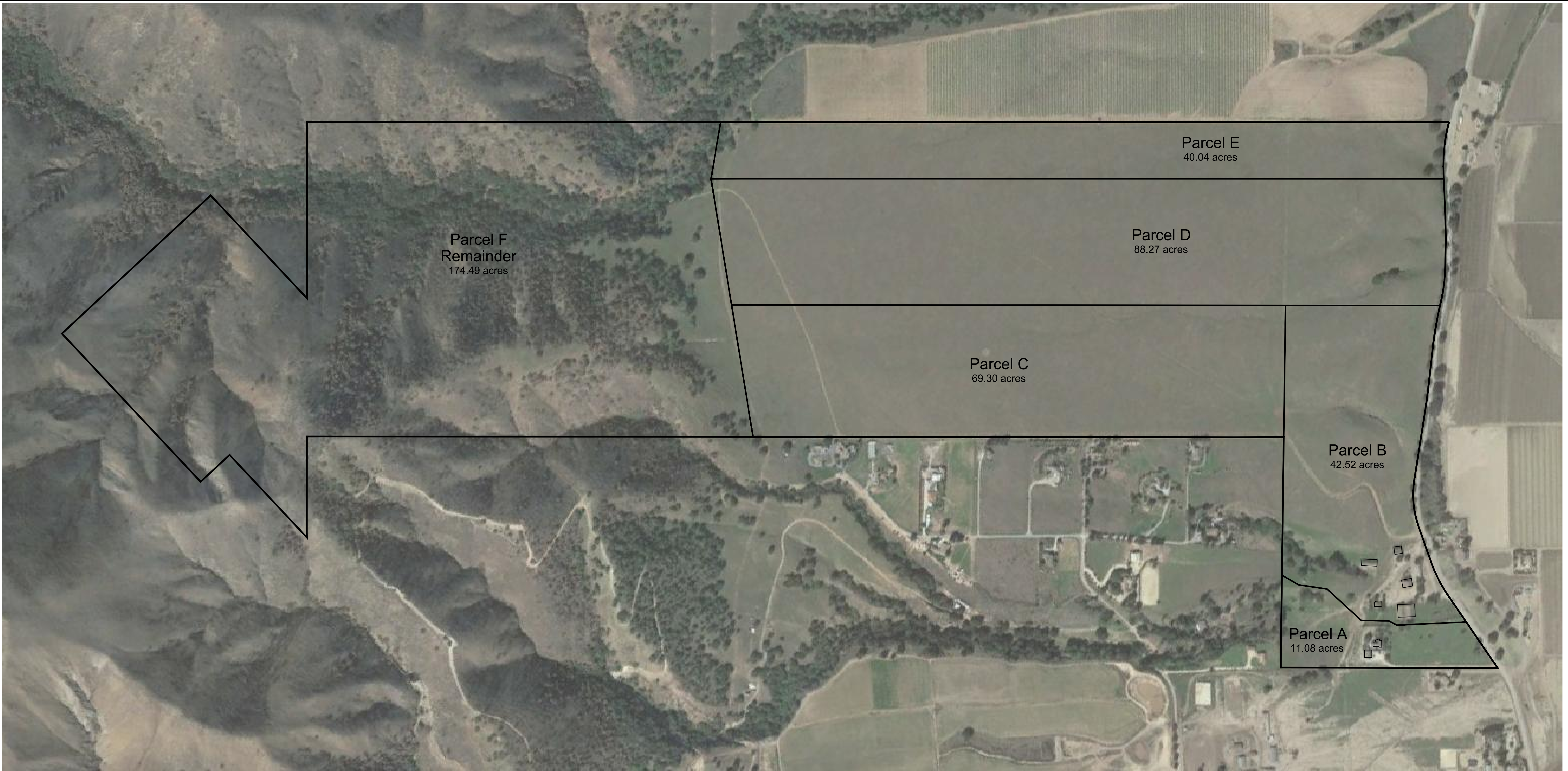
**Compliance or Monitoring Action to be Performed:** Proof of the recordation of a deed restriction shall be furnished to the Directors of Parks and HCD-Planning.

## 16. PWSP01 - NON-STANDARD

**Responsible Department:** Public Works

**Condition/Mitigation Monitoring Measure:** Dedicate a drainage easement on the parcel map identified as "Drainage Easement" to the County over the area within the existing drainage facilities installed by the County within proposed Parcel B.

**Compliance or Monitoring Action to be Performed:** Subdivider shall dedicate a drainage easement over existing drainage facilities within proposed Parcel B to the County within proposed Parcel B on Parcel Map.



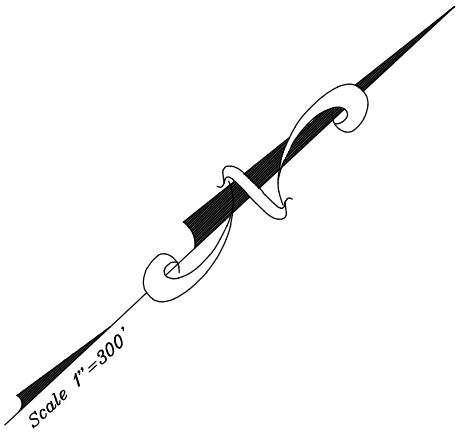
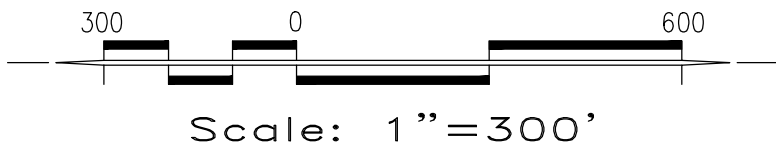
**PROJECT DESCRIPTION**

THIS PROJECT CONSISTS OF A LOT LINE ADJUSTMENT ALONG WITH A MINOR SUBDIVISION UTILIZING THREE EXISTING LEGAL LOTS OF RECORD - LOT 6 IN SECTION 12, (A PORTION OF APN 416-441-015 DESCRIBED IN PATENT NUMBER 16258), LOT 1 IN SECTION 7, (APN 416-461-037 DESCRIBED IN DOCUMENT NUMBER 2021053814) AND APN 167-031-003 TO CREATE A TOTAL OF FIVE PARCELS AND ONE REMAINDER PARCEL; PARCEL A OF 11.08 ACRES, PARCEL B OF 42.52 ACRES, PARCEL C OF 69.30 ACRES, PARCEL D OF 88.27 ACRES, PARCEL E OF 40.04 ACRES AND REMAINDER PARCEL F OF 174.49 ACRES. THE PROPERTIES IN QUESTION ARE LOCATED AT 800 & 808 RIVER ROAD, SALINAS (APN'S 167-031-003, 416-441-015, AND 416-461-037) IN THE RANCHO GUADALUPE AND SECTION 12 OF T.16S., R.3E., AND SECTION 7 OF T.16S, R.4E., MOUNT DIABLO BASE AND MERIDIAN, TORO AREA PLAN.

**OWNER'S DATA**

167-031-003, 416-441-015 & 416-461-037

1994 PEDRAZZI REVOCABLE TRUST, U/D/T  
850 RIVER ROAD  
SALINAS, CA. 93908-8749



PLN210158



**General Notes**

1. PHOTO SOURCED FROM GOOGLE EARTH, PHOTO DATE: FEBRUARY 23, 2021.



MONTEREY COUNTY SURVEYORS, INC.  
235 Salinas Street, Salinas, CA 93901 831.424.1984  
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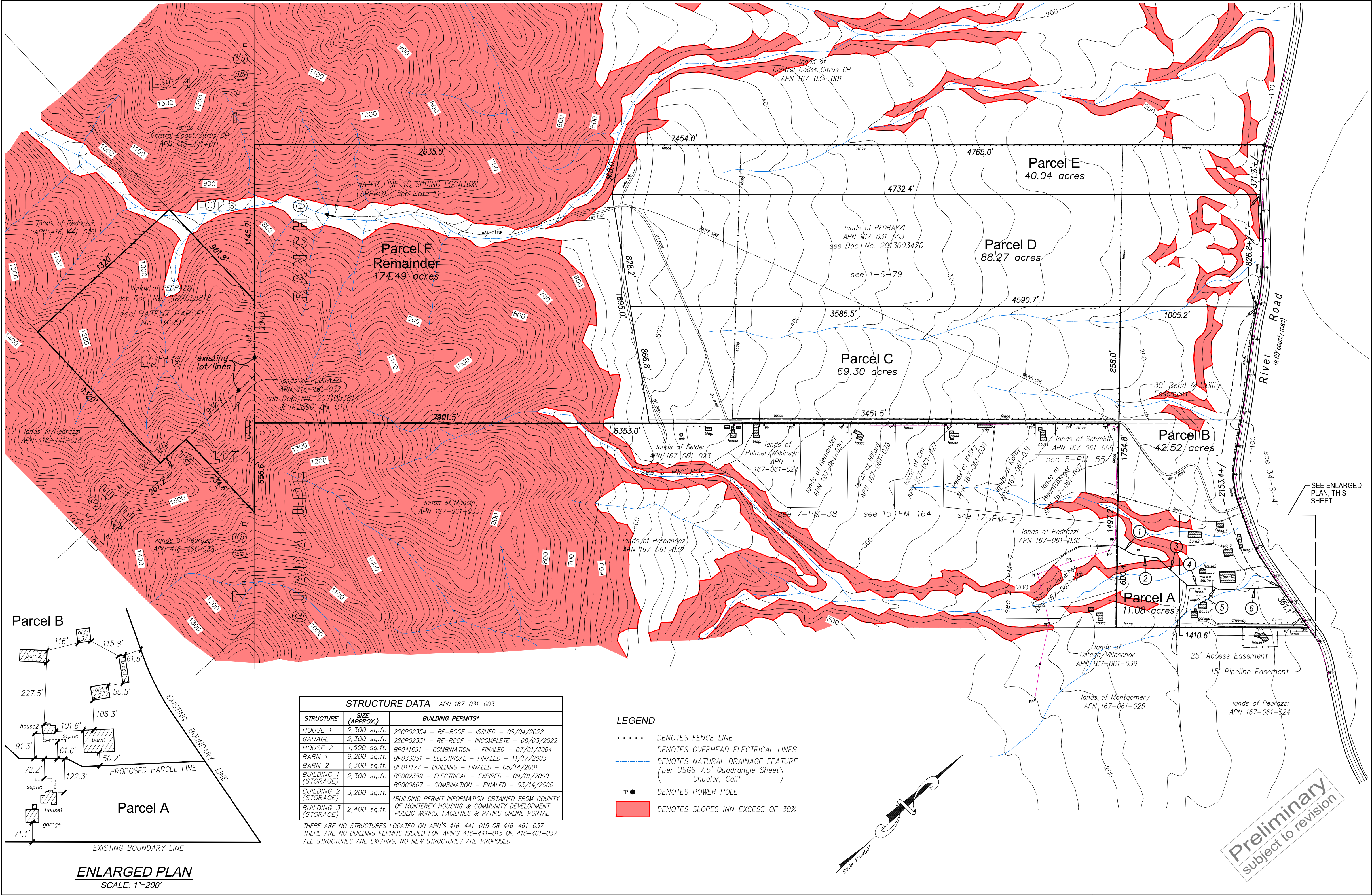
**Aerial Photo**  
COMBINED LOT LINE ADJUSTMENT/MINOR SUBDIVISION UPON APN'S 167-031-003, 416-441-015 AND 416-461-037, SITUATE IN RANCHO GUADALUPE AND SECTION 12 OF T.16S, R.3E., AND SECTION 7 OF T.16S, R.4E. MOUNT DIABLO BASE AND MERIDIAN, TORO PLAN AREA, MONTEREY COUNTY, CA

MADE FOR: David M. Pedrazzi et. al.

SCALE: 1"=300'      JOB NO. 2022.004      DATE: JANUARY 2023

SHEET 1 OF 1



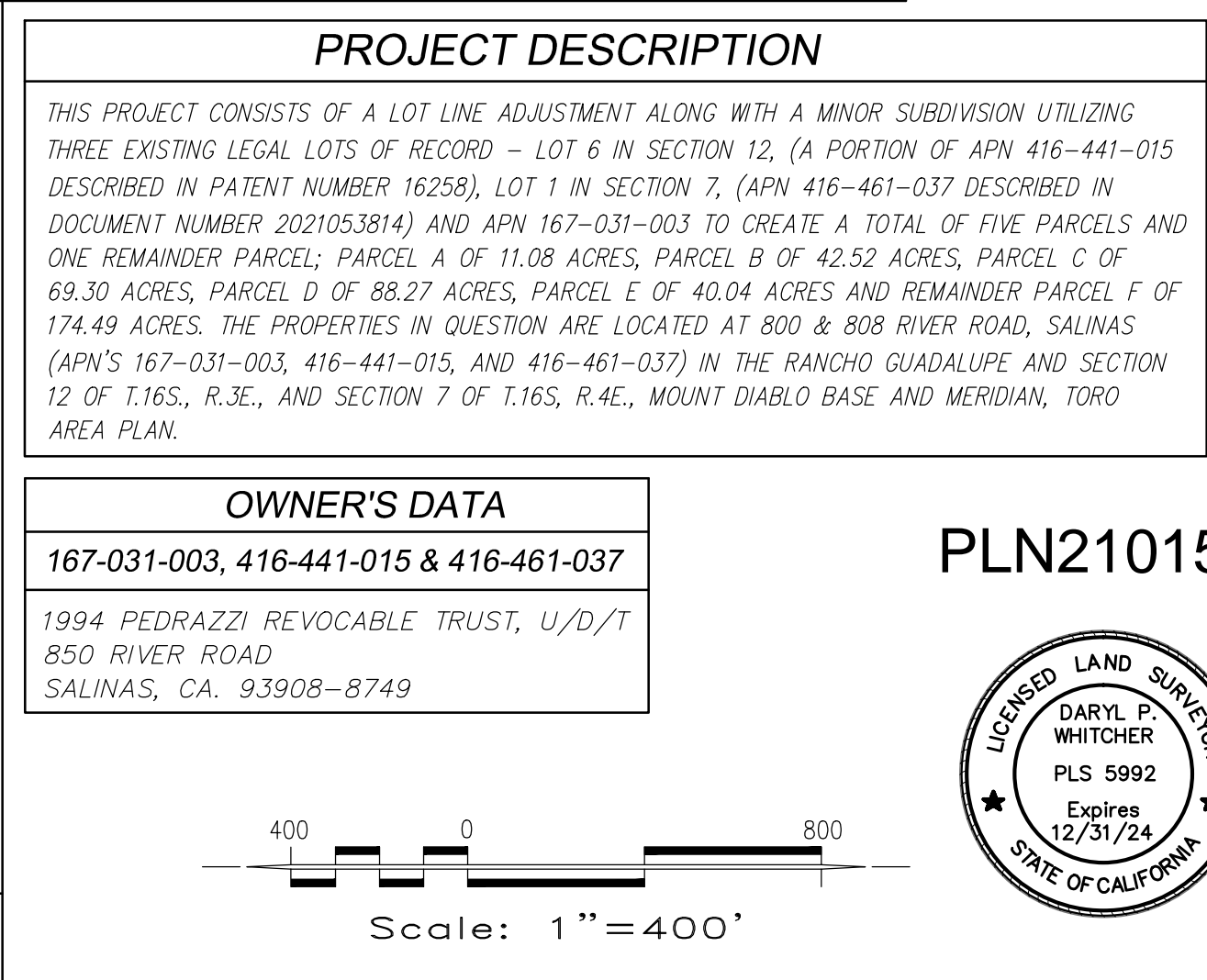
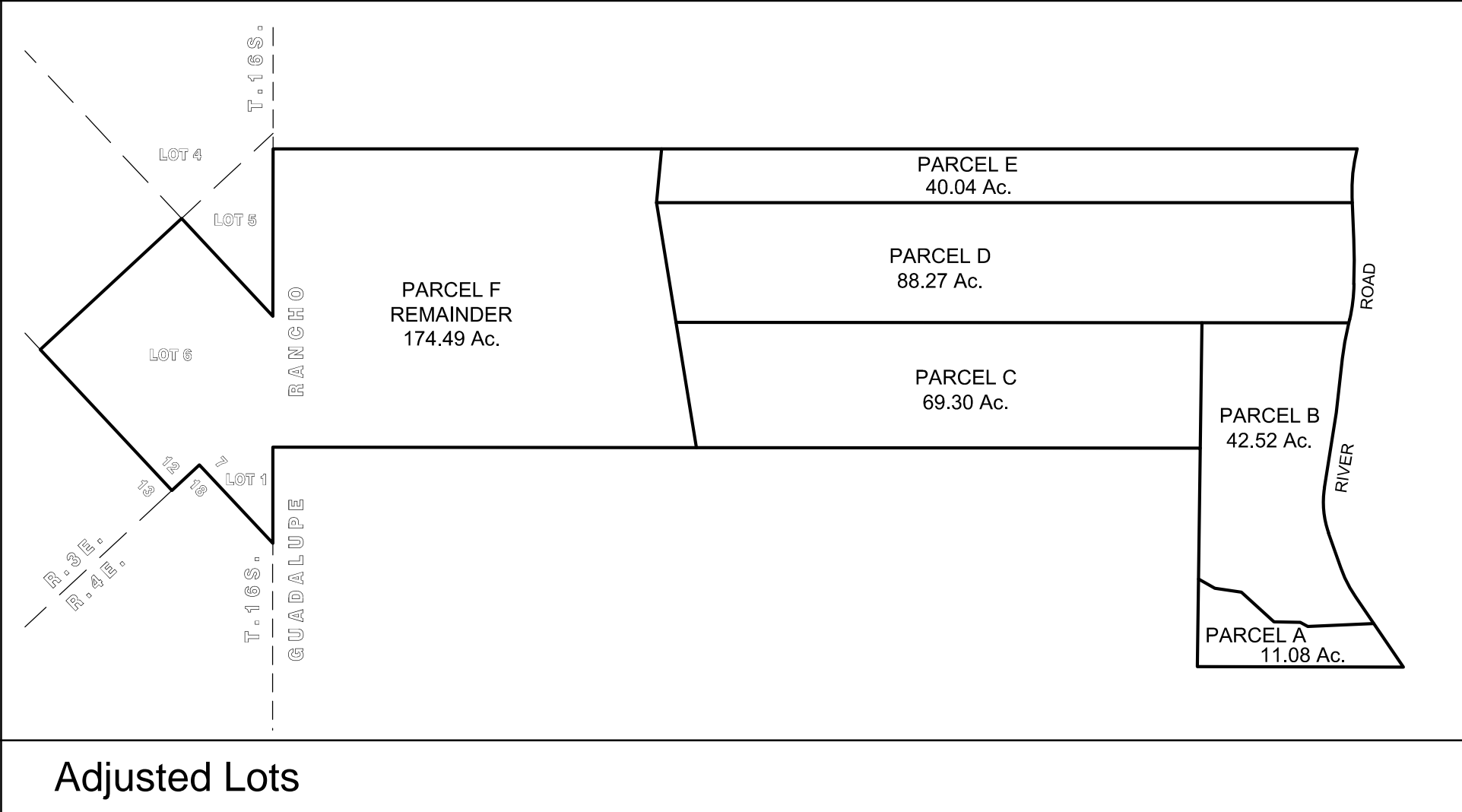
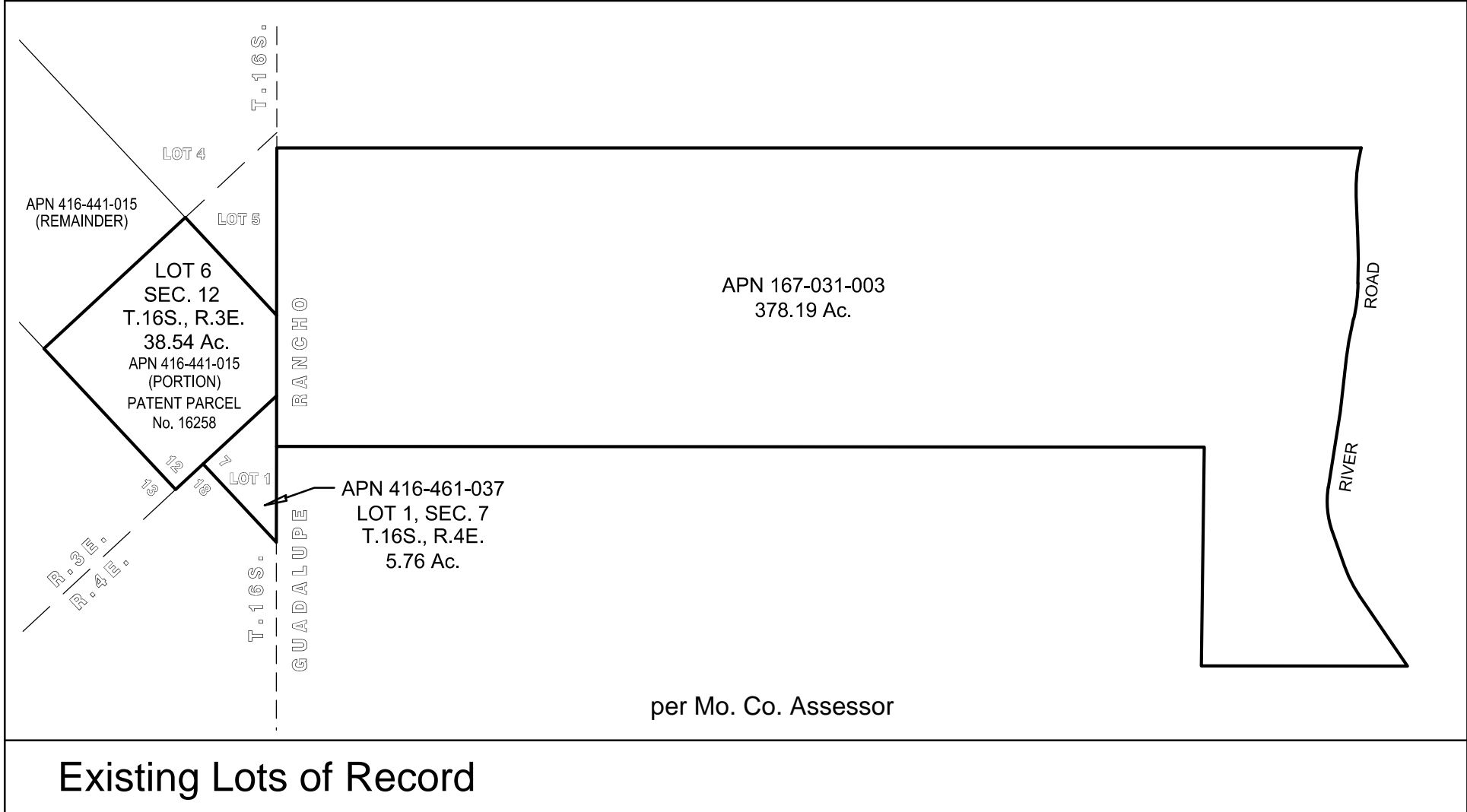
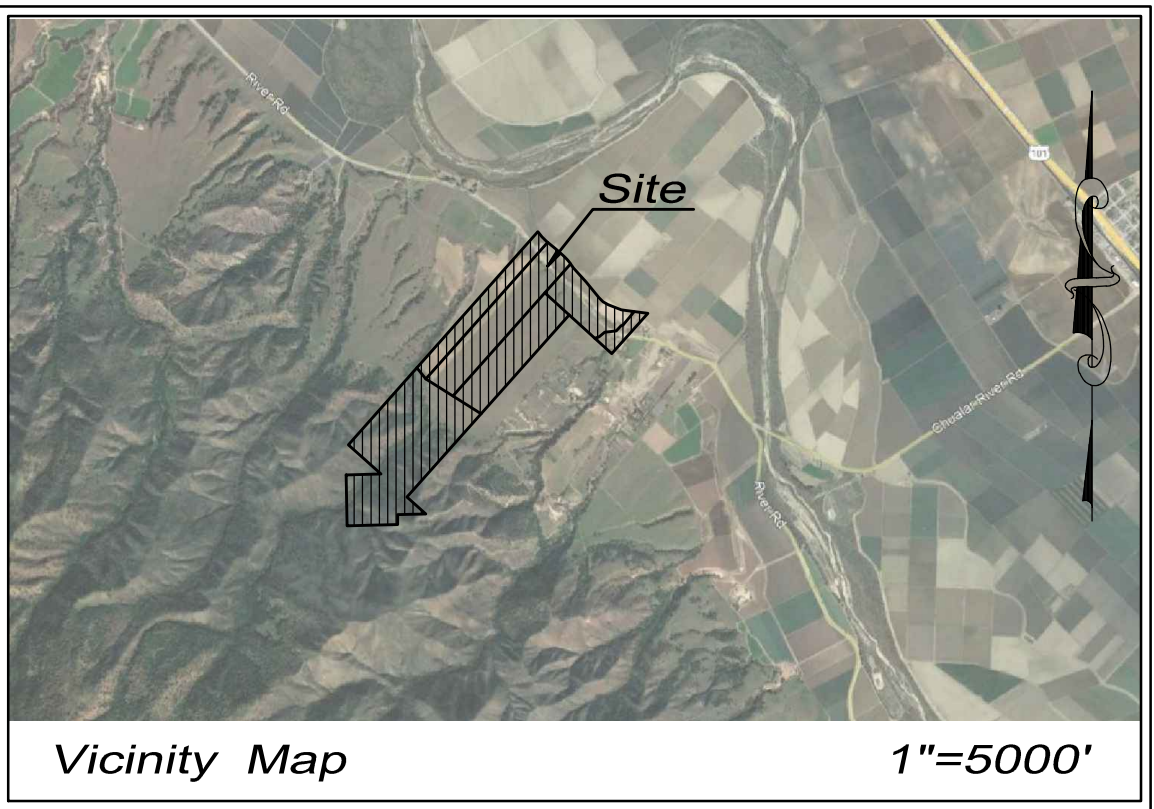


Lot Line Adjustment & Minor Subdivision Notes

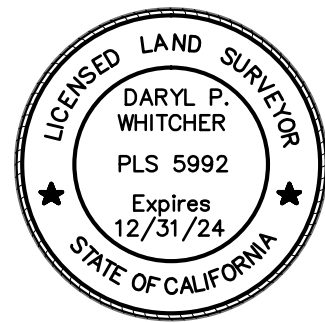
- APN 416-441-015 IS DESCRIBED IN THE GRANT DEED RECORDED AS DOCUMENT NO. 2021053818, MONTEREY COUNTY RECORDS. THIS DOCUMENT INCLUDES LOT 6 OF SECTION 12, TOGETHER WITH THE SW 1/4 OF THE SE 1/4 AND THE SOUTH 1/2 OF THE SW 1/4 OF SECTION 12.  
A. WE NOTE THAT THE PATENT ISSUED TO ANTONIO ROBLES ON MAY 16, 1891, BY GENERAL LAND OFFICE WARRANT NO. 16258, DESCRIBES LOT 6 OF SECTION 12.  
B. WE THEREFORE CONCLUDE THAT LOT 6 OF SECTION 12 IN T.16S., R.3E. IS A SEPERATE LEGAL LOT OF RECORD.
- APN 416-461-037 IS DESCRIBED AS LOT 1 IN SECTION 7 IN THE GRANT DEED RECORDED IN REEL 2890 AT PAGE 310, MONTEREY COUNTY RECORDS. IT IS THE ONLY PROPERTY DESCRIBED IN THAT DOCUMENT SITUATE IN SECTION 7 OF TOWNSHIP 16 SOUTH, RANGE 4 EAST.  
A. WE NOTE THAT SAID PROPERTY WAS CONVEYED FROM CAL BLMX, INC. TO PEDRAZZI ON DECEMBER 29, 1992.  
B. WE THEREFORE CONCLUDE THAT LOT 1 OF SECTION 7 IN T.16S., R.4E. IS A SEPERATE LEGAL LOT OF RECORD.
- THIS PROJECT ADJUSTS THE BOUNDARY LINES OF THE ABOVE PARCELS TO CREATE PARCEL A AND PARCEL B SHOWN HEREON.
- THIS PROJECT ALSO INCLUDES A MINOR SUBDIVISION TO SUBDIVIDE EXISTING APN 167-031-003 INTO THREE PARCELS AND ONE REMAINDER PARCEL, IDENTIFIED HEREON AS PARCELS C, D, E AND F.

General Notes

- ALL AREAS ARE APPROXIMATE ONLY AND WILL BE REVISED UPON COMPLETION OF A BOUNDARY SURVEY.
- DISTANCES AND DIMENSIONS SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
- BOUNDARY LOCATION IS BASED UPON RECORD DATA. NO BOUNDARY SURVEY HAS BEEN COMPLETED.
- DATUM IS NGVD 1929, SOURCED FROM USGS 7.5' QUADRANGLE SHEET CHUALAR, CALIF. CONTOUR INTERVAL IS 20 FEET.
- THIS PROPERTY MAY BE SUBJECT TO EASEMENTS OF RECORD NOT DISCLOSED BY CHICAGO TITLE COMPANY CONDITION OF TITLE GUARANTEE NO. FWMN-T022000153, DATED JANUARY 24, 2022. MONTEREY COUNTY SURVEYORS, INC. SHALL BEAR NO RESPONSIBILITY FOR SAID EASEMENT(S), THEIR EXISTENCE OR LOCATION.
- NO PORTION OF THIS PROPERTY LIES WITHIN A MAPPED FLOODWAY OR FLOOD PLAIN AND IS NOT SUBJECT TO FLOODING DURING A 1% ANNUAL CHANCE EVENT PER FEMA FLOOD INSURANCE RATE MAP 06053C0400G, EFFECTIVE DATE APRIL 2, 2009.
- EXISTING ZONING:  
APN 167-031-003 - PG/40-D 40 AC MIN  
APN 416-441-015 - PG/40-VS 40 AC MIN  
APN 416-461-037 - PG/40-VS 40 AC MIN
- EXISTING LAND USE:  
APN 167-031-003 - GENERAL AGRICULTURE, RESIDENCE  
APN 416-441-015 - GENERAL AGRICULTURE  
APN 416-461-037 - GENERAL AGRICULTURE  
NO CHANGE TO THESE LAND USES ARE PROPOSED
- NO CHANGE TO EXISTING SURFACE DRAINAGE, UTILITY SERVICES, OR WASTEWATER DISPOSAL IS PROPOSED WITH THIS APPLICATION.
- SEWAGE DISPOSAL BY EXISTING SEPTIC TANK/LEACH FIELD SYSTEM. NO CHANGE IS PROPOSED.
- WATER SUPPLY TO SUBJECT PROPERTIES PROVIDED BY EXISTING SPRING LOCATED UPON THE LANDS OF PEDRAZZI. NO CHANGE IS PROPOSED.
- ELECTRICAL SERVICE IS BY PG&E, VIA EXISTING POWER POLES AS SHOWN HEREON. NO CHANGE IS PROPOSED.
- NO CHANGE TO THE EXISTING DRAINAGE PATTERN IS PROPOSED.
- NO NEW BUILDINGS ARE PROPOSED.
- NO TREES ARE PROPOSED FOR REMOVAL.



PLN210158



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**Tentative Parcel Map**

COMBINED LOT LINE ADJUSTMENT/MINOR SUBDIVISION UPON APN'S 167-031-003, 416-441-015 AND 416-461-037, SITUATE IN RANCHO GUADALUPE AND SECTION 12 OF T.16S., R.3E., AND SECTION 7 OF T.16S., R.4E. MOUNT DIABLO BASE AND MERIDIAN, TORO PLAN AREA, MONTEREY COUNTY, CA

MADE FOR: **David M. Pedrazzi et. al.**

SCALE: 1"=400' JOB NO. 2022.004 DATE: JANUARY 2023

SHEET **1** OF **1**