

MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT
2620 1st AVENUE MARINA, CA 93933
(831) 883-7500 FAX: (831)384-3261



MONTEREY COUNTY MINOR SUBDIVISION COMMITTEE

Meeting: May 8, 2003 @ 9:15 a.m.	Agenda Item: 2
Combined Development Permit (PLN020549 – Georje Properties, LLC) consisting of a Coastal Development Permit and a four parcel lot line adjustment. The parcels, labeled 1 through 4, are not defined by assessor's parcel number but are contained in APNs 133-151-008-000 and 133-151-009-000. The lot line adjustment includes: Parcel 1, changing from 30.42 acres to 40.28 acres; Parcel 2, changing from 34.69 acres to 40.01 acres; Parcel 3, changing from 107.92 acres to 68.35 acres; and Parcel 4, changing from 158.21 acres to 182.60 acres.	
Project Location: Approximately 0.5 miles north of the Highway 1/Highway 183 intersection, Castroville, North County area, Coastal Zone.	
Plan Area: North County LUP (Coastal Zone)	Flagged and staked: No
Zoning Designation: Coastal Agricultural Preservation and Resource Conservation, Coastal Zone [CAP(CZ), RC(CZ)]	
CEQA Action : Categorically Exempt	
Date application deemed complete: March 28, 2003	
Department: Planning and Building Inspection	

RECOMMENDATION: Staff recommends the following:

- 1) Approve described project based on Findings and Evidence (**Exhibit B**) and subject to proposed conditions (**Exhibit C**)

OVERVIEW OF PROPOSED ACTION:

See Exhibit "A" (Overview of Proposed Action)

OTHER AGENCY INVOLVEMENT:

- ✓ Water Resources Agency
- ✓ Environmental Health Division
- ✓ Public Works Department
- ✓ North County CDF

All have reviewed and recommended conditions (conditions attached) where applicable. The North County Coastal Land Use Advisory Committee heard the project on February 18, 2003 and recommended approval of the project by a vote of 5-0.

Notes: This project is appealable to the Board of Supervisors and the California Coastal Commission

Lautaro Echiburú, Associate Planner
(831) 883-7530 echiburul@co.monterey.ca.us

cc: Coastal Commission; Minor Subdivision Committee; County Counsel; Health Department; Public Works; North County CDF; Monterey County Water Resources Agency, Jeff Main; Lautaro Echiburú; Linda Rotharmel; Applicant; Representative; Owners

Attachments: Exhibit "A" Overview of Proposed Action
Exhibit "B" Recommended Findings and Evidence
Exhibit "C" Recommended Conditions of Approval
Exhibit "D" Land Use Advisory Committee Recommendation
Exhibit "E" Vicinity Map
Exhibit "F" Tentative Map

This report reviewed by Jeff Main, Planning and Building Services Manager

**EXHIBIT “A”
OVERVIEW OF PROPOSED ACTION**

Project Location and Site Description

The four existing parcels, labeled 1-4, are located approximately 0.5 miles north of the Highway 1/Highway 183 intersection, in the Castroville area (Exhibit “E”). The Moro Cojo slough lies adjacent to the parcels to the north and east, while the Castroville slough runs along the western side of the parcels. These slough areas are designated Resource Conservation in the North County Land Use Plan. South of and within the parcels, the land use designation is Coastal Agricultural Preservation and Resource Conservation, as detailed below. The only existing structures in the project site are contained in Parcel 3. They include 3 employee housing units, two barns, a garage, and related accessory structures. No new structures or building sites are being proposed with the lot line adjustment application.

Project Description

As shown on the proposed map (Exhibit “F”), the project application seeks a Lot Line Adjustment between 4 contiguous legal lots of record. Parcels 1 through 4 are not defined by individual Assessors Parcel Number but are contained in APNs 133-151-008-000 and 133-151-009-000. The current acreage and zoning is: Parcel 1 – 30.42 acres, Coastal Agricultural Preservation; Parcel 2 – 34.69 acres, Coastal Agricultural Preservation and Resource Conservation; Parcel 3 – 107.92 acres, Coastal Agricultural Preservation; Parcel 4 – 158.21 acres, Coastal Agricultural Preservation and Resource Conservation. The minimum building site requirement is 40 acres for the Coastal Agricultural Preservation zoning designation.

Under the current configuration, Parcels 2 and 4 lie below the 100-year flood area. In addition, their location relative to the surrounding sloughs and soil quality make it practically impossible to cultivate these lands. The purpose of the lot line adjustment is to reconfigure the parcels so that they each meet the minimum building site for their zoning designation and to consolidate the non-cultivable lands into a single parcel. This resulting parcel is to be acquired by a local resource conservation organization in order to restore the land to a wetland. The breakdown of acreage transfer is as follows:

Existing Parcel	From	To
1	30.42 acres	68.35 acres (Parcel “A”)
2	34.69 acres	40.01 acres (Parcel “B”)
3	107.92 acres	40.28 acres (Parcel “C”)
4	158.21 acres	182.60 acres (Parcel “D”)

Analysis and conclusion

All parcels, as adjusted, will conform to the minimum building site requirement for their respective zoning designations. The adjusted lot lines for Parcel 4 also represents an environmental benefit by consolidating uncultivable lands into one parcel that can be acquired for wetland restoration. No new structures are proposed for development and the existing structures, which will be contained in new Parcel A, will meet density requirements. Parcels A, B, and C, will remain in agricultural production, while Parcel D will be sold to a conservation organization for wetland restoration. Therefore, staff recommends approval of the proposed Combined Development Permit, based on the recommended Findings and Evidence (Exhibit ‘B’) and subject to the recommended Conditions of Approval (Exhibit ‘C’). No unresolved issues remain for this project.

EXHIBIT “B”
RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** - The Project, as conditioned is consistent with applicable plans and policies, including the Monterey County Coastal Subdivision Ordinance (Title 19), North County Area Land Use Plan, Coastal Implementation Plan (Part 2), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20) which designates this area as appropriate for agricultural and resource conservation development.

EVIDENCE: (a) PBI staff has reviewed the project as contained in the application and accompanying materials for consistency with the North County Land Use Plan, Coastal Implementation Plan (Part 2), Part 6 of the Coastal Implementation Plan. PBI staff has reviewed the project as contained in the application and accompanying materials for conformity with the Monterey County Zoning Ordinance (Title 20) and has determined that the project is consistent with the North County Land Use Plan which designates this area as appropriate for residential development. Staff notes are provided in Project File PLN020549.

(b) Project planner conducted an on-site inspection on December 12, 2002 to verify that the project on the subject parcel conforms to the plans listed above.

(c) The project for a lot line adjustment is a conditional use in accordance with Sections 20.30.050.CC (CAP zoning) and 20.36.050.G (RC zoning).

(d) The parcels are zoned Coastal Agricultural Preservation, Coastal Zone (CAP(CZ)) and Resource Conservation, Coastal Zone (RC(CZ)). The project is in compliance with Site Development Standards for Coastal Agricultural Preservation and Resource Conservation Districts in accordance with Sections 20.30.060 and 20.36.060.

(e) **LAND USE ADVISORY COMMITTEE:** The North County Coastal Land Use Advisory Committee recommended approval of the project by a vote of 5-0. LUAC meeting minutes dated February 18, 2003 (Exhibit “D”).

(f) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN020549.

2. **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, and all zoning violation abatement cost, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations that exist on subject property.

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: The project was reviewed by Planning and Building Inspection, Public Works Department, Water Resources Agency, Environmental Health Division, and North County Fire Protection District. The respective departments and 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. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions (Exhibit "C").

4. **FINDING: SITE SUITABILITY** - The site is suitable for the use proposed.

EVIDENCE: (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works Department, Water Resources Agency, Environmental Health Division, and North County Fire Protection District. Conditions recommended have been incorporated (Exhibit "C").

(b) Staff conducted an on-site visit on December 12, 2002 to verify that the site is suitable for this use.

5. **FINDING: CEQA** - The project is exempt from environmental review.

EVIDENCE: (a) CEQA Guidelines Section 15305 categorically exempts minor lot line adjustments not resulting in the creation of new parcels, where the average slope is less than 20%.

(b) No potential adverse environmental effects were identified during staff review of the development application or during the site visit on December 12, 2002

6. **FINDING: PUBLIC ACCESS** - The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

EVIDENCE (a) The subject property is not described as an area where the Local Coastal Program requires access.

(b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 6, the Shoreline Access/Trails Map, of the North County Land Use Plan.

(c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

(d) Staff site visit on December 12, 2002.

7. **FINDING: LOT LINE ADJUSTMENT (ADJACENT PARCELS)** - The lot line adjustments are between two (or more) existing adjacent parcels.

EVIDENCE: The application and plans for a lot line adjustment found in the project file.

8. **FINDING: LOT LINE ADJUSTMENT (PARCEL CREATION)** - A greater number of parcels than originally existed will not be created as a result of the lot line adjustment.
- EVIDENCE:** Four (4) contiguous separate legal parcels of record will be adjusted and four contiguous separate legal parcels of record will result from the adjustment.
- EVIDENCE:** The application and plans for a lot line adjustment found in the project file.
9. **FINDING: LOT LINE ADJUSTMENT (ZONING CONFORMITY)** - The parcels resulting from the lot line adjustment conform to the County Zoning and Building Ordinances.
- EVIDENCE:** The proposed lot line adjustment is consistent with the regulations for parcels within the "CAP (CZ)" Zoning District (Parcels 1-3 and portion of Parcel 4) and "RC (CZ)" Zoning District (portion of Parcel 4). The application and plans for a lot line adjustment found in the project file.
10. **FINDING: APPEALABILITY** - The project is appealable to the Board of Supervisors and California Coastal Commission.
- EVIDENCE:** Section 20.86.030 and Section 20.86.080.A.3 of the Monterey County Coastal Implementation Plan (Part 1), and Section 19.01.040 of the Monterey County Coastal Zone Subdivision Ordinance (Title 19).

EXHIBIT "C"

RECOMMENDED CONDITIONS OF APPROVAL

1. The subject Combined Development Permit consists of a Coastal Development Permit and a four parcel lot line adjustment. The parcels, labeled 1 through 4, are not defined by assessor's parcel number but are contained in APNs 133-151-008-000 and 133-151-009-000. The lot line adjustment includes: Parcel 1, changing from 30.42 acres to 40.28 acres; Parcel 2, changing from 34.69 acres to 40.01 acres; Parcel 3, changing from 107.92 acres to 68.35 acres; and Parcel 4, changing from 158.21 acres to 182.60 acres. The properties are located approximately 0.5 miles north of the Highway 1/Highway 183 intersection, Castroville, North County area, Coastal Zone. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. The lot line adjustment allowed by this permit shall not be effective until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. 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. **(Planning and Building Inspection)**
2. The applicant shall file a record of survey showing the new line and it's monumentation **(Public Works)**

Prior to recordation of Grant Deeds or a Record of Survey:

3. The applicant shall record a notice which states: "A permit (Resolution # _____) was approved by the Minor Subdivision Committee for Assessor's Parcel Numbers 133-151-008-000 and 133-151-009-000 on May 8, 2003. The permit was granted subject to 5 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to recordation of Grant Deeds or a Record of Survey. **(Planning and Building Inspection)**
4. The applicant shall obtain a survey of the new lines and have the lines monumented. **(Public Works)**
5. The owner shall record a notice, for each newly aligned parcel, stating that "the property is located within or partially within a floodplain and may be subject to building and/or land use restrictions." A copy of the recorded notice shall be provided to the County Water Resources Agency. **(Water Resources Agency)**

