

FINAL

**MONTEREY COUNTY SUBDIVISION/MINOR SUBDIVISION COMMITTEE
March 13, 2003
MINUTES**

The Monterey County Subdivision/Minor Subdivision Committee met at 9:10 a.m. at the Board of Supervisors Chambers of the Courthouse at 240 Church Street, Salinas, California.

A. ROLL CALL

Present: Al Mulholland, Water Resources; Laura Lawrence, Environmental Health; Richard Brandau, Parks Department; James McPharlin, County Fire Warden's Office; Laurence Hawkins, Planning Commission; Jeff Main, Planning and Building Inspection; Bryce Hori, Public Works, Linda Rotharmel

Absent: None

B. COMMENT PERIOD: None

C. APPROVAL OF MINUTES: February 13, 2003 and February 27, 2003

Main changed the Minutes on Page 4, first paragraph, to delete “. . . keeping the house location, building envelopes and driveway access for Lot F9 and . . .”

McPharlin moved, seconded by Mulholland, and passed by the following vote to approve the minutes of February 13, 2003, as amended:

AYES: Mulholland, Lawrence, Brandau, McPharlin, Main, Hori

NOES: None

ABSENT: None

ABSTAIN: Hawkins

Lawrence questioned whether the number was correct for Condition #16.I on Page 2, second paragraph. It was noted that the numbers were correct. Rotharmel said it was, but checking into the numbering later, it was noted that the numbering in the Staff Report was wrong. Lawrence also changed the name of Don Anderson to John Anderson on Page 3, second paragraph.

Hawkins moved, seconded by McPharlin, and passed by the following vote to approve the minutes of February 27, 2003, as amended:

AYES: Mulholland, Lawrence, Brandau, McPharlin, Main, Hori, Hawkins

NOES: None

ABSENT: None

ABSTAIN: None

D. SCHEDULED ITEMS

Minor Subdivision Committee

1. DANBOM DAVID N (PLN000360)

Minor Subdivision of a 14.8 acre parcel into four (4) 2.5 acre parcels and one (1) 4.8 acre remainder parcel with an existing house. The property is located at 1901 San Juan Road, Aromas (Assessor's Parcel Number 267-041-003-000), North County Non-Coastal area.

Taven Kinison Brown described the project and stated that Staff Recommends Denial because there is no guarantee for a long term sustainable water supply, the ground water nitrate contamination for the project site and surrounding wells were found to be inconsistent with Goals and Policies of the Monterey County General Plan, North County Area Plan, and the Subdivision Ordinance (Title 19). The North County Non-Coastal Land Use Advisory Committee recommended approval with the condition that the water system meet fire department standards for North County Fire as well as standards of Monterey County Health Department.

Derinda Messenger, representative for Danbom, gave history of the project. There was discussion regarding the well and the presence of nitrates in the water, the aquifer, and the amount of money Mr. Danbom spent on the Hydrology Report. Ms. Messenger provided reasons why the project should be approved.

Alan Mayer, friend and neighbor, spoke in favor of the project stating it would use a minimal amount of water compared to what one acre of strawberries would use.

Laura Lawrence, Environmental Health, addressed the comments made by Ms. Messenger regarding the aquifer parameters being capable of producing a long term water supply of ground water for the proposed project stating future build out and development of ground water resources through out the North Monterey County Hydrogeology Study area would incrementally contribute to significant water supply and water quality problems documented in the area, including ground water level, sea water intrusion and nitrate contamination. In regards to the Hydrology Report issue, it was noted that it was Mr. Danbom's choice to go forward with the report. Regarding the new well, Ms. Lawrence stated that it is the long term sustainability of the water from the well that is the primary issue.

There was discussion regarding the water issue and Al Mulholland, Water Resources Agency, stated that any increase in water use and continuing to increase the overdraft in North Monterey County would be a potential problem. The water moratorium was lifted and requirements would revert back to Title 19 for guidance.

There was discussion of the remainder parcel and Mr. Novo stated that direction from both Local Ordinances and State Subdivision Map Act on remainder parcels is that it does not get counted for determining the type of map, and Planning and Building Inspection Department can require a conditional certificate of compliance before the remainder parcel gets developed, if it's vacant. There are no restrictions on a remainder parcel except that it be determined to be legal.

Mulholland moved, seconded by Main, and passed by the following vote to approve Staff's recommendation for denial for PLN000360:

AYES: Lawrence, Hori, Mulholland, Main
NOES: Hawkins, McPharlin
ABSENT: None

Subdivision Committee

2. MEYER HERBERT G TR (PLN010479)

Continued from 2/27/03. Minor Subdivision of 601+/- acres of agricultural property between the City of Gonzales and the Salinas River. The parcel map proposes to create eight (8) agricultural parcels of 40 acres or larger (per section 19.04.005 of the subdivision ordinance). Portions of the property are within the city of Gonzales' sphere of influence. Portions of the property are within the 100-year flood plain. No land use changes or construction of structures are proposed. (The City of Salinas owns/leases a .31 acre portion of proposed parcel #1 which will be unaffected by this proposal). The subject property is west of the S.P.R.R. tracks and Business 101 (Alta Road), (Assessor's Parcel Numbers 223-061-003-000 and 223-061-004-000), and extends southwest of the city of Gonzales to the Salinas River, Central Salinas Valley area.

Taven Kinison Brown described the project stating no structures or development were proposed. Staff recommended Subdivision Committee adopt the Negative Declaration and approve the Minor Subdivision subject to the Findings and Evidence and Conditions of Approval.

There was discussion regarding the agricultural easement and development of the parcels. It was noted that there was reference to the Easement Deed located in the Recorder's Office and that those types of easements are permanent for State purposes of tax breaks and for the IRS they have to be permanent. Mr. Meyer said housing would be prohibited, except for affordable housing.

Bryce Hori, Public Works, stated the tentative parcel map showed 25' wide road way easements and Public Works requires 30', so Condition #5 was amended to add all existing and required easements or rights of way require 30' wide easement.

There was discussion regarding houses on the new parcels created in the flood plain and it was noted that there were no residences in the flood plain. Al Mulholland, Water Resources clarified that you could have a residence in the flood plain, but it would have to be flood proof and elevated one foot above the flood elevation, but could not have a residence if it's in the flood way.

Herbert Meyer agreed to the 8 conditions.

Mulholland moved, seconded by McPharlin, and passed by the following vote to approve Staff recommendation of the Minor Subdivision for PLN010479, as amended.

AYES: Lawrence, Hori, Mulholland, Main, Hawkins, McPharlin
NOES: None
ABSENT: None

E. OTHER ITEMS: None

ADJOURNMENT

The meeting was adjourned at 10:12 a.m.

ATTEST

Jeff Main, Secretary

/lmr