

MONTEREY COUNTY MINOR SUBDIVISION COMMITTEE

Meeting: October 26, 2006	Time: 9:05 A.M.	Agenda Item No.: 1
Project Description: Lot Line Adjustment between two existing legal lots of record, Parcel 4 (10.004) acres and Parcel 5 – “Remainder Parcel” (117.747 acres) resulting in two lots of 33.0 acres (Parcel 4A) and 94.751 acres (Parcel 5A), respectively.		
Project Location: 28000 Underwood Road, Salinas		APN: 416-452-029-000 and 416-452-030-000
Planning File Number: PLN060161		Name: Michael Aldercotte
Plan Area: Toro Area Plan		Flagged and staked: No
Zoning Designation: “RC/10-D” [Resource Conservation, maximum density of one unit/10 acres with Design Control]		
CEQA Action: Categorically Exempt per Section 15305(a)		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Minor Subdivision Committee approve the Aldercotte Lot Line Adjustment based on Findings and Evidence (**Exhibit B**) and subject to proposed conditions of approval (**Exhibit C**).

OVERVIEW OF PROPOSED ACTION

This project consists of a lot line adjustment between two existing legal lots of record, Parcel 4 (10.004) acres and Parcel 5 – “Remainder Parcel” (117.747 acres) resulting in two lots of 33.0 acres (Parcel 4A) and 94.751 acres (Parcel 5A), respectively. The project would not result in the creation of any new parcels. The parcels resulting from the lot line adjustment conform to the requirements of the Monterey County Zoning Ordinance (Title 21). No significant issues have been identified for the project.

OTHER AGENCY INVOLVEMENT:

- ✓ Water Resources Agency
- ✓ Environmental Health Division
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Salinas Rural Fire Protection District

The above checked agencies and departments have reviewed this project. Conditions recommended by the Public Works Department and Planning and Building Inspection Department have been incorporated into the condition compliance reporting plan (see **Exhibit C**).

Bob Schubert, AICP, Acting Planning and Building Services Manager
(831) 755-5183 or schubertbj@co.monterey.ca.us
October 17, 2006

cc: Minor Subdivision Committee, Public Works Department, Parks Department,
Environmental Health Division, Water Resources Agency, Salinas Rural Fire
Protection District, Bob Schubert, Applicant, File.

Attachments: Exhibit "A" Project Data Sheet
Exhibit "B" Recommended Findings and Evidence
Exhibit "C" Recommended Conditions of Approval
Exhibit "D" Tentative Map

Exhibit A
Project Data Sheet

EXHIBIT B
RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY, SITE SUITABILITY** - The project proposed in this application consists of a lot line adjustment (PLN060161). The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements and standards of the Monterey County Subdivision Ordinance (Title 19), Toro Area Plan, and the Monterey County Zoning Ordinance (Title 21). The property is located at 28000 Underwood Road, Salinas. The property is zoned: "RC/10-D" [Resource Conservation, maximum density of one unit/10 acres with Design Control].

EVIDENCE: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

 - a) Monterey County General Plan;
 - b) Toro Area Plan; and
 - c) Chapter 21.36 of the Monterey County Zoning Ordinance regulations for development.
 - d) Title 19 (Subdivision Ordinance) of the County Code.

EVIDENCE: The proposed development has been reviewed by the Monterey County Planning Department, Water Resources Agency, Public Works Department, Parks Department, Environmental Health Division and the Salinas Rural Fire Protection District. There has been no indication from these agencies that the site is not suitable for the proposed development. Each agency has recommended conditions for subdivision improvements.

EVIDENCE: Written and verbal public testimony submitted at public hearings before the decision-making body.

EVIDENCE: The on-site inspection of the subject parcel on September 1, 2006 by the project planner.

EVIDENCE: The project was not referred to the Toro Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the Lot Line Adjustment does not involve conflicts with slopes or public views.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development, found in the project file.
2. **FINDING:** **SUBDIVISION ORDINANCE FINDINGS** - The following findings found in Section 19.09.020 of the Subdivision Ordinance can be made:

 - a) That the lot line adjustment is between two existing adjacent parcels.
 - b) A greater number of parcels than originally existed will not be created as a result of the lot line adjustment.
 - c) The parcels resulting from the lot line adjustment conform to County Zoning and Building Ordinances.

EVIDENCE: Staff has analyzed the project against the findings for approval outlined in Section 19.09.020 of the Subdivision Ordinance. The map and its design and improvements are consistent with the County General Plan, the Toro Area Plan, the Zoning Ordinance (Title 21) and the Building Ordinance.

EVIDENCE: The property provides for adequate building sites as evidenced by the application materials submitted for the site.

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development.

EVIDENCE: a) A site inspection of the property conducted by the project planner on September 1, 2006.

b) Maps and application contained in the project file (PLN060161).

EVIDENCE: Preceding Findings and Evidence.

3. **FINDING: CEQA (EXEMPT)** – The project is categorically exempt from environmental review.

EVIDENCE: (a) California Environmental Quality Act (CEQA) Guidelines Section 15305(a) categorically exempts minor alterations to land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to: (a) Minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.
(b) No adverse environmental effects have been identified during staff review of the development application or during a site visit conducted on September 1, 2006.

4. **FINDING: APPEALABILITY** - The project is appealable to the Board of Supervisors.

EVIDENCE: The Monterey County Subdivision Ordinance (Title 19), Section 19.16.020.B.

5. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all the rules and regulations pertaining to zoning: uses, subdivision, and any other applicable provisions of this Title and any zoning violation abatement costs have been paid.

EVIDENCE: The subject property is currently vacant and undeveloped and there are no zoning violations recorded or pending to be resolved.

<p align="center">EXHIBIT C</p> <p align="center">Monterey County Resource Management Agency - Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan</p>	<p>Project Name: Aldercotte</p> <p>File No: PLN060161 APN: 416-452-029-000 and 416-452-030-000</p> <p>Approval by: Minor Subdivision Committee Date: October 26, 2006</p>
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1		<p>PBD029 - SPECIFIC USES ONLY</p> <p>This permit (PLN060161) allows for a lot line adjustment between two existing legal lots of record, Parcel 4 (10.004) acres and Parcel 5 – “Remainder Parcel” (117.747 acres) resulting in two lots of 33.0 acres (Parcel 4A) and 94.751 acres (Parcel 5A), respectively. The property is located at 28000 Underwood Road, Salinas (APN 416-452-029-000 and APN 416-452-030-000). This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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 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</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other- wise stated	

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		permits are approved by the appropriate authorities. (Resource Management Agency (RMA) - Planning Department)				
2		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 060092) was approved by the Minor Subdivision Committee for Assessor's Parcel Numbers 009-294-012 and 009-294-013-000 on October 26, 2006. The permit was granted subject to five conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning Department." Proof of recordation of this notice shall be furnished to the Director of Planning prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the Planning Department.	Owner/ Applicant	Prior to Recording the Record of Survey	
3		PW0034 – LOT LINE ADJUSTMENT Obtain a survey of the new line and have the line monumented. (Public Works)	Owner shall have a surveyor monument the new lines. Evidence of completion of monumentation shall be submitted to DPW for review and approval.	Owner/ Applicant/ Surveyor	Prior to Recording the Record of Survey	
4		PW0035 – RECORD OF SURVEY File a Record of Survey showing the new line and it's monumentation. (Public Works)	Owner's Surveyor to prepare record of survey and submit to DPW for review and approval.	Owner/ Surveyor	Prior to Recording the Record of Survey	

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5		NONSTANDARD CONDITION The applicant shall request unconditional certificates of compliance for the newly configured parcels. (RMA – Planning Department)	The surveyor shall prepare legal descriptions for each newly configured parcel. The legal descriptions shall be entitled “Exhibit A.” The legal descriptions shall comply with the Monterey County Recorder’s guidelines as to form and content. The applicant shall submit the legal descriptions with a check, payable to the <i>Monterey County Recorder</i> , for the appropriate fees to record the certificates.	Owner/ Applicant/ Surveyor	Prior to Recording the Record of Survey	

