

**MINOR SUBDIVISION COMMITTEE  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 01016

A.P.N. 129-096-033-000  
and 129-096-031-000

In the matter of the application of  
**Scott & Susan Haddock (PLN010010)**

**FINDINGS & DECISION**

for a Coastal Development Permit in accordance with Title 20.1 (Monterey County Coastal Implementation Plan Ordinances) Chapter 20.140 (Coastal Development Permits) of the Monterey County Code, to allow a Lot Line Adjustment involving no net increase or decrease in area between Parcel 3 (2.50 acres) and Parcel 1 (3.08 acres), located at 15640 and 15665 Plaza Serena, Prunedale, Coastal Zone, came on regularly for hearing before the Planning Commission on September 13, 2001.

Said Minor Subdivision Committee, having considered the application and the evidence presented relating thereto,

1. **FINDING:** The project proposed in this application consists of a Coastal Development Permit for a lot line adjustment involving no net increase or decrease in area between parcel 1 and Parcel 3 (PLN010010). The project, as described in condition #1, and as conditioned, conforms with the plans, policies, requirements and standards of the Monterey County Coastal Subdivision Ordinance (Title 19), and with the North County Coastal Land Use Plan, North County Coastal Implementation Plan (Part 2), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20), which together comprise the Local Coastal Program for the project site. The property is located at 15640 and 15665 Plaza Serena, Prunedale in the North County area of the Coastal Zone. The parcel is zoned "LDR 2.5 (CZ)" or Low Density Residential 2.5-acres per unit. 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. The subject property complies with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 20, and any zoning violation abatement costs have been paid.

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

- a) The certified North County Coastal Land Use Plan
- b) The certified Monterey County Coastal Implementation Plan (Part 2) regulations for the "LDR (CZ)" District in the Coastal Zone, and
- c) Chapter 20.144.030B.7 Monterey County Coastal Implementation Plan (Part 2) regulations for development in the North County Coastal Land Use Plan.

**EVIDENCE:** Necessary public facilities are available to the project site.

**EVIDENCE:** The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, and the North County Fire District. There has been no indication from these agencies that the site is not suitable for the proposed development. The proposed lot line adjustment is categorically exempt from CEQA review. Each agency has recommended appropriate conditions if necessary.

**EVIDENCE:** The North County Coastal Land Use Advisory Committee recommended approval of the project on March 19, 20001, by a vote of 6 to 0.

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

**EVIDENCE:** The on-site inspection of the subject parcel by the project planner pursuant to Section 20.144.030B.7 of the North County Coastal Implementation Plan.

**EVIDENCE:** 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 the project file.

**EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

**EVIDENCE:** The subject property is not described as an area where the Local Coastal Program requires access. The parcels are located within an existing subdivision in an area that is approximately 3 miles from the coastline.

2. **FINDING:** The proposed project will not have a significant environmental impact.

**EVIDENCE:** The Monterey County CEQA Guidelines categorically exempts this project from environmental review. No adverse environmental impacts were identified during review of the proposed lot line adjustment.

3. **FINDING:** The lot line adjustment is between two existing adjacent parcels.  
**EVIDENCE:** The application and plans for a lot line adjustment found in the project file.
4. **FINDING:** A greater number of parcels than originally existed will not be created from the lot line adjustment.  
**EVIDENCE:** Two contiguous separate legal parcels of record will be adjusted and two contiguous separate legal parcels of record will result from the adjustment with no net increase or decrease in area between the two parcels.
5. **FINDING:** 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 standards for parcels within the "LDR/2.5(CZ)" Zoning District. The application and plans for a lot line adjustment found in the project file.
6. **FINDING:** The establishment, maintenance, or operation of the lot line adjustment applied for will not, under the circumstances of the 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 improvement in the neighborhood, or to the general welfare of the County.  
**EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection; Environmental Health Division, Public Works Department, North County Fire Department, and Water Resources Agency. The respective departments 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; or the County in general.
7. **FINDING:** The project is appealable to the Board of Supervisors.  
**EVIDENCE:** 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).

### DECISION

THEREFORE, it is the decision of said Minor Subdivision Committee that said request for a Lot Line Adjustment be granted as shown on the attached sketch, subject to the following conditions:

1. This permit allows a lot line adjustment involving no net increase or decrease in area between two adjacent contiguous parcels, located at 15640 and 15665 Plaza Serena, Salinas, North County Coastal Zone. The project is 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 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)**

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

2. The property owners agree as a condition of and in consideration of the 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 owners 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. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his 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 the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owners 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 owners of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owners shall not thereafter be responsible to defend, indemnify or hold the County harmless. **(Planning and Building Inspection Department)**
3. Each property owner shall record a notice which states: "A permit (Resolution 01016) was approved by the Monterey County Minor Subdivision Committee for Assessor's Parcel Number 129-096-033-000 [or 129-096-031-000 for Parcel #1] on September 13, 2001. The permit was granted subject to five (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 issuance of building permits or commencement of the use. **(Planning and Building Inspection Department)**
4. Obtain a survey of the new lot line and have the line monumented. **(Public Works)**

5. File a Record of Survey showing the new line and its monumentation. **(Public Works)**

PASSED AND ADOPTED this 13<sup>th</sup> day of September, 2001, by the following vote:

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

  
JEFF MAIN, SECRETARY

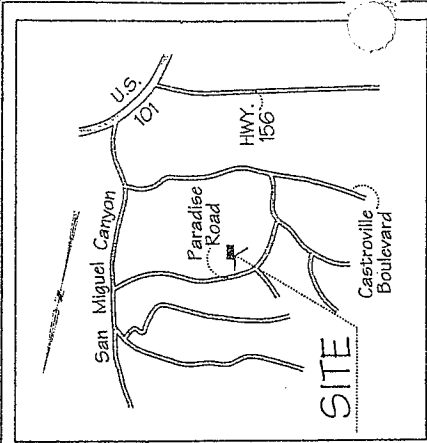
Copy of this decision mailed to applicant on **DEC 17 2001**

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE BOARD OF SUPERVISORS. THIS PROJECT IS NOT APPEALABLE TO THE CALIFORNIA COASTAL COMMISSION.

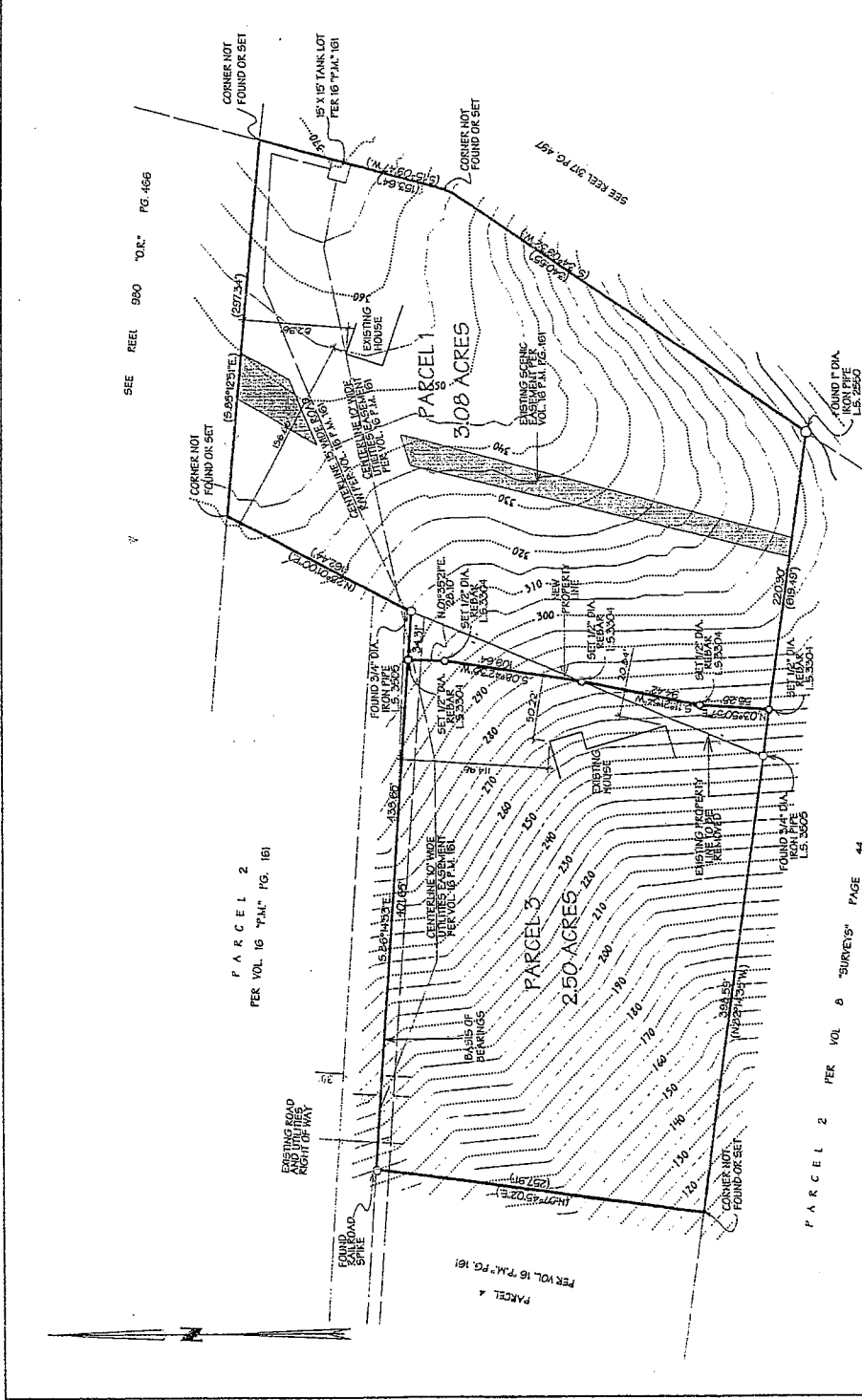
IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **DEC 27 2001**

UNLESS EXTENDED AS PROVIDED BY CHAPTER 19.03.035, TITLE 19 (SUBDIVISIONS), MONTEREY COUNTY CODE, THIS APPROVAL EXPIRES ON SEPTEMBER 13, 2001. EXTENSION REQUESTS MUST BE MADE IN WRITING 30 DAYS PRIOR TO THE AFOREMENTIONED EXPIRATION 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 90<sup>th</sup> day following the date on which this decision becomes final.



# EXHIBIT E



BASES OF BEARINGS  
 THE BEARINGS OF S. ASHLEY'S E.  
 SHOWN AS THE NORTHERLY BOUNDARY  
 OF PARCEL 3 ON MAP FILED FOR RECORD  
 IN VOLUME 16 OF PARCEL MAPS PG. 161  
 PAGE 161 WAS USED AS THE BASIS OF  
 BEARINGS FOR THIS MAP AND WAS TAKEN  
 FROM MONUMENTS FOUND MARKING SAID BOUNDARY

## SITE PLAN OF LOT LINE ADJUSTMENT

BETWEEN  
 PARCELS 1 AND 3  
 PER VOLUME 16 "PARCEL MAPS" PG. 161  
 SITUATE IN  
 RANCHO BOLSA NUEVA Y MORO COJO  
 MONTEREY COUNTY, CALIFORNIA  
 PREPARED FOR  
 SUSAN HADDOCK AND RON BELL  
 BY  
 H. D. PETERS CO. INC. & ASSOCIATES  
 DECEMBER, 2000 SCALE: 1"= 60'  
 SHEET ONE OF ONE

**LEGEND**  
 THE BORDER LINE SHOWN TULLS. INDICATES THE EXTERIOR BOUNDARIES OF THE LAND INCLUDED WITHIN THIS SURVEY.  
 DISTANCES AND DIMENSIONS ARE EXPRESSED IN FEET AND DECIMALS THEREOF.  
 BEARINGS AND DISTANCES WITHIN PARENTHESES REFER TO DATA OF PRIOR RECORDS.  
 —○— DENOTES A SET 1/2" DIA. IRON BAR TAGGED L.S. 3304  
 —○— DENOTES FOUND MONUMENTATION AS NOTED.

**COUNTY RECORDER'S STATEMENT**  
 FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
 IN VOLUME \_\_\_\_\_ OF "SURVEYS" AT PAGE \_\_\_\_\_  
 AT THE REQUEST OF H.D. PETERS CO. INC. AND ASSOCIATES.  
 COUNTY RECORDER \_\_\_\_\_  
 DEPUTY \_\_\_\_\_  
 FEE: \_\_\_\_\_ G-NO \_\_\_\_\_

**COUNTY SURVEYOR'S STATEMENT**  
 THIS MAP HAS BEEN EXAMINED THIS \_\_\_\_\_ IN ACCORDANCE WITH  
 DAY OF \_\_\_\_\_ SECTION 8766 OF THE LAND SURVEYOR'S ACT.  
 BY: MICHAEL K. WELCH L.S. 3485, DEPUTY COUNTY SURVEYOR

**SURVEYOR'S STATEMENT**  
 THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT, AT THE REQUEST OF SUSAN HADDOCK.  
 LICENSED LAND SURVEYOR - 3304  
 LICENSED EXPRES JUNE 30, 2004