

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

RESOLUTION NO. 03011

MINOR SUBDIVISION # 020549

A.P. # 133-151-008-000-M

In the matter of the request of  
**Georje Properties LLC (PLN020549)**

**FINDINGS AND DECISIONS**

for a Combined Development Permit pursuant to regulations established by local ordinance and state law, consisting of a Coastal Development Permit and four parcel lot line adjustments. The parcels, labeled 1 through 4 are not defined by Assessor's Parcel Number but are contained in Assessor's Parcel Numbers 133-151-008-000 and 133-151-009-000. The Lot Line Adjustment includes: Parcel 1 changing from 34.69 acres to 40.01 acres; Parcel 3 changing from 107.92 to 68.35 acres; and Parcel 4 changing from 158.21 acres to 182.60 acres. The properties are existing agricultural fields accessed through Highway 1 at approximately 0.5 miles north of the Highway 1 and Highway 183 intersection, Castroville, North County area, Coastal Zone, came on regularly for hearing before the Minor Subdivision Committee on May 8, 2003.

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

**FINDINGS OF FACT**

- 1. FINDING:** 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) 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.

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

### DECISION

THEREFORE, it is the decision of said Minor Subdivision Committee that said request for a Combined Development Permit be approved as shown on the attached sketch, subject to the following conditions:

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 Assessor's Parcel Numbers 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 #03011) 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)**

PASSED AND ADOPTED THIS 8th day of May, 2003, by the following vote:

AYES: McPharlin, Lawrence, Hori, Towner, Mulholland, Hawkins  
 NOES: None  
 ABSENT: Brandau

Original Signed By:

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ANN TOWNER, SECRETARY

COPY OF THIS DECISION WAS MAILED TO APPLICANT ON

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

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

UNLESS EXTENDED AS PROVIDED BY CHAPTER 19.03.035, TITLE 19 (SUBDIVISIONS), MONTEREY COUNTY CODE, THIS APPROVAL EXPIRES ON May 8, 2005. 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.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Monterey.

2. This permit expires two years after the above date of granting thereof unless construction or use is started within this period.