



Legislation Details (With Board Report)

File #: RES 17-067 **Name:** PLN150619 - RCT/Franscioni
Type: BoS Resolution **Status:** Passed
File created: 5/12/2017 **In control:** Board of Supervisors
On agenda: 5/23/2017 **Final action:** 5/23/2017
Title: PLN150619 - RCT Land Company LP (Franscioni)
Public hearing to:
a. Consider a Supplemental Environmental Impact Report that was previously adopted by the City of Greenfield City Council;
b. Adopt a Mitigation Monitoring and Reporting Program (MMRP);
c. Approve a Minor Subdivision to allow the division of a 173-acre parcel into two (2) parcels of 121.4 acres (Parcel 1) and 51.6 acres (Parcel 2);
d. Approve tentative findings for approval of a partial cancellation of Williamson Act Agricultural Preserve Land Conservation Contract No. 73-9 between the County of Monterey and TMV Lands; and
e. Approve findings for approval of a Williamson Act Easement Exchange.
Location: Northeast of Espinosa Road and Patricia Lane, Greenfield
CEQA Action: Supplemental Environmental Impact Report adopted by the City of Greenfield

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Exhibit A - Discussion, 3. Exhibit B - Resolution, 4. Exhibit C - Vicinity Map, 5. Exhibit D - Agricultural Advisory Committee Minutes, 6. Exhibit E - Draft Supplemental EIR, 7. Exhibit F - Final Supplemental EIR, 8. Exhibit G - Final Greater Greenfield Area MOU, 9. Exhibit H - Mitigation Monitoring and Reporting Program, 10. Exhibit I - Memorandum from County Assessor, 11. Exhibit J - Letter from Department of Conservation, 12. Exhibit K - Land Conservation Contract No. 73-9, 13. Exhibit L - Vicinity Map of Land Conservation Easements, 14. Exhibit M - Somovia Ranch -Deed of Ag Conservation Easement, 15. Exhibit N - Vanoli Ranch, 16. Exhibit O - Redding Ranch - Deed of Ag Conservation Easement, 17. Exhibit P - Vanoli Ag Buffer Easement Deed, 18. Completed Board Order and Resolution, 19. REVISED Completed Board Order and Revised Resolution, 20. Revised Completed Board Order and Revised Resolution w Attachments

Date	Ver.	Action By	Action	Result
5/23/2017	1	Board of Supervisors	adopted	Pass

PLN150619 - RCT Land Company LP (Franscioni)

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Location: Northeast of Espinosa Road and Patricia Lane, Greenfield

CEQA Action: Supplemental Environmental Impact Report adopted by the City of Greenfield

RECOMMENDATION:

It is recommended that the Board of Supervisors hold a public hearing to:

- a. Consider a Supplemental Environmental Impact Report that was previously adopted by the City of Greenfield City Council;
- b. Adopt a Mitigation Monitoring and Reporting Program (MMRP);
- c. Approve a Minor Subdivision to allow the division of a 173-acre parcel into two (2) parcels of 121.4 acres (Parcel 1) and 51.6 acres (Parcel 2);
- d. Approve tentative findings for approval of a partial cancellation of Williamson Act Agricultural Preserve Land Conservation Contract No. 73-9 between the County of Monterey and TMV Lands; and
- e. Approve findings for approval of a Williamson Act Easement Exchange.

A draft resolution is attached for your consideration (**Exhibit B**). Staff recommends approval subject to ten (10) conditions, including two (2) mitigation measures.

PROJECT INFORMATION:

Project Location: Northeast of Espinosa Road and Patricia Lane, Greenfield

APN: 221-011-017-000

Zoning: F/40 (Farmlands Minimum 40 acres)

SUMMARY:

RCT Land Company LP owns approximately 173 acres located south of the City of Greenfield. A Tentative Parcel Map application was filed to divide the subject property as follows:

- Parcel 1. Create a 121.4 acre parcel that would be annexed into the City and developed for commercial and industrial land uses. Parcel 1 would have a seventy foot (70') wide Agricultural Buffer Easement across the easterly property line and a ten foot (10') wide Agricultural Buffer Easement along the southern property line adjacent to Espinosa Road, encumbering approximately 6.7 acres of the property (the Buffer Easement Property) which would be held by the Ag Land Trust and the County of Monterey.
- Parcel 2. Create a 51.6 acre parcel that would remain under the existing Williamson Act contract.

Parcel 1 is within the City of Greenfield's Sphere of Influence boundary and is proposed to be annexed. Annexation of this land would be part of the City of Greenfield's South End Annexation which involves four (4) parcels (including the subject parcel) with a total of approximately 290 acres located at the City's southern edge. Most of the area proposed for annexation, including the subject parcel, consists of irrigated farmland currently used to grow row crops and vineyards. The proposed annexation is consistent with the "Final Greater Greenfield Area Memorandum of Agreement" between the City of Greenfield (adopted by the Greenfield City Council on May 21, 2013), County of Monterey (adopted by the Board of Supervisors on June 11, 2013) and the Local Agency Formation Commission of Monterey County (LAFCO) (adopted by LAFCO on June 24, 2013) (hereafter, sometimes referred to as "MOA") (**Exhibit I**).

The applicant filed an owner initiated Notice of Non-Renewal of the Williamson Act Agricultural Preserve Land Conservation Contract No. 73-9 (hereafter, "Ag P LCC No. 73-9" or "Contract") for the entire 173-acre parcel in 2004 (recorded in September 14, 2006). Per the owner initiated Notice of Nonrenewal, the existing Contract would expire on December 23, 2023. The applicant proposes to cancel the Williamson Act Contract on the land to be annexed (121.4 acres, Parcel 1) to make it possible for development on this parcel to occur prior to the anticipated December 23, 2023 expiration date to help provide economic activity, jobs, and revenue to benefit the City of Greenfield. Ag P LCC No. 73-9 will be amended to reflect the partial cancellation of the 121.4 acres (Parcel 1) at the time the final map for the subject Minor Subdivision is approved for filing with the County Recorder.

Mitigation for contract cancellation and annexation consists of placing Parcel 2 under a permanent agricultural conservation easement, as well as two (2) other properties that would be placed under permanent agricultural conservation easements through the Williamson Act Easement Exchange Program (WAEEP) administered by

the Department of Conservation (DOC). The permanent agricultural easements would be held and managed by the Ag Land Trust of Monterey County.

DISCUSSION:

See **Exhibit A**.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have commented, and/or have recommended conditions:

- √ Environmental Health Bureau
- √ RMA-Public Works
- √ RMA-Environmental Services
- √ Water Resources Agency
- √ Greenfield Fire Protection District
- √ City of Greenfield
- √ Agricultural Advisory Committee
- √ Office of County Counsel

The proposed project was reviewed by Agricultural Advisory Committee (hereafter, “Committee”) on April 28, 2016. The Committee voted 8 Ayes, 0 Noes, 3 Absent and 1 Recusal (**Exhibit D**) to recommend approval of the project. The Committee was satisfied with the land mitigation based on soil type and increased acreage of protected farm land which will result from the proposed permanent agricultural easements to be held by the Ag Land Trust as discussed in **Exhibit A**.

On December 14, 2016, the Planning Commission voted 8 Ayes, 1 No and 1 Recusal to recommend that the Board of Supervisors consider the Supplemental EIR, adopt a Mitigation Monitoring and Reporting Plan, approve tentative findings for cancellation of Williamson Act Agricultural Preserve Land Contract No. 73-9 and approve the Minor Subdivision.

FINANCING:

The applicant paid applicable fees for processing this application. Funding for staff time associated with this project is included in the FY16-17 Adopted Budget for RMA-Planning. Fees for cancelling a Williamson Act contract are paid to the State Department of Conservation.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our RMA customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources. Ag buffers and mitigation lands provide protection for existing agricultural operations, which makes a large portion of Monterey County’s economy and is one of the four economic pillars for economic development. The annexation will generate potential area for commercial and industrial development within the City of Greenfield.

Check the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Bob Schubert, AICP, Senior Planner, ext. 5183

Reviewed by: Brandon Swanson, RMA Planning Services Manager, ext. 5193

Approved by: Carl Holm, AICP, Director Resource Management Agency

Attachments:

Exhibit A Discussion

Exhibit B Draft Resolution including recommended Conditions of Approval and Tentative Parcel Map

Exhibit C Vicinity Map

Exhibit D Agricultural Advisory Committee Minutes

Exhibit E Draft Supplemental EIR

Exhibit F Final Supplemental EIR

Exhibit G Final Greater Greenfield Area Memorandum of Agreement (6/24/2013)

Exhibit H Mitigation Monitoring and Reporting Program

Exhibit I Memorandum from County Assessor dated March 30, 2017

Exhibit J Letter from Department of Conservation dated December 13, 2016

Exhibit K Land Conservation Contract No. 73-9

Exhibit L Vicinity Map of Ag Conservation Easements

Exhibit M Somavia Ranch - Deed of Ag Conservation Easement

Exhibit N Vanoli Ranch - Deed of Ag Conservation Easement

Exhibit O Redding Ranch - Deed of Ag Conservation Easement

Exhibit P Vanoli Ag Buffer Easement Deed

cc: Front Counter Copy; Brandon Swanson, RMA Services Manager; Bob Schubert, RMA-Planning; Kathy Francioni, Applicant/Owner; Geary Coates - Applicant/Owner's representative; Mic Steinman, City of Greenfield; Sherwood Darrington, Ag Land Trust; Kate McKenna, LAFCO Monterey, Darren McBain, LAFCO Monterey, Nadia Amador/RMA-Planning, Robert A. Roach/Agricultural Commissioner's Office, Gregg MacFarlane/Assessor's Office, Mary Grace Perry/Office of the County Counsel; The Open Monterey Project (Molly Erickson); LandWatch; John H. Farrow; Janet Brennan; Project File PLN150253