



Board Report

File #: RES 15-081, **Version:** 1

Adopt a Resolution to:

- a. Determine that the previously adopted Mitigated Negative Declaration for the D'Arrigo Brothers Use Permit (File No. PLN020069) is adequate for the approval of a Minor Amendment to the Use Permit and a Lot Line Adjustment;
- b. Adopt a Resolution to approve a Minor Amendment to the D'Arrigo Brothers Use Permit (Planning File No. PLN020069) and to approve a Lot Line Adjustment between two (2) parcels under Farmland Security Zone Contract Nos. 2000-011.A and 2000-012.A, with no net decrease in acreage under Williamson Act Farmland Security Zone Contract; as shown on the proposed Lot Line Adjustment map on file in Planning File No. PLN150112;
- c. Authorize the Chair to execute a new or amended Farmland Security Zone Contract or Contracts rescinding a portion of the existing Farmland Security Zones and Contract Nos. 2001-011.A. and 2001-012.A. to reflect the newly reconfigured parcels, and simultaneously execute new or amended Farmland Security Contracts between the County and D'Arrigo Brothers Company of California, reflecting the new legal descriptions and current ownership interests, and to incorporate any legislative changes to the State Williamson Act provisions and current County Farmland Security Zone Williamson Act Policies or Procedures; and
- d. Direct the Clerk of the Board to record the new or amended contract or contracts subject to submittal of the appropriate recording fees by the property owner of record.
(Minor Amendment and Lot Line Adjustment - PLN150112/D'Arrigo Brothers, Harris Road, Spreckels area, Greater Salinas Area Plan)

PROJECT INFORMATION:

Planning File Number: PLN150112

Owner: D'Arrigo Brothers Company of California, Inc.

Project Location: 20911 & 21777 Harris Road

APNs: 177-011-011-000 & 177-011-012-000

Agent: Brian Finegan

Plan Area: Greater Salinas Area Plan

Flagged and Staked: No

CEQA Action: Consider the previously adopted Mitigated Negative Declaration for the D'Arrigo Brothers Use Permit (File No. PLN020069) and determine that it is adequate for the approval of a Minor Amendment to the Use Permit and a Lot Line Adjustment.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Determine that the previously adopted Mitigated Negative Declaration for the D'Arrigo Brothers Use Permit (File No. PLN020069) is adequate for the approval of a Minor Amendment to the Use Permit and a Lot Line Adjustment;
- b. Adopt a Resolution to approve a Minor Amendment to the D'Arrigo Brothers Use Permit (Planning File No. PLN020069) and to approve a Lot Line Adjustment between two (2) parcels under Farmland Security Zone Contract Nos. 2000-011.A and 2000-012.A, with no net decrease in acreage under Williamson Act Farmland Security Zone Contract; as shown on the proposed Lot Line Adjustment map

- on file in Planning File No. PLN150112; and
- c. Authorize the Chair to execute a new or amended Farmland Security Zone Contract or Contracts rescinding a portion of existing Farmland Security Zones and Contract Nos. 2001-011.A. and 2001-012.A. to reflect the newly reconfigured parcels, and simultaneously execute a new or amended Farmland Security Contract or Contracts between the County and D'Arrigo Brothers Company of California, reflecting the new legal descriptions and current ownership interests, and to incorporate any legislative changes to the State Williamson Act provisions and current County Farmland Security Zone Williamson Act Policies or Procedures; and
 - d. Direct the Clerk of the Board to record the new or amended Contracts subject to submittal of the appropriate recording fees by the property owner of record.

SUMMARY:

The subject property is the site of D'Arrigo Brothers agricultural processing plant (processing plant) located at 21777 Harris Road (APN 177-011-011-000), southeast of the Town of Spreckels, on the southeast side of Harris Road, which provides access to the property. The processing plant was built under Use Permit No. PLN020069 approved by the Board of Supervisors on March 30, 2004. The Use Permit allowed the construction of an approximately 240,000 square-foot processing plant facility and ancillary uses. The processing plant and ancillary facilities occupy an approximately 34-acre portion of the approximately 121-acre parcel, the remainder of which is under active crop cultivation. Other structures totaling 30,444 square feet of area existed on the subject parcel at the time of the approval and construction of the processing plant. The subject and adjacent parcel to the south are under Farmland Security Zone Contracts subject to State Williamson Act provisions.

The proposed project includes a Minor Amendment (Amendment) to the Use Permit and a Lot Line Adjustment (LLA). The Amendment would allow an additional 3,747 square feet to the previously approved building area as well as additional truck parking bays, truck and vehicular parking spaces and stormwater detention areas to the agricultural processing plant. The LLA would reconfigure two (2) existing adjacent parcels totaling approximately 299 acres. Each parcel is recognized as a separate legal lot of record pursuant to Certificates of Compliance which were issued pursuant to an earlier LLA (Planning File No. PLN070051) approved by the Board of Supervisors on September 29, 2009. Parcel 1 (APN 177-011-011-000), consisting of 121.6 acres, was established through Certificate of Compliance No. CC100039 approved by the County on December 21, 2010 and recorded on December 28, 2010 as a result of the lot line adjustment approved under File No. PLN070051. Parcel 2 (APN 177-011-012-000), consisting of 177.7 acres, was established through Certificate of Compliance No. CC100040 approved by the County on December 21, 2010 and recorded on December 28, 2010 as a result of the lot line adjustment approved under File No. PLN070051. The purpose of the proposed LLA is to enlarge the area of the parcel where the existing processing plant facility is located so that the proposed additions to the facility are consistent with the maximum 5% building coverage allowed by the standards of the "F/40" (Farmlands, 40 acre minimum) zoning district.

OTHER AGENCY INVOLVEMENT:

The Environmental Health Bureau, Water Resources Agency and Resource Management Agency have reviewed the project, comments, and recommended conditions.

FINANCING:

There is no additional impact to the General Fund as a result of the above actions. The two (2) subject parcels are currently under Farmland Security Zone Contract Nos. 2000-011.A and 2000-012.A. This LLA will

continue the Farmland Security Zone status of the properties, with no net decrease in overall contracted acreage under Williamson Act contract. Funding for staff time associated for the processing of this project is included in the FY2015-16 Adopted Budget for respective Departments or Agencies.

Prepared by: Luis Osorio, Senior Planner ext. 5177
Approved by: Mike Novo, Director, RMA-Planning, ext. 5192
Carl Holm, Interim Director Resource Management Agency

This report was reviewed by Luke Connolly, Planning Services Manager and Mary Grace Perry, Deputy County Counsel

cc: Front Counter Copy; Board of Supervisors; Office of the County Counsel; Environmental Health Bureau; RMA-Public Works Department; Water Resources Agency; Cal Fire South County; Luke Connolly, Planning Services Manager; Mike Novo; Agricultural Preserve Review Committee (Steve Mason, Planner; Gregg MacFarlane, Senior Agricultural Appraiser; Robert A. Roach, Assistant Agricultural Commissioner; Mary Grace Perry, Deputy County Counsel); D'Arrigo Brothers Company of California Inc., Applicant/Owner; Brian Finegan, Agent; The Open Monterey Project; LandWatch; Project File PLN150112.

The following attachments are on file with the Clerk of the Board:

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| Attachment A | Discussion |
| Attachment B | Draft Board Resolution |
| Attachment C | Vicinity Map; Project Plans and Lot Line Adjustment Map |
| Attachment D | Applicant-provided Project Description |
| Attachment E | Board Resolution 04-121 |
| Attachment F | Previously Adopted Mitigated Negative Declaration/Initial Study |
| Attachment G | Farmland Security Zone Contract No. 2001-011.A |
| Attachment H | Farmland Security Zone Contract No. 2001-012.A |