



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: ZA 17-041 **Name:** PLN160258 - DRISCOLLS
Type: Zoning Administrator **Status:** Agenda Ready
File created: 8/2/2017 **In control:** Monterey County Zoning Administrator
On agenda: 8/10/2017 **Final action:**
Title: PLN160258 - DRISCOLL STRAWBERRY ASSOCIATES INC.
Public hearing to consider action on establishment of a research and development breeding facility consisting of an agricultural support facility, greenhouses, and screenhouses.
Project Location: 1790 San Juan Road, Aromas, North County Area Plan
Proposed CEQA action: Categorically Exempt per Section 15301 of the CEQA Guidelines

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Draft Resolution, 4. Exhibit C - Draft Agricultural Advisory Committee Minutes, 5. Exhibit D - Vicinity Map

Date	Ver.	Action By	Action	Result
8/10/2017	1	Monterey County Zoning Administrator		

PLN160258 - DRISCOLL STRAWBERRY ASSOCIATES INC.

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Project Location: 1790 San Juan Road, Aromas, North County Area Plan

Proposed CEQA action: Categorically Exempt per Section 15301 of the CEQA Guidelines

RECOMMENDATION:

It is recommended that the Zoning Administrator:

- 1) Find the project Categorically Exempt per Section 15301 of the CEQA Guidelines; and
- 2) Approve the Combined Development Permit (PLN160258) consisting of:
 - a. A Use Permit to allow construction of a 22,052 square foot agricultural support facility for offices, fruit lab, cold box, storage and ancillary space; and
 - b. A Use Permit to allow construction of 151,238 square feet of greenhouses and screenhouses.

The attached resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends that the Zoning Administrator adopt the resolution approving PLN160258 subject to 17 conditions of approval.

PROJECT INFORMATION:

Agent: Charles Eadie, Eadie Consultants

Property Owner: Driscoll Strawberry Associates Inc.

APN: 267-043-017-000

Parcel Size: 43.39 Acres

Zoning: Farmland, 40-acres per unit or "F/40"

Plan Area: North County Area Plan

Flagged and Staked: No

SUMMARY/DISCUSSION:

The subject property is located at 1790 San Juan Road, Aromas, within the inland area of North Monterey County. The adjacent property to the north is developed with an agricultural processing facility providing warehouse storage and shipping services for Driscoll Strawberry Associates Inc. Outside of that, agricultural fields planted with row crops are found within a one-mile radius of the property.

The 43.39-acre site is prime farmland that is currently farmed with strawberries. Improvements on the site include a utility barn, modular office building, wells, and a driveway and access road. The applicant requests a Use Permit to convert over 173,000 square feet of irrigated farmland into an agricultural support facility, greenhouses, and screenhouses to expand and enhance the existing research and development (R&D) capabilities of Driscoll Strawberry Associates Inc., for breeding strawberries. The facility will contain offices with a kitchen and breakroom, berry growth chambers, a fruit lab, a cold box, and storage space to conduct and support R&D. The strawberries will be grown in greenhouses and screenhouses which will be non-soil dependent.

Pursuant to the Farmland zoning district, Section 21.30 of the Monterey County Zoning Ordinance (Title 21), the project requires approval of a Combined Development Permit consisting of a Use Permit for the agricultural support facility and a Use Permit for the greenhouses and screenhouses. Below is a discussion of key points relevant to policies and regulations staff considered to make a recommendation.

Long Term Sustainable Water Supply

The subject property is not located within Zone 2C, and therefore is not considered exempt from General Plan Policy No. PS-3.1, which prohibits new development requiring a discretionary permit and the use of water without proof of a long-term sustainable water supply. The historical water use of the site was established based on the on-going agricultural use of the property. Data provided by the applicant demonstrates that the project would result in the reduction of consumption by over 50%, and therefore requests the project not be subject to Policy PS-3.1. Therefore, based on the intent of the Policy and information contained within the 2010 General Plan EIR, staff's analysis included whether it is appropriate for the project to be subject to PS-3.1, or not. The intent of implementing this Policy is to ensure new discretionary development would have an adequate long-term water supply before it is built. In cases where there is no existing baseline water use on a site, submittal of a report outlining water production rates, recovery ability, effects on nearby wells, and existing groundwater conditions would be imperative as that discretionary development would result in a new water demand. Once it was evident that project implementation would not require a net increase of water use on the site, RMA-Planning staff, working in consultation with Water Resource Agency, then looked to the Pajaro Valley Water Management Agency (PVWMA) to determine if the project meets their objective for groundwater sustainability. In a letter dated November 16, 2016, PVWMA concluded that the agency is generally in agreement that the project would reduce groundwater use and therefore is generally supportive as it contributes to the effort of bringing the groundwater basin into balance. To conclude, there is an existing water use on the subject property which would be reduced by project implementation and PVWMA considers this reduction, or conservation, as a long-term method to manage the groundwater basin; therefore, RMA-Planning and Water Resources Agency staff recommends the Zoning Administrator find that the project is not subject to Policy PS-3.1.

Agricultural Element

The subject property is designated as "Farmland" in Figure LU-8 - North County Land Use Map and data contained in the Monterey County Geographic Information Systems indicates that the property contains Prime Farmland. Policy No. LU-3.2 of the General Plan states that land use in the Farmland designation is guided by the policies of the Agriculture Element (Ag Element). In summary, applicable policies within the Ag Element call for prohibiting uses that interfere with routine and ongoing agricultural operations on viable farmlands designated as Prime and that siting and design of agricultural support uses be done in a way that would

minimize the loss of productive agricultural lands. In accordance with Policies AG-2.1, AG-2.2, and AG-3.3, conversion of agricultural land to other agricultural uses (including ancillary and support uses and facilities) is considered an appropriate and compatible “routine and ongoing” use. Furthermore, Policy AG-1.4 states that viable agricultural uses shall be conserved, enhanced, and expanded. The proposed location of development on the site takes advantage of an existing main driveway and access road, minimizing the amount of pavement necessary for vehicular circulation. In addition, the development is compact, disturbing only the areas necessary for the facility; resulting in 9.11% of site coverage, well below the maximum site coverage of 50% for greenhouses in the Farmland zoning district.

Pursuant to County regulations for medical cannabis cultivation (Section 21.67.050.A of Title 21), cannabis cultivation is not considered a “routine and ongoing agricultural activity.” Furthermore, cultivation of cannabis is restricted to greenhouses and industrial buildings that were legally established prior to January 1, 2016. Therefore, the project has been conditioned to prohibit cannabis cultivation should changes in agricultural products grown in the proposed facility occur in the future.

CEQA

CEQA Guidelines Section 15301 categorically exempts the minor alteration of existing facilities “involving negligible or no expansion of use beyond that existing at the time of the lead agencies determination.” The project would expand and enhance existing research and development capabilities for breeding strawberries on a property that currently produces strawberries for consumption, resulting in an overall negligible change in use of the subject property. Conversion of the existing outdoor agricultural use into an indoor agricultural use would result in less water use and traffic circulation would remain almost identical. Grading of the site requires 1,900 cubic yards of cut and 1,900 cubic yards of fill balanced onsite, which is below the thresholds of significance for air quality impacts.

The project may have a significant effect on agricultural resources if implementation would exceed the following CEQA thresholds: convert Prime Farmland to non-agricultural uses; conflict with existing zoning for agricultural use; or involve changes in the existing environment which would result in conversion of farmland to non-agricultural use. For instance, notable agricultural impacts identified in the 2010 General Plan EIR included the loss of important farmland resulting in conversion to non-agricultural urban uses. As discussed above, the project is consistent with the applicable agricultural policies set forth in the General Plan, which when implemented, intend to promote protection of agricultural areas from the conversion to non-agricultural uses. The existing agricultural use on the property would remain, urban uses would not be introduced, the proposed use is consistent with the Farmland zoning and is encouraged to enhance development potential of the agricultural industry. Although the project would result in removal of 9% of existing row crop land on the site, the converted area would still be devoted to a viable agricultural use. Therefore, no cumulative impacts were identified. Based on this analysis, staff concludes that the project would have no impacts to agricultural resources.

CONCLUSION:

Staff has analyzed the project in light of applicable policies, regulations, and standards contained in the 2010 Monterey County General Plan, the North County Area Plan, and the Monterey County Zoning Ordinance, Title 21. As discussed above and based on the findings and evidence contained within the draft resolution (**Exhibit B**), staff finds the project consistent and recommends the Zoning Administrator find the project exempt from environmental review and approve the Combined Development Permit.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:
Environmental Health Bureau

RMA-Public Works
RMA-Environmental Services
Water Resources Agency
North County Fire Protection District

The proposed project was reviewed by the Agricultural Advisory Committee (AAC) on June 22, 2017. The AAC found that the proposed project is consistent with the Agricultural Element of the 2010 Monterey County General Plan recommended approval by a vote of 9 to 0, with 3 members absent and 1 member recused (**Exhibit C**).

Prepared by: Anna V. Quenga, Associate Planner, 5175
Reviewed by: Brandon Swanson, RMA Planning Services Manager
Approved by: Carl Holm, AICP, RMA Director

The following attachments are on file with the RMA:

Exhibit A - Project Data Sheet
Exhibit B - Draft Resolution including:
 1. Conditions of approval
 2. Site Plans
Exhibit C - Draft Agricultural Advisory Committee Minutes
Exhibit D - Vicinity Map

cc: Front Counter Copy; Zoning Administrator, Brandon Swanson, RMA Services Manager; Charles Eadie, Agent; Driscoll Strawberry Associates, In., Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN160258.