



County of Monterey Planning Commission

Item No.4

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

Agenda Item No. 4

November 08, 2023

Legistar File Number: PC 23-091

Introduced: 10/30/2023

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

REF220044 - REGULATIONS TO MITIGATE FOR DEVELOPMENT ON FARMLAND

Public Hearing to consider a recommendation to the Board of Supervisors adopt an ordinance amending Title 21 (Non-coastal Zoning Ordinance) to establish a new Chapter 21.92 for Mitigation Requirements for Development on Farmland in the inland areas of unincorporated Monterey County.

Project Location: Countywide (Non-Coastal (Inland) Areas)

Proposed CEQA action: Find adoption of the ordinance Categorically Exempt from CEQA pursuant to CEQA Guidelines Section 15308. Consider and find that the ordinance is consistent within the scope of the previously certified Final Environmental Impact Report (FEIR) for the 2010 General Plan, pursuant to CEQA Guidelines Section 15162.

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution recommending that the Board of Supervisors:

- a. Find adoption of the ordinance Categorically Exempt pursuant to CEQA Guidelines Section 15308 and consider and find adoption of the ordinance is consistent with the scope of the previously certified FEIR pursuant to CEQA Guidelines Section 15162; and
- b. Adopt an ordinance (Attachment 1 to Exhibit A) amending Title 21 (non-coastal zoning ordinance) of the Monterey County Code to add a new Chapter 21.92 for Mitigation Requirements for Development on Farmland in the inland areas of unincorporated Monterey County

PROJECT INFORMATION:

Planning File Number: REF220044

Project Location: Countywide (Non-Coastal (Inland) Areas)

Plan Area: Cachagua Area Plan, Carmel Valley Master Plan, Central Salinas Valley Area Plan, Greater Monterey Peninsula Area Plan, Greater Salinas Area Plan, North County Area Plan, South County Area Plan, and Toro Area Plan.

SUMMARY:

Implementation of the 2010 General Plan includes developing an Agricultural Conservation Mitigation Program (Program) to implement Agricultural Element Policy AG-1.12) to mitigate the loss of agricultural land to non-agricultural use (see Exhibit E). Development of these regulations to mitigate for development on farmland is a critical component of implementing the Program. After numerous meetings/workshops with the public and targeted stakeholders, Planning Commission (Commission), Ad Hoc Subcommittee of the Agricultural Advisory Committee (Subcommittee), and the Agricultural Advisory Committee (AAC), the draft ordinance has been refined and is being presented for final consideration and recommendation by the Commission.

Staff seeks the Commission's recommendation of the final draft ordinance to the Board of Supervisors. The ordinance establishes regulations to mitigate for development on farmland by adding a chapter to the County's inland zoning ordinance. Staff has prepared a draft resolution (Exhibit A) to memorialize the Commission's recommendation to the Board of Supervisors. The draft ordinance is attached to the draft Commission resolution (Attachment 1 to Exhibit A).

DISCUSSION:

To read the full discussion and background for the policy, please refer to the Detailed Discussion included as Exhibit B.

Development of the draft ordinance began in earnest in May 2022, with a workshop with the AAC. Staff held a workshop with the Commission in October 2022, where the Commission directed staff to work with the AAC via its Subcommittee to develop the draft ordinance that is being presented to the Commission today. Staff held three public meetings in July 2022, two of which offered translation services to solicit broad public input. Staff also met with local land trusts, agricultural industry associations, the building industry association, community groups, water quality/quantity organizations in Monterey County, and state and federal agricultural and natural resource agencies.

In addition to developing these proposed regulations to mitigate the loss of agricultural land due to development in the unincorporated inland area of the County, another important component of the Program envisioned by AG-1.12 is for the County to work in consultation with the cities to mitigate the loss of Important Farmland resulting from annexation. AG-1.12 further notes that until such time as the program [related to annexations] has been established, the County shall consult and cooperate with the cities so that projects shall mitigate the loss of Important Farmland on an individual basis as much as is feasible as determined by the Board of Supervisors. To this end, the County has agreements with four of the five Salinas Valley cities for working cooperatively on issues of planning, growth, and development (including agricultural mitigation): City of Salinas (2010; Addendum 2019); City of Greenfield (2013); City of Gonzales (2014); City of Soledad (2016). Staff held multiple meetings with the Salinas Valley Cities and Local Agency Formation Commission (LAFCO) as it developed its draft ordinance. Staff continues to meet with the Salinas Valley Cities and LAFCO to discuss coordination for a potential Salinas Valley-wide agricultural mitigation program. This discussion is occurring on a parallel track to the County's draft ordinance as, ultimately, annexations and sphere of influence changes are governed through the LAFCO process and regulated by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Staff recommends that the Planning Commission make a recommendation that the Board of Supervisors adopt the ordinance.

OTHER AGENCY INVOLVEMENT

Housing and Community Development Department staff are working in collaboration with the Agricultural Commissioner's Office to develop the ordinance and with the Office of County Counsel to review as to form. The Agricultural Advisory Committee considered and recommended the draft ordinance at its September 28, 2023, meeting. The Agricultural Advisory Committee will receive an informational update from staff at its November 16, 2023, meeting (Exhibit C).

Prepared by: Taylor Price, Associate Planner, 831-784-5730

Reviewed by: Nadia Garcia, Agricultural Resource and Policy Manager

Approved by: Melanie Beretti, AICP, Acting Chief of Planning, 831-755-5285

Approved by: Craig Spencer, Acting HCD Director

The following attachments are on file with HCD:

Exhibit A - Draft Resolution, including:

- Attachment 1 - Regulations to Mitigate for Development on Farmland Ordinance

Exhibit B - Detailed Discussion

Exhibit C - Informational Memorandum to the Agricultural Advisory Committee for the meeting on November 16, 2023

Exhibit D - Public Comment

Exhibit E - Policy AG-1.12

cc: Front Counter Copy; Planning Commission; REF220044 Public Distribution List; Nadia Garcia, Agricultural Resource and Policy Manager, Office of Agricultural Commissioner; Juan Hidalgo, Agricultural Commissioner, Office of Agricultural Commissioner; Darren McBain, Principal Analyst, Local Agency Formation Commission of Monterey County; Kate McKenna, AICP, Executive Officer, Local Agency Formation Commission of Monterey County; Lisa Brinton, Community Development Director, City of Salinas; Megan Hunter, City Manager, City of Soledad; Taven M. Kinison Brown, Community Development Director, City of Gonzales; Paul Muga, Community Development Director, City of Greenfield; Doreen Liberto, Community Development Director, City of King.

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