

Agricultural Conservation Mitigation Program (REF220044)



**Planning Commission Workshop
October 26, 2022 – Agenda Item No. 7**

Recommendation:

- ▶ Receive a presentation summarizing public feedback to date and policy options and recommendations;
- ▶ Establish an Ad Hoc Committee; and
- ▶ Provide direction to staff.

Workshop Overview

Policy Framework

What is Agricultural Conservation Mitigation?

Program and Outreach Overview

Policy Discussion

Policy Framework

- 2010 General Plan: Preserve, protect, and enhance farmland in order to maintain the productivity and viability of the County's agricultural industry.
- Agricultural Element: Promote the long-term protection, conservation, and enhancement of productive and potentially productive agricultural lands.
- Agricultural Conservation Mitigation Program: Mitigate loss of farmland to development.

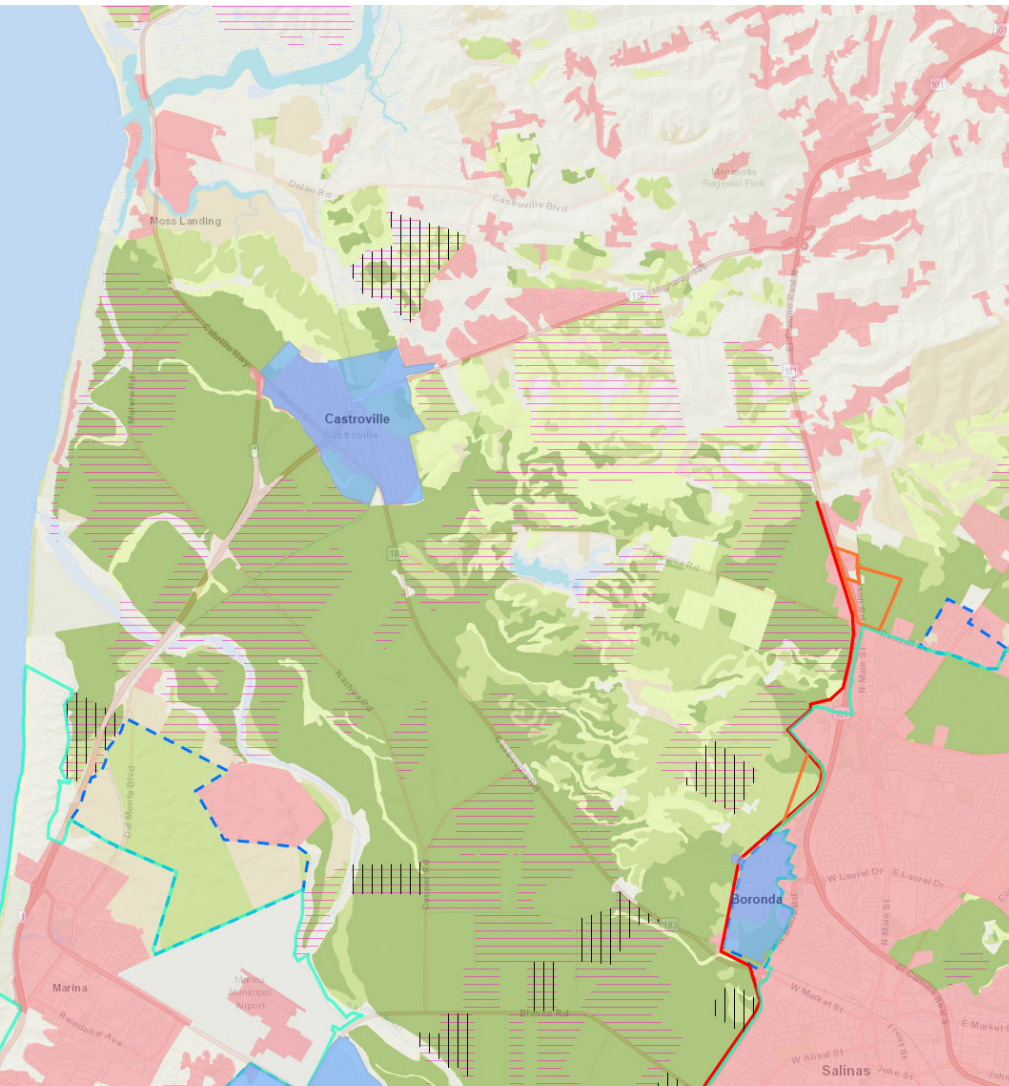


What does mitigation look like?

- Purchase of Permanent Agricultural Conservation Easement
- Payment of In-Lieu Fees



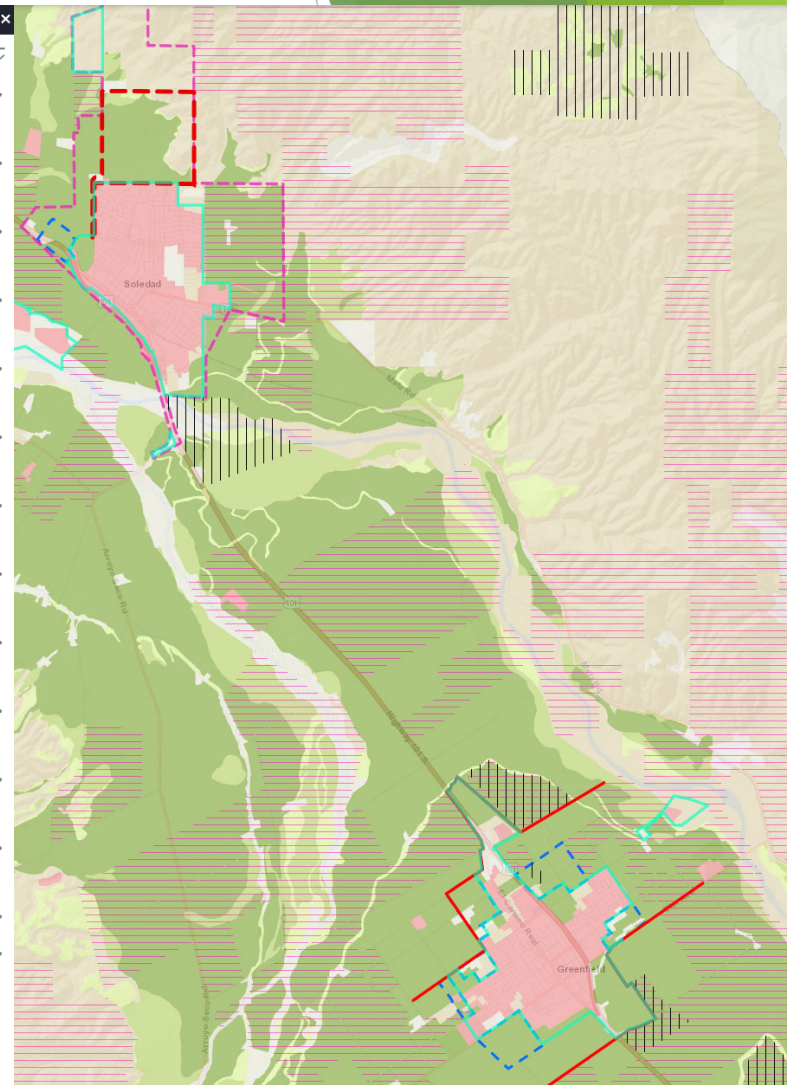
County Mapping Application



Layer List

Layers

- Rural Centers
- Community Areas
- City Limits
- Ag_Conservation_Easements
- Williamson Act
- Salinas Economic Development Target Areas
- Proposed Annexations Submitted to LAFCO
- Urban Growth Boundary
- City Growth Boundary
- City Sphere of Influence (SOI)
- Zoning
- Parcels
- CA Important Farmlands
 - Most Recent
 - Prime Farmland
 - Farmland of Statewide Importance
 - Unique Farmland
 - Grazing Land
 - Farmland of Local Importance



Agricultural Mitigation Program

- ▶ Agricultural Land Mitigation Ordinance
 - ▶ Research & Outreach – Complete October 2022, on-going as needed
 - ▶ Policy Workshops & Policy Drafting – October to December 2022
 - ▶ Draft Ordinance – Early 2023
 - ▶ Final Ordinance – Spring 2023
- ▶ Agricultural Buffer Ordinance – Pending Ag Mitigation Ordinance drafting

Outreach Overview

▶ General Public:

- ▶ Countywide (Spanish)
- ▶ North County (w/ Sup. Phillips)
- ▶ South County (Spanish) (w/ Sup. Lopez)

▶ Organizations:

- ▶ Ag Land Trust
- ▶ Big Sur Land Trust
- ▶ Building Industry Association
- ▶ Center for Community Advocacy
- ▶ Communities Organizing for Relational Power in Action
- ▶ Elkhorn Slough Foundation
- ▶ Grower-Shipper Association
- ▶ Land Trust of Santa Cruz
- ▶ Monterey County Farm Bureau
- ▶ Monterey County Farm Bureau Land Use Subcommittee
- ▶ Salinas Valley Basin Groundwater Sustainability Agency

▶ Jurisdictions and Agencies:

- ▶ City of Greenfield
- ▶ City of Gonzales
- ▶ City of Salinas
- ▶ City of Soledad
- ▶ Department of Conservation
- ▶ Department of Food and Agriculture
- ▶ King City
- ▶ Local Agency Formation Commission of Monterey County
- ▶ National Resources Conservation Service
- ▶ Resource Conservation District of Monterey
- ▶ United States Department of Agriculture

▶ Committees and Commissions:

- ▶ 5/26 - AAC
- ▶ 7/28 – AAC Workshop
- ▶ 8/25 – AAC Workshop



Policy Discussion

- ▶ Policy Purpose and Goals
- ▶ Program Applicability
- ▶ Key Definitions and Clarification
- ▶ Mitigation Methods
- ▶ Mitigation Timing
- ▶ Mitigation Ratios
- ▶ Agricultural Land Valuation and Receiving Mitigation Sites
- ▶ Special Considerations
- ▶ Exemptions



Policy Purpose & Goals

Purpose

Provide clear and consistent policies to mitigate the loss of agricultural land due to development or conversion to non-agricultural uses.

Goals

Promote the long-term protection, conservation, and enhancement of productive and potentially productive agricultural lands.

Ensure the commercial viability of Monterey County's agricultural industry.

Encourage growth in or near developed or developing areas and away from valuable agricultural land.

Program Applicability

Issue: Where and what types of projects are subject to this Program?

- ▶ Inland Areas of Unincorporated Monterey County
- ▶ Farmland (F), Rural Grazing (RG), Permanent Grazing (PG)
- ▶ Required by AG-1.12
 - ▶ Land Use Change
 - ▶ Annexations
- ▶ Projects Subject to CEQA
 - ▶ Subdivisions
 - ▶ Discretionary Projects
 - ▶ **Staff Recommendation 5:** Define an applicable project.

Key Definitions and Clarification

Issue: Are the Farmland Mapping & Monitoring Program (FMMP) categories sufficient for Monterey County? How to handle it when the mapped category differs from what's on the ground?

- ▶ **Staff Recommendation 2:** Consider prime farmland subcategories; Process to review land with outdated FMMP category.

Issue: Key definitions are desired for the Program, including:

- ▶ **Staff Recommendation 3:** Non-agricultural development and conversion.
- ▶ **Staff Recommendation 4:** Qualifying entity.

Mitigation Methods

Issue: What is meaningful project impact size threshold to require an easement? How do we incorporate flexibility?

- ▶ **Staff Recommendation 6:** 20 acres or larger buy easements; Define “good faith effort”.
- ▶ **Staff Recommendation 7:** Smaller than 20 acres buy easement *or* pay in-lieu fees; Criteria for in-lieu fee payment and use.

Issue: Should the policy allow alternative mitigation measures? What limits should apply to the use of these other measures?

- ▶ **Staff Recommendation 8:** Define alternative and complementary mitigation measures with limits to their applicability.



Mitigation Timing

Issue: When in the planning process should mitigation be required to occur?

- ▶ **Staff Recommendation 9:** At the time of entitlement or prior to the project impact (building phase).
 - ▶ Annexations – Consult Cities & LAFCO
 - ▶ Land Use Change – Within certain timeframe of entitlement approval.
 - ▶ Subdivisions – Prior to or concurrent with final map recordation.
 - ▶ Other Discretionary – Prior to issuance of subsequent permits *or* within a certain timeframe of entitlement approval.



Mitigation Ratios

Issue: What are the relevant categories of Important Farmland? What is the appropriate graduated value for mitigating the loss of farmland?

- ▶ **Staff Recommendation 12:** Mitigation categories and ratios below apply

Farmland Category	Ratio
Prime Farmland	2 : 1
Farmland of Statewide Importance & Unique Farmland & Farmland of Local Importance	1.5 : 1
Grazing/Rangeland	1 : 1

Agricultural Land Valuation & Receiving Site Mitigation

Issue: Should the policy mitigate on an acre-per-acre or an acre-value approach?

- ▶ **Staff Recommendation 10:** Consult w experts to develop valuation methodology

Issue: How close should the mitigation receiving site be to the project site? What are appropriate geographic criteria that a receiving site must meet?

- ▶ **Staff Recommendation 11:** Prioritize mitigation within a planning area but include criteria and options to allow flexibility.



Special Considerations

Issue: How will the Program apply to annexation projects to balance farmland protection while encouraging city-centered growth? When should the Program apply to annexation projects?

- ▶ **Staff Recommendation 13:** Meet with Salinas Valley cities and LAFCO to develop policy alternatives relative to annexations.

Issue: How will the Program apply to Community Plan Areas and Rural Centers ?

- ▶ **Staff Recommendation 14:** Community Plan Areas or Rural Centers consistent with annexations.

Exemptions

Issue: What should be exempt from the policy?

▶ **Staff Recommendation 15:**

- ▶ Acreage used for inclusionary housing (AG-1.12)
- ▶ Community Plans or Rural Center Plans with an ag mitigation program (AG-1.12)
- ▶ Agricultural support facilities and services
- ▶ Agricultural worker and family housing

▶ **Staff Recommendation 16:**

- ▶ Minor renewable energy projects that support agricultural use on site (utility-scale projects *not* exempt)

▶ **Staff Recommendation 17:** Research exemptions for water conservation, improvement or land repurposing projects

Formation of Ad Hoc Committee

- ▶ **Issue:** How can staff refine the technical nuances of the draft regulations before returning to the Commission?
- ▶ **Staff Recommendation 1:** Establish an Ad Hoc Committee to work with staff to:
 - ▶ Refine the policy options and;
 - ▶ Return to the Commission with recommendations in the form of a draft agricultural conservation mitigation ordinance.

Next Steps & Timeline

- ▶ Fall 2022 – Develop Draft Ordinance
- ▶ Early 2023 – Planning Commission to Consider Draft Ordinance
- ▶ Spring 2023 – Board of Supervisors to Consider Draft Ordinance

Recommendation:

- ▶ Receive a presentation summarizing public feedback to date and policy options and recommendations;
- ▶ Establish an Ad Hoc Committee; and
- ▶ Provide direction to staff.

Thank you

