

# Farmland Mitigation Ordinance (REF 220044)

Board of Supervisors  
Item Number 22  
March 12, 2024







# Requested Action

- Adopt
  - Regulations to Mitigate For Development on Farmland
  - Title 21 (Inland Zoning Ordinance)



# Summary of February 27, 2024 BoS

- Clarification on LAFCO policy.
- Options for reduced mitigation ratios:
  - Development inside of Community Areas, Rural Centers, and Affordable Housing Overlays (CARCAHOs);
  - Housing Element Sites; and
  - Projects that are above a certain density threshold.





# Applicability of County's Ordinance

- The County's Ordinance is only applicable to projects converting Important Farmland in the unincorporated inland areas of the County.
- Annexations governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.



**LAFCO** *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION

# Distinction between California Environmental Quality Act (CEQA) and Ordinance

- CEQA requires the lead agency to analyze the impacts on agricultural resources.
- Guide applicants when they are trying to mitigate impacts to agricultural resources.



# Consistent Standards

- Establish consistent standards for agricultural land mitigation
- Provide applicants with certainty
- Clarity of mitigation requirements



# Option: Section 21.92.060.D.1-2

- Further reduce mitigation ratios for projects within a Community Area, Rural Center, or Affordable Housing Overlay by an additional .125.
- Prime Farmland: 1.5:1 to **1.375:1**
- Statewide, Unique, and Local Farmland: 1.25:1 to **1.125:1**



# Option: Section 21.92.060.E

- Opportunity for reduction to Base Mitigation Ratio for Priority Projects.
- Reduction of .125 to the Base Mitigation Ratio for projects that achieve a gross density of 15 dwelling units/acre gross or greater.
- Reduction of .125 to the Base Mitigation Ratio for projects that are a site as identified in the Housing Element.





# Option: Section 21.92.060.G.5

- Further reduce the Base Mitigation Ratio for Mitigation Land that is located along the exterior boundary of a permeant growth boundary or permeant agricultural edge by an additional .125.
- Reduction to the Base Mitigation would be **up to a maximum of .250.**



# Option: Section 21.92.060.H

- If the Board chooses one or more of the options, staff would recommend adding a floor to the mitigation ratio to ensure it shall not be less than 1:1.



# Recommendation

- Find the ordinance categorically exempt from CEQA review
  - Section 15308 – Actions by Regulatory Agencies for Protection of the Environment
- Find and consider the ordinance consistent within the scope of the previously certified Final Environmental Impact Report (FEIR) for the 2010 General Plan
  - Section 15162
- Adopt an ordinance adding Chapter 21.92 (inland) establishing regulations to mitigate for development on farmland.

