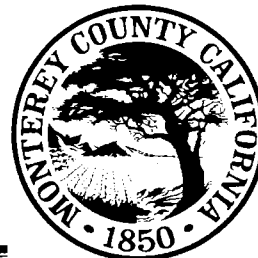


MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

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MEMORANDUM

Date: July 7, 2014

To: RMA-Planning Staff

From: Mike Novo, Director of Planning *mnv*

Subject: Processing Projects within the Agricultural and Winery Corridor Plan (AWCP)

This is a reminder to staff to implement the GP as drafted and interpreted until implementing ordinances are adopted. For the Agricultural and Winery Corridor Plan (AWCP), that means:

- A. Section 3.3 of the AWCP establishes uses allowed with a ministerial permit if said use is found consistent with the AWCP and/or Williamson Act. An application and checklist for these ministerial actions can be found on the RMA-Planning public website. Uses listed as ministerial will be processed ministerially using the form/checklist on the planning website. A biological study is required if the project is not on cultivated agricultural lands. Ministerial permits should be approved administratively and must be signed off by an RMA Services Manager, who needs to assess if discretionary permit is required if either of the following are found:
1. As stated in the General Plan, the application is for more intensive uses or uses not otherwise consistent with the AWCP and/or Williamson Act. While the County was discussing litigation settlement, we agreed to process all uses with an Administrative Permit. Since settlement discussions have concluded, uses that are consistent with the AWCP and/or Williamson Act will be processed ministerially. More intensive uses or uses not otherwise consistent with the AWCP and/or Williamson Act will require a discretionary permit or may be denied.
 2. A biological study, as defined in Policy OS-5.16, identifies potentially significant effects. This "study" would illustrate site conditions using information from a field visit and database. If the study indicates potential resources may be affected by the proposed use, then staff determines if a discretionary permit is required.
- B. Section 3.5 of the AWCP establishes the development standards for approved uses within the Winery Corridor. Minor Subdivisions are treated like any other non-coastal minor subdivision in accordance with the current Title 19. Staff needs to track, in Accela, the number of new parcels created within each segment of the AWCP (1 lot divided into 2 = 1 new parcel). The Minor Subdivision requires the following findings: 1) the proposed Minor Subdivision would reduce the number of conforming Ag lots being subdivided, and 2) rural

character is retained within the corridor (Section 3.5.A.1.a). The minimum parcel size under the AWCP is 5 acres; however, the minimum increases to 10 acres if under Williamson Act. The intent is to encourage using substandard lots (e.g. F/40, split 10 acres into two 5-acre parcels); however, larger conforming parcels may be subdivided as long as the remaining parcel(s) conform to the minimum parcel size of the underlying zoning district. Staff should consider good design by limiting the number of successive driveways on the main roads (e.g. River Road), adequate line-of-sight distance, avoidance of biological resources (wildlife corridors), etc. Subdivisions using the AWCP exception (any parcel created smaller than the base zoning) need to be deed-restricted where development of the lot must be in conformance with the allowable uses identified in Section 3.2 of the AWCP. Where a larger parcel is involved (e.g. 85 acre divided into 5 and 80 acre parcels), consider the need for a restriction such as "B-6" where density is used for the AWCP.

For discretionary actions, CEQA is required like any other project. Consider/apply exemptions where appropriate. If a project is not exempt, then the ND/MND should be a stand-alone document...starting with being an allowed use under the GP. Projects can be tiered off the General Plan EIR or the technical data from the EIR can be used to support your conclusions.

Please keep in mind that the intent of the AWCP is to make processing of specified uses easier within the corridor. We do not discourage winery uses outside the corridor, but applicants shall follow the process we have used in the past (e.g. Use Permit) and as listed in the Zoning Ordinance. We need to keep good records of projects in the corridor from a monitoring perspective by making sure that projects are kept up-to-date in Accela and by completing the Tracking Tab under each project in Accela. This will ensure that the status can be tracked by the public and that we stay within the General Plan limitations of 10 new full scale wineries and 66 new lots within the Agricultural and Winery Corridor. Smaller lots formed through lot line adjustments do not count toward the 66 lot cap.