

Introduction

Agriculture is a mainstay of the Monterey County economy. It is also the predominant use of land, defining the fundamental character of the landscape. So long as agriculture prospers, the community at large will benefit from the jobs and wealth it creates and the outstanding beauty of the rural landscape.

The prosperity of Monterey County agriculture depends on several fundamentals: adequate land and water resources, an accessible labor supply, and freedom to adapt and innovate. The General Plan can and should help guarantee each of these while accommodating anticipated population growth and safeguarding the environment.

A separate Agriculture Element of the General Plan is needed to highlight the importance of agriculture to the County.

Three of the Twelve Guiding Objectives of this General Plan are particularly applicable to, and should be served by, the Agriculture Element:

Guiding Objective #3

Preserve a distinction between urban and rural areas. Channel new growth to areas already committed to an urban level of development (e.g., cities, areas directly adjacent to cities, and densely developed unincorporated communities). Preserve rural industries (e.g., farming, livestock grazing, mining), natural resource protection, and open space recreation uses.

Guiding Objective #6

Promote, preserve and support agriculture and the industries that serve it. Promote industries that preserve and promote environmental quality, or serve the local needs of our communities.

Guiding Objective #7

Minimize development of commercially viable agricultural land. Ensure that recognized needs for growth are met by infill and contiguous, compact development.

Taken together, and interpreted in light of agriculture's fundamental needs, these Guiding Objectives necessitate that the General Plan incorporate two core policies:

- Limit residential development in intensively farmed areas primarily to housing for farm and ranch families and agricultural workers; and
- Allow routine agricultural practices and structures used for agricultural production and processing without restriction, except for compliance with county health laws and federal and state environmental laws, and except where sensitive environmental resources would not be adequately protected.

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It is important to note that these policies are complementary and reinforce each other. Minimal regulation of agricultural practices is advisable only to the extent that fragmentation of the agricultural landscape by residential development is avoided. This is particularly applicable to intensively farmed Agricultural Land, where the potential for conflict, injury and liability is especially significant. The County's right-to-farm ordinance is intended to insulate agriculture from liability, but the only guarantee of the ability to farm without injuring residential neighbors is to minimize rural residences themselves.

In addition, the Guiding Objectives suggest that the County should do more than simply regulate rural land use and avoid over-regulation of farming and ranching practices. There are many affirmative measures the county can and should take to help maintain the competitiveness and economic viability of agriculture. Some of the most important are reflected in the following, additional policy objectives:

- Cooperate with private agricultural interests in identifying and developing future opportunities for reducing production costs, expanding markets and increasing competitiveness.
- Facilitate the purchase of conservation easements and the transfer of development credits to enable more agricultural landowners to capitalize on the equity in their property without creating conflicts with residential uses that could jeopardize commercial agriculture.
- Support efforts to obtain federal and state funding and technical assistance for agricultural pollution control, implementation of best management practices, and construction of farm worker housing.

Together with the other Elements of this General Plan, the Agriculture Element is intended to achieve all the foregoing policy objectives in an integrated manner that supports the agriculture industry and individual property owners in the wise, sustainable use of Monterey County's precious and productive land and water resources.

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LIMIT NEW RESIDENTIAL DEVELOPMENT IN INTENSIVELY FARMED AREAS TO HOUSING FOR FARM AND RANCH FAMILIES AND AGRICULTURAL WORKERS.

Agriculture – Policy #1

Subdivision and Residential Development - Agricultural Lands and Rural Lands (which are often used for agriculture) are defined and identified by Land Use Policy #3. Subdivision of Agricultural Lands and Rural Lands shall be permitted only in accordance with policies contained in the Land Use and Housing Elements. Except as otherwise provided in the Land Use and Housing Elements, only one single-family dwelling shall be permitted per legal lot of record, existing on the date that this General Plan is adopted, on Agricultural Lands and Qualified Rural Lands. Clustering of development on Agricultural Lands, Rural Lands, and Qualified Rural Lands shall be permitted only in accordance with Land Use Policies #17 and #24.

Agriculture – Policy #2

Accessory Agricultural Housing – On Agricultural Lands and Qualified Rural Lands a second and third unit may be allowed, consistent with Housing Policy #10.

Agriculture – Policy #3

Farm Worker Housing – Farm worker housing may be allowed on Agricultural Lands and Qualified Rural Lands, consistent with Housing Policy #33.

Agriculture – Policy #4

Agricultural Buffers - To provide an adequate buffer for ongoing agricultural activities, all dwellings and other structures used for human habitation shall be set back at least 200 feet from the property line of any adjacent parcel designated as Agricultural Land or on which commercial agricultural activities are being conducted. Notwithstanding this requirement, a setback of less than 200 feet may be permitted if one or more of the following special circumstances exist:

- Significant topographic differences exist between the agricultural and non-agricultural uses, that justify the reduction or elimination of the need for a 200-foot setback;
- Other physical or vegetative barriers exist between the agricultural and non-agricultural uses that justify the reduction or elimination of the need for a 200-foot setback;

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- The imposition of a 200-foot setback would preclude any building on a parcel of record as of the date of the adoption of this General Plan.

Agriculture – Goal #2

ALLOW ROUTINE AGRICULTURAL PRACTICES AND STRUCTURES USED FOR AGRICULTURAL PRODUCTION AND PROCESSING WITHOUT RESTRICTION, EXCEPT FOR COMPLIANCE WITH COUNTY HEALTH LAWS AND FEDERAL AND STATE ENVIRONMENTAL LAWS, AND EXCEPT WHERE HIGHLY ERODIBLE SOILS AND SENSITIVE ENVIRONMENTAL RESOURCES WOULD NOT BE ADEQUATELY PROTECTED.

Agriculture – Policy #5

Routine and Ongoing Agricultural Activities - Except as otherwise specified in this Plan, routine and ongoing agricultural activities and operations shall be allowed on Agricultural Lands and Rural Lands without further permission from the County, unless they are new activities or operations that will be conducted in Significant Ecological Areas (SEAs). This does not eliminate the need to obtain any required federal and state permits for such activities. Routine and ongoing agricultural activities and operations include the following:

- Legally-permissible cultivation, tillage and irrigation of the soil for the purpose of producing harvestable crops, provided that it is done in accordance with Agriculture Policy #6 regarding steep slopes, and is consistent with any applicable Area Plan policies.
- Pasture management, and all other activities commonly related to dairy farming, including the raising of livestock.
- Rangeland management and all other activities commonly related to commercial cattle or sheep ranching, including the raising of livestock, or the raising of other animals for commercial purposes.
- Planting and raising of crops and the keeping of livestock.
- Preparation of agricultural products for market if no new structures are required for such preparation.
- Delivery of agricultural products for market, if no new structures are required for such delivery.
- Crop and orchard selection, rotation, and fallowing.

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- Choice of or change in use of irrigation.
- Revegetation activities and the planting of windbreaks and cover crops.
- The conversion of Agricultural Lands or Rural Lands from one agricultural use to another, provided that this conversion is in accordance with Agriculture Policy #6 regarding steep slopes, and is consistent with any applicable Area Plan policies.
- The construction, repair, maintenance and operation of sediment basins and stock ponds, and activities related to the control of surface drainage and the reduction or elimination of erosion.
- The repair, maintenance and operation of existing water retention and related pumping facilities related to activities on this list.
- The maintenance of existing access roads, trails and parking facilities that support activities on this list.
- The construction and maintenance of fencing, corrals, and animal handling facilities when directly related to commercial agricultural or ranching activities.
- The repair of sheds, storage facilities and other outbuildings essential to ongoing and on-site farm or ranch operations, provided that such structures are not enlarged in size beyond 250 square feet of their size as of the date of adoption of this General Plan.
- Public or private hunting of wildlife, fishing, wildlife viewing, and eco-tourism not involving structures.
- Rooming and boarding of farm workers who work on the farm or ranch in existing structures.
- Growing, cutting or removing Christmas trees and other ornamental plants.
- The keeping of domestic pets.
- Any other agricultural activity, not listed here and not otherwise prohibited or limited by this Plan, when the routine and ongoing nature of such activity is certified as a routine and ongoing agricultural activity by the County Agriculture Commissioner, and when the Commissioner has filed a determination to that effect with the Director of the County's Planning and Building Inspection Department, including evidence to substantiate his determination.

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Agriculture – Policy #6

Cultivation of Steep Slopes - Notwithstanding the exemption of routine and ongoing agricultural activities and operations from the County permitting process, cultivation of the soil shall be prohibited on land with a slope of fifteen percent (15%) or greater. However, land with a slope of twenty-five percent (25%) or less may remain in cultivation, or may be resumed at any time, even if such land has been fallowed, (if the land was in continuous, legally permissible cultivation for the period from January 1, 1994 through December 31, 2004). Legally permissible cultivation means the disturbance of the soil for the purpose of planting or growing harvestable crops that was done in compliance with all laws applicable at the time. It does not include grazing of livestock, or the cutting or removal of native grasses or vegetation.

Agriculture – Policy #7

Agriculturally-Related Structures - Structures used for agricultural purposes are generally compatible with agricultural use of the land. Except as provided elsewhere in this General Plan, structures listed as permitted in Land Use Policies #19 and #25 are permitted on Agricultural Lands and Qualified Rural Lands where agriculture is the primary use.

Structures used for agricultural purposes that may be allowed on Agricultural and Qualified Rural Lands subject to a conditional use permit are listed in Land Use Policies #20 and #26. In all cases, the County shall issue a permit if it finds that the structure is located to minimize interference with agricultural operations and the conversion of the most productive agricultural land on the property, and may require conditions on the location of the structure to assure that these conditions are met.

Nothing herein, however, shall eliminate the necessity of complying with all applicable health, safety, and building codes, environmental regulations, and other applicable federal and state regulations.

Agriculture – Goal #3

COOPERATE WITH PRIVATE AGRICULTURAL INTERESTS IN IDENTIFYING AND DEVELOPING FUTURE OPPORTUNITIES FOR REDUCING PRODUCTION COSTS, EXPANDING MARKETS AND INCREASING COMPETITIVENESS.

Agriculture – Policy #8

Agricultural Opportunity Commission - The County shall establish and fund an Agricultural Opportunity Commission to study and promote opportunities for

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increasing the economic viability and profitability of commercial agricultural in Monterey County. The Commission shall include both public and private members appointed by the Board of Supervisors with advice from the Agriculture Commissioner, and shall, within two years of its establishment, report to the Board on specific measures, consistent with this Plan, that the County, the state and federal governments, and the private sector should take to reduce agricultural production costs, improve competitiveness with outside producers, and to expand the output of the agricultural sector while maintaining an adequate agricultural base and protecting the environment. The Commission may accept private contributions to fund its activities.

Agriculture – Policy #9

Winery Corridors - To create new agricultural marketing opportunities, three winery corridors are proposed for possible establishment in the Salinas Valley. These corridors are:

- Central/Arroyo Seco/River Road, which corridor shall not extend beyond the Green Bridge/intersection with Elm Street
- Metz Road
- Jolon Road

A Winery Corridor Advisory Committee established by the Board of Supervisors shall prepare for its review and consideration a proposed Winery Corridor Specific Plan and Environmental Impact Report. The Committee shall include representation from the wine industry, residents living within one or more of the designated winery corridors, and representatives of planning and environmental organizations.

The Winery Corridor Specific Plan shall recommend the number of wineries and other related facilities that will be permitted in each of the designated winery corridors. It also shall recommend the conditions of the establishment and operation of all wineries, including design guidelines. The Specific Plan shall propose ways to increase wine processing capacity to utilize wine grape production capacity within Monterey County. The Wine Corridor Specific Plan may include provisions that will help increase the marketability of the County's wine industry so as to improve the potential economic opportunity that developments within the winery corridors will provide for the private sector. In addition, the Specific Plan shall take into account the cost of public services necessary to support the wineries, the potential environmental impacts of proposed facilities and the need for housing winery employees. Until the Board of Supervisors adopts a Winery Corridor Specific Plan, wine related uses shall be limited to those listed in Land Use Policy #20.

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Agriculture – Goal #4

FACILITATE THE PURCHASE OF CONSERVATION EASEMENTS AND THE TRANSFER OF DEVELOPMENT CREDITS TO ENABLE MORE AGRICULTURAL LANDOWNERS TO CAPITALIZE ON THE EQUITY IN THEIR PROPERTY WITHOUT CREATING CONFLICTS WITH RESIDENTIAL USES THAT COULD JEOPARDIZE COMMERCIAL AGRICULTURE.

Agriculture – Policy #10

Purchase of Conservation Easements and Mitigation - The County shall encourage and facilitate the donation and purchase of conservation easements on Agricultural Lands by requiring developers of Agricultural Land to pay a mitigation fee sufficient to enable the purchase of a perpetual conservation easement on an equal amount of Agricultural Land of comparable quality and value, and by applying such fees to the purchase of conservation easements on Agricultural Lands by qualified private nonprofit conservation organizations. Higher fees may be assessed if the Agricultural Land to be developed is of high productivity, is distant from Cities, Community Areas and existing public services, or if the development proposed on the land is less efficient than the efficiency anticipated by this General Plan in terms of per capita land consumption. This policy shall apply to any Agricultural Land within the County, even if proposed for annexation into a City, and the County shall not support the annexation of such land to a City unless the City agrees to mitigate the development of the loss of Agricultural Land in accordance with this policy.

In lieu of such a fee, in connection with the proposed development of land within or adjacent to Cities, their Spheres of Influence of Cities, or in Community Areas, the County may require that developers of Agricultural Lands within the County dedicate a perpetual conservation easement over an equal amount of Agricultural Land of comparable quality and value in an area that the County and, if the area is adjacent to a City, the affected City, agree should be protected for future agricultural use and that will influence the direction of growth in a direction acceptable to the City and County.

Agriculture – Policy #11

Transfer of Development Credits Program - The County shall establish and provide sufficient resources to support a task force for the specific purpose of developing a program to facilitate the transfer of development credits from Agricultural Lands and Rural Lands into Cities and their Spheres of Influence, and into Community Areas. The task force shall include representatives of agriculture, real estate, development interests, cities, conservation organizations, and resident and community organizations, and shall report its findings and recommendations within one year of its establishment. The priorities of the task force shall be, first, to remove development potential from Agricultural Lands and, second, to remove development potential from Rural Lands with especially high natural resource values.

Agriculture – Goal #5

SUPPORT EFFORTS TO OBTAIN FEDERAL AND STATE FUNDING AND TECHNICAL ASSISTANCE FOR AGRICULTURAL POLLUTION CONTROL, IMPLEMENTATION OF BEST MANAGEMENT PRACTICES, AND CONSTRUCTION OF FARM WORKER HOUSING.

Agriculture – Policy #12

Commission to Identify Funding Opportunities - The Agricultural Opportunity Commission established under Agriculture Policy #8 shall identify specific federal and state programs that provide funds, tax relief or other incentives, and technical assistance, for the implementation of agricultural best management practices aimed at improving environmental quality, and for the construction and maintenance of farm worker housing; and shall recommend a strategy by which County officials and agencies, agricultural, conservation and civic organizations, and private growers and agricultural businesses can collaborate to maximize the amount of funding and technical assistance received by County agricultural producers for these purposes. The Commission shall also identify ways, consistent with this General Plan, in which the County can make it easier and less expensive for growers and landowners to comply with federal, state and local environmental laws, rules and similar requirements.