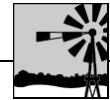


# Chapter X. AGRICULTURE ELEMENT

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***Comment:*** The comments are included to explain some of the rationale for the recommended changes. The comments are intended to stay with these recommendations but not be included in final policy language.



## Chapter X. AGRICULTURE ELEMENT

### Part I: Introduction

This introductory narrative is provided for background purposes only. It is not policy, and shall not be cited as policy or used to interpret or construe the policies of this plan.

Agriculture is vital to the needs of the nation and the world. Agriculture, consisting of crop farming and livestock grazing, is the largest industry in Monterey County and contributes a significant inflow of money into the County's economy. The County of Monterey is committed to protecting and maintaining a healthy agricultural economy. The Monterey County Board of Supervisors directed inclusion of an Agriculture Element in the General Plan to highlight the importance of protecting and maintaining commercially viable agriculture in the county. While the state Planning and Zoning Law considers an agricultural element optional, this Element carries the same legal status as the state-mandated elements of this Plan.

### Guiding Objectives

The Agriculture Element has been prepared based on the overall Guiding Objectives of the General Plan. The Objectives that are, in part, achieved through this Element include:

*#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 areas for resource-based industries (e.g. farming, grazing, mining, eco-tourism), natural resource protection and open space recreation uses.*

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

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


### Part 2: Goals and Policies

**Goal AG-1 – Long-Term Viability of Agricultural Operations**  
Support the ability of farmers and ranchers to sustain their agricultural operations over the long term.

Policy AG-1.1

#### **Routine and Ongoing Agricultural**

**Activities** – In any Land Use Designation farming and ranching activities that are “routine and ongoing agricultural activities” are not considered development or new development for purposes of implementing this Plan. The following “routine and ongoing agricultural activities” shall

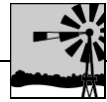
  
**Environmental Resource Management Element**  
**Goal ER-1,**  
**Policy ER-1.3**



be exempt from the policies contained in ERME listed in ER 1.3 although such activities may remain subject to County ministerial (but not discretionary) permit requirements, such as building permit and Department of Environmental Health permits:

- a. Cultivation, tillage and irrigation of soil;
- b. Conversion of agricultural land to other agricultural uses;
- c. Conversion of previously uncultivated rangeland to cultivated agricultural use;
- d. Pasture and rangeland management;
- e. Preparation of product for market, and delivery of product to market;
- f. Sale of product to consumer in facility not having permanent utilities;
- g. Crop, vineyard and orchard planting, harvesting, cultivation, tillage, selection, rotation, fallowing, all soil preparation activities, including, but not limited to, ripping, tilling, leveling, adding amendments, fertilizing, fumigating and other pest control activities, and long term crop protection, which shall include, but not be limited to, revegetation, windbreaks and cover crops;
- h. Choice and development of irrigation systems;
- i. Raising of livestock, poultry, fur bearing animals, dairying or fish;
- j. Development of sediment basins, stock ponds, irrigation and tail water return systems, stream bank and grade stabilization, water retention and pumping facilities, erosion control and surface drainage activities, including but not limited to soil and water conservation measures;
- k. Wells and water systems, including those serving multiple structural connections, for routine and ongoing agricultural activities;
- l. Construction and maintenance of farm access roads, trails, and parking facilities;
- m. Fencing, corrals, animal handling facilities;
- n. Sheds, storage and outbuildings;
- o. Hunting, fishing, wildlife viewing, farm stays and eco tourism;
- p. Any activity recognized as a compatible use under the Williamson Act;
- q. Cutting or removal of Christmas trees;
- r. Rooming and boarding not more than two persons at one location or farm;
- s. Keeping of pets;
- t. Storage structures for agricultural equipment and materials
- u. Greenhouses;
- v. Windmills;
- w. Non-permanent produce stands;
- x. Any activity listed in this section conducted at night; and,
- y. Other uses of a similar character density and intensity as those listed in this Policy.

The Director of the Planning and Building Inspection Department shall work with representatives of the agriculture industry to further streamline the review of agricultural support facilities and routine and ongoing agricultural activities to update ordinances relating to agriculture in Monterey County codes consistent with this General Plan.



***Comment: AG-1.1 - modified paragraph and added an expanded list of activities similar to what was recommended in Yeates memo.***


***Comment: Several specific examples of routine and ongoing activities that are candidates for lower permit levels were documented in the Yeates/ Scheid meetings.***

Policy AG-1.2      **Agricultural Support Facilities** – The County shall allow, with a ministerial or administrative permit, agricultural support facilities which are defined as facilities principally established to serve onsite and/or offsite farming and ranching activities. Facilities shall include but are not limited to, coolers, cold storage, warehouses, parking lots, temporary and permanent worker housing and offices, processing equipment and facilities, loading docks, shops and recreational facilities.

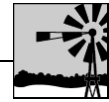
Policy AG-1.3      **Deleted**

***Comment: Policy AG-1.3 has been deleted because AD-1.2, b. and c. have been changed to reflect the implementation of a “Representative Planning Commission.” Recognizing the need to support agricultural viability, the Agricultural Planning Commission had virtue as it was specifically designed to be responsive to agricultural operational improvements, key to the leading industry in Monterey County. A “Representative Planning Commission” is a more efficient approach to Planning provided the agricultural representation is adopted as submitted in AD-1.2, b.***

Policy AG-1.4      **Agricultural Buffers** – The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring a buffer for any new non-agriculture development located adjacent to agricultural lands. The purpose of the agriculture buffer is to protect the existing agricultural operation.

  
**Land Use Element Goal  
LU-9, Policy LU-9.14 –  
Agricultural Buffers**


1. Factors to consider include the type of non-agricultural use proposed, site conditions and anticipated agricultural practices. Other factors include weather patterns, crop type, machinery and pesticide use, existence of topographical features, trees and shrubs, and possible development of a landscape berm to separate the non-agricultural use from the existing agricultural use.
2. Drainage, shading, vegetation, and erosion control shall be considered in the establishment of an agricultural buffer area and be made beneficial to the adjacent agricultural use.
3. Applicable state and local laws regulating school buffers, pesticide setbacks, and other controls shall be considered.
4. Agricultural buffers and/or easements shall be provided from the proposed new use and not from the adjacent ag. land unless by mutual agreement between the two landowners.
5. Ag. buffers are designed to be used for the purposes and manner described in this policy and for no other purposes unless agreed to by abutting landowners.
6. Buffer maintenance will be the responsibility of the landowner.



7. Buffers are not meant to be permanent and will be terminated once the underlying reason for the buffer no longer exists.

Policy AG-I.5

**Right-to-Farm Notice** – A farming or grazing operation that is being operated in accordance with all applicable laws and regulations shall be given increased protection from nuisance claims from landowners who have been notified of the presence of the agricultural use. A Right-to-Farm Notice shall be broadly disseminated in the County, including an annual notice in property tax bills, disclosure and notice in deeds at time of property transfer or sale, notice provisions in all title reports prepared in the County, and as a permit condition for new subdivisions and residential units proposed adjacent to agricultural lands.


  
**Land Use Element Goal LU-9,  
Policy LU-9.13 – Residential  
Development Adjacent to  
Agricultural Operations**

The Right-to-Farm Notice shall state the following: "As a property owner, you should be aware that Monterey County has an adopted Right-to-Farm Ordinance (Monterey County Code Chapter 16.40, Ord. 3728, 1993), and you should be prepared to accept agricultural practices that are operated in full compliance with applicable state and county laws and regulations and consistent with accepted customs and standards. Accepted agricultural practices that may cause inconveniences to property owners at any time include, but are not limited to, noise, odors, fumes, dust, smoke, pests, operation of farm equipment, storage, application and disposal of manure and the application of pesticides, herbicides, fertilizers and other chemicals by ground or air."

Policy AG-I.6

**Residential Clustering** – See Land Use Element (Policy LU-9.9) regarding Clustering.

***Comment:*** See Refinement Group Land Use Element Policy LU-9.9 for recommended changes for clustering.

  
**Land Use Element Goal LU-9,  
Policy LU-9.9 – Residential  
Cluster Development**

***Comment:*** The Refinement Group agreed that City annexation is usually done for the purpose of building lower cost bulk housing stock and that a PDR/TDR program for this type of housing is not appropriate.

Policy AG-I.7

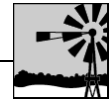
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***Comment:*** The Refinement Group agreed that City annexation is usually done for the purpose of building lower cost bulk housing stock and that a PDR/TDR program for this type of housing is not appropriate.

Policy AG-I.8


**Transfer of Development Rights Program** – See the Land Use Elements (LU-9.10) regarding the voluntary Transfer of Development Rights (TDR) program.

***Comment:*** See Refinement Group Land Use Element Policy LU-9.10 for recommended changes to TDRs.



Policy AG-1.9**New Farm Employee Housing** – Within Agriculture Lands and Rural Lands, farm employee housing facilities for farm employees or families employed principally on site or on contiguous land within the same agricultural operation are allowed. Such housing shall be sited to minimize the conversion of viable agricultural lands, and is subject to approval of a discretionary permit.

Policy AG 1.9**New Farm Worker Housing** – Within Agriculture Lands and Rural Lands, farm worker housing facilities for farm employees or families employed off the site where the farm worker housing is located, are allowed. Such housing shall be sited to minimize the conversion of viable agricultural lands, and is subject to approval of a discretionary permit.

  
**Land Use Element Goal LU-9,  
Policy LU-9.3; Housing Element  
Goal H-5 - Employer Assisted and  
Workforce Housing**

Policy AG-1.10 **Deleted**

***Comment:*** *The Refinement Group agreed that because these organizations already work with landowner for these purposes, that it is not necessary to restate as General Plan policy.*

Policy AG-1.11 **Streamlined Permit Processing** – The County shall establish standards to distinguish those agricultural uses and activities that may be approved by administrative action to expedite the permit processing for agriculture and agriculture-related uses. In an effort to streamline the permit process, the County shall assign at least one Planner designated to process all applications for agricultural use or agricultural activities.

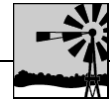
**Goal AG-2- Conservation of Agriculture Lands**  
Promote the long-term conservation of productive and potentially productive agricultural land.

Policy AG-2.1 **Land Conservation Strategy** – Agricultural uses within City Spheres of Influence and Community Areas may be converted to urban development in order to accommodate the County’s projected population and employment growth.

Policy AG-2.2 **Important Farmlands Mapping** – The County shall use the Farmland Mapping and Monitoring Program (FMMP), developed by the California Department of Conservation, to identify important agricultural lands in the County.

Policy AG-2.3 **Conservation Programs** – The County shall support programs that provide tax and economic incentives that will enhance competitive capabilities of farms and ranches.

Policy AG-2.4 **Williamson Act Contracts** – The County shall accept Williamson Act contracts on all agricultural land based on a set of standards related to location, acreage, and use limitations established by the County. Exceptions to this policy are agricultural lands within city spheres of influence or unincorporated Community Areas where a Williamson Act contract would conflict with planned urban uses.



Policy AG-2.5 **Deleted**

***Comment:*** *The Refinement Group agreed that because these organizations already work with landowners for these purposes, that it is not necessary to restate as General Plan policy.*

Policy AG-2.6 **Deleted**

***Comment:*** *The Refinement Group agreed that this paragraph should not be included because water protection is dealt with in ERME and should not be further referenced in this Section.*

Policy AG-2.7 **Public Education** – The County shall support and participate in ongoing public education programs by organizations such as the County Agricultural Commissioners Office, UC Cooperative Extension, Monterey County Agricultural Education, Farm Bureau, watershed councils, and industry and environmental organizations to help the public better understand the importance of the agricultural industry.

### **Goal AG-3 – Agriculture-Related Research and Industries**

**Encourage the retention, expansion, diversification and development of agriculture-related industries that preserve the long-term sustainability of agriculture in the County, preserve the environmental quality of the region, and have national and global market potential.**

Policy AG-3.1 **Support Industries** – The County shall support the establishment of a full range of agricultural support businesses and services to achieve full development of the agricultural industry in the County.

Policy AG-3.2 **Deleted**

***Comment:*** *The Refinement Group agreed that the choice of crops is a business decision to be made by the business owner. As with any other business, the County should not make the economic decisions that affect the ongoing profitability of any agricultural business.*

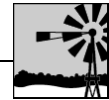
Policy AG-3.3 **Expanded Agricultural Processing** – The County shall support the processing of raw products produced within the County as well as the importation of raw products into the County for processing.

Policy AG-3.4 **Regional Transportation** – The County shall work to improve regional transportation systems to support increased hauling of raw product into the County and export of finished goods nationally and globally.

  
**Circulation Element Goal C-3 –  
Facilitating Movement, Policies C-3.9  
through C-3.17**

Policy AG-3.5 **Deleted**

***Comment:*** *The Refinement Group agreed that the choice of crops is a business decision to be made by the business owner. As with any other*



***business, the County should not make economic decisions that affect the ongoing profitability of any agricultural business.***

Policy AG-3.6 **Research Assistance** – The County shall collaborate with research institutions and responsible agencies to research global and domestic markets for processed foods capable of production in Monterey County.

Policy AG-3.7 **Research Centers** – The County shall encourage the development of agricultural research centers and businesses to facilitate local research in biotechnology and processing technologies.

Policy AG-3.8 **Deleted**

***Comment: As in AG-3.2, the Refinement Group agreed that the choice of crops is the business decision of the business owner and it would be inappropriate for the county to be involved in giving preferential treatment to any commodity.***

## **Goal AG-4 – Agricultural Tourism**


**Support agricultural tourism by permitting compatible visitor-serving and recreational activities in agricultural areas, and by directing other visitor-serving facilities and services into urban areas within close proximity to agricultural areas.**

Policy AG-4.1 **Promote Local Agricultural Products** – The County shall work with agricultural industry organizations to promote a healthy and competitive agricultural industry whose products are recognized as being produced in Monterey County.


Policy AG-4.2 **On-Site Agricultural Sales** – The County shall allow marketing and sale of agricultural products grown on the premises in agricultural areas.

Policy AG-4.3 **Wine Industry Expansion** – The County shall support the development of a fully integrated wine industry that has the processing, marketing and sales capacity to fully utilize the wine grape production of the County.

Policy AG-4.4 **Visitor-Serving Winery Corridors** – The County shall support the development of the visitor-serving winery corridors designated in the Land Use Element (see Maps LU-3A and LU-3B). These corridors shall accommodate wineries and visitor-serving uses that are accessory to wineries, such as tasting rooms, the sale of wine and wine related items, restaurants and delicatessens, and facilities for small gatherings.

  
**Land Use Element Goal  
LU-7, Policy LU-7.15 –  
Designated Winery  
Corridors**

Policy AG-4.5 **Compatible Recreational Uses** – The County shall allow recreational uses within agricultural areas that are compatible and do not adversely impact the long-term productivity of the agricultural use on-site and on adjacent lands.

  
**Land Use Element Goal  
LU-7, Policy LU-7.12 –  
Recreational Uses**



Policy AG-4.6

**General Visitor-Serving Uses** – In the Agricultural Lands encourage large-scale general visitor-serving uses into Cities and Community Areas.

***Comment:*** *This policy should also be addressed in the Land Use Element and incorporated into City/County agreement policies. We also recommend that all agricultural related definition be revised to be consistent with these Ag Element recommendations.*