

October 27, 2023

Chair Kenneth Ekelund
Monterey County Planning Commission
1441 Schilling Place
Salinas, CA 93901
Email: pchearingcomments@co.monterey.ca.us

Subject: Mitigation requirements for development on farmland

Dear Chair Ekelund and Planning Commissioners:

In previous comments to the Agricultural Advisory Committee, LandWatch Monterey County identified the following provision in the County's agricultural mitigation proposal to promote infill development rather than sprawl development as an important objective:

The regulation of farmland conversion will encourage infill development on vacant or underutilized sites within and near existing jurisdictions, infrastructure, and developed areas of Monterey County.

However, there are no provisions in the draft ordinance addressing the objective to promote infill and discourage sprawl. In fact, the draft ordinance treats infill and sprawl alike by excluding all acreage used for inclusionary and affordable housing from mitigation requirements, regardless where that housing is located (p. 4, item C).

Consistent with the ordinance's intent, we recommend that only those inclusionary and affordable housing projects that are actually infill be exempted from the proposed agricultural mitigation requirements. For this purpose, we recommend that the County specify those exempt affordable housing projects as those that meet the infill requirements set out Section 65913.4, subdivision (a)(2) in SB 35. Those would be projects within a Census Bureau-designated urbanized area or urban cluster, 75% surrounded by existing urban uses, and designated for residential or mixed-use development. (Gov Code, § 65913.4(a)(2) [SB 35].)

Further, requiring agricultural mitigation for sprawl housing and exempting infill housing from this mitigation requirement is consistent with statutory provisions for providing incentives for infill development and for preserving agricultural land through the Regional Housing Needs Allocation (RHNA). The statutory factors to be considered in the Regional Housing Needs Allocation process include lack of infrastructure capacity; opportunities for infill development and increased residential densities; preservation of farmland, open space, and habitats; preservation of prime

agricultural land; agreements between the County and cities to direct growth toward cities; and greenhouse gas emission reductions. (Gov. Code, § 65584.04(e).)

Sincerely,

A handwritten signature in black ink, appearing to read "Michael DeLapa". The signature is fluid and cursive, with the first name "Michael" and last name "DeLapa" clearly distinguishable.

Michael DeLapa
Executive Director