



A G E N D A

**GONZALES PLANNING COMMISSION
SPECIAL MEETING
CITY COUNCIL CHAMBERS – 117 FOURTH STREET
GONZALES, CA 93926
MONDAY, APRIL 24, 2023
6:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. **ROLL CALL -** Chair Gloria Velasquez, Chair Pro Tem Ernesto Mancera, Commissioner Myrna Morales, Commissioner Adrian Paco, Commissioner Tencia Vargas

PUBLIC NOTICE

This meeting is being conducted consistent with the State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. The public may participate in person or online via Zoom at <https://us06web.zoom.us/j/85890607589> or call 1-1669-900-6833 and use **Meeting ID: 858 9060 7589**. If you wish to make a general public comment or comment on a specific agenda item, please use the Raise Hand function. You will be allowed three minutes for your comments.

If you choose not to attend the meeting but wish to comment on a specific agenda item, please submit your comment limited to 250 words or less by noon on the day of the meeting to the City Clerk at cityclerk@ci.gonzales.ca.us

BUSINESS FROM THE PUBLIC

2. Business from the Public not on the Agenda; any member of the Public may address the Commission for a period not to exceed three minutes on any subject not on the Agenda. The Commission will listen to all communications but may take no action.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine by the City Commission and will be adopted by one action of the Commission unless any Commission Member has a question or wishes to make a statement or discuss an item. In that event, the Chairperson will remove the item from the Consent Calendar for separate consideration.

3. Approve the Planning Commission - Regular Meeting – March 13, 2023 Minutes

REGULAR AGENDA

4. Consider Approval of **Resolution No. PC 2023-02** “A Resolution of the Planning Commission of the City of Gonzales Recommending to the City Council Adoption of the Gloria Road Agricultural Cooler Project Initial Study / Mitigated Negative Declaration (SCH#2023030377) and Adoption of the Mitigation Monitoring Reporting Program (MMRP).” **Resolution No. PC 2023-03** “A Resolution of the Planning Commission of the City of Gonzales Recommending to the City Council Approval of Amendments to the City of Gonzales General Plan to Change Specific Land Use Designation and Waive the Requirement for a Specific Plan.” **Resolution No. PC 2023-04** “A Resolution of the Planning Commission of the City of Gonzales Recommending Adoption to the City Council of an Ordinance Approving the Pre-zoning of the Gonzales Cooler Development Property to Industrial.” **Resolution No. PC 2023-05** “A Resolution of the Planning Commission of the City of Gonzales Conditionally Approving Conditional Use Permit PL2023-02 to Permit, Construct and Operate a Fresh Vegetable Food Processing and Cooling Facility Consisting of up to 313,800± square foot building and Ancillary Uses on a Project Site of 44.8± acres Located at 31958 Gloria Road (Monterey County Assessor Parcel No. 223-032-019).” **Resolution No. PC 2023-06** “A Resolution of the Planning Commission of the City of Gonzales Recommending to the City Council Approval of the Initiation of a 48.97-Acre Annexation Request with the Monterey County Local Agency Formation Commission (LAFCO).”
 - a) Staff Report
 - b) **Public Hearing**
 - c) Commission Discussion
 - d) Commission Action

Staff Recommended Action- Adopt Resolution No. PC2023-02; Resolution No. PC 2023-03; Resolution No. PC 2023-04; Resolution No. PC 2023-05; Resolution No. PC 2023-06

BUSINESS FROM PLANNING COMMISSION

5. Oral Communications

BUSINESS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

6. Oral Communication

ADJOURNMENT

In compliance with the American Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (831) 675-5000. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (CFR 35.102-35.104 ADA Title II). This is a public meeting and as such, can be seen live by people present or online and is being recorded; therefore, anything you say or do here is public information. The recordings are available online.



MINUTES

**GONZALES PLANNING COMMISSION
REGULAR MEETING
MONDAY, MARCH 13, 2023
6:00 P.M.**

CALL TO ORDER

The meeting was called to order at 6:20 PM by Chairperson Gloria Velasquez

PLEDGE OF ALLEGIANCE

All present saluted the flag.

ROLL CALL

Attendee Name	Title	Status
Tencia Vargas	Commissioner	Excused
Gloria Velasquez	Chairperson	Present
Ernesto Mancera	Chair Pro Tem	Present
Myrna Morales	Commissioner	Excused
Adrian Paco	Commissioner	Present

STAFF PRESENT

Community Development Director Taven Kinison Brown, Development Services Technician/Administrative Analyst Alejandra Flores, and Administrative Assistant II Marisol Gomez.

PUBLIC NOTICE

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If you choose not to attend the meeting but wish to comment on a specific agenda item, please submit your comment limited to 250 words or less by noon on Monday, March 13, 2023 to the City Clerk at cityclerk@ci.gonzales.ca.us <<mailto:cityclerk@ci.gonzales.ca.us>>

BUSINESS FROM THE PUBLIC

There was none.

2. Business from the Public not on the Agenda; any member of the Public may address the Commission for a period not to exceed three minutes on any subject, not on the Agenda. The Commission will listen to all communications but may take no action.

CONSENT AGENDA

3. Approve the Planning Commission - Regular Meeting – November 14, 2022 Minutes
4. Approve the Joint City Council and Planning Commission Meeting – February 21, 2023 Minutes

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ernesto Mancera, Commissioner
SECONDER:	Adrian Paco, Commissioner
AYES:	Gloria Velasquez, Ernesto Mancera, Adrian Paco
EXCUSED:	Tencia Vargas, Myrna Morales

REGULAR AGENDA

5. Consider Approval of Resolution No. PC2023-01, A Resolution of the Planning Commission of the City of Gonzales Recommending that the City Council Adopt an Ordinance Adding New Chapter 12.150 – Agricultural Resource Mitigation to Title 12 – Zoning Regulations, Part 5, Regulations Applying in All Districts

Staff Report: Community Development Director Taven Kinison Brown utilized a PowerPoint presentation to provide an overview of the components of the draft ordinance. Key issues were highlighted, including compliance options, in-lieu fees to comply with the 2014 MOA with the County of Monterey, and the timing of mitigation requirements in accordance with the General Plan. Additionally, Mr. Kinison Brown shared details of the feedback received from the Ag Mitigation Committee and Interested parties. various entities.

Public Hearing: Glenn Pace, the manager of Pembroke Development, which is responsible for the Vista Lucia project, expressed gratitude towards the staff for reviewing the ordinance. He then requested clarification regarding the in-lieu fee's wording and inquired why it needs to go through the planning commission and city council for approval.

Community Development Director Kinison Brow asked Glenn if he could specify the

section that he is referring to.

Glenn Pace stated that he did not have immediate access to the information, but questioned why the same process of securing easements would apply to the payment of the in-lieu fees.

Community Development Director Kinison Brown clarified that the ordinance was written to ensure that development approvals are decided at the council level, making the council the final decision-makers.

Glenn Pace suggested that a Certificate of compliance after payment of fees would simplify the process.

Katherine Hardt-Mason asked about the intended use for in-lieu fees.

Taven responded that they could be used for agricultural easements, programs promoting agricultural awareness and education, and scholarships.

Nadia Garcia from the Monterey County Ag Commissioner's Office expressed her gratitude towards the Planning Commission and Staff. She also discussed the comments submitted to the city's draft ag mitigation ordinance on March 1st, 2023. Garcia highlighted three key points: information on buffers, advice on mitigation, and a tiered ratio for mitigation.

Melanie Beretti, the principal planner at the Monterey County Housing and Community Development Department, expressed her appreciation for the chance to comment. She explained that, due to unforeseen circumstances, staff did not have an opportunity to review and comment before the hearing. Ms. Beretti emphasized the joint efforts of the City of Gonzales, the County, and other local cities in creating a county-wide agricultural mitigation requirement. Additionally, she voiced her agreement with the comments previously made by Ms. Nadia and added her concerns regarding the availability and quality of water of easements outlined in 12.150.600c. to ensure agricultural operations in the long run.

Chair Velasquez closed the Public Hearing at 7:24 pm.

Commission Discussion: General discussion took place.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Ernesto Mancera, Commissioner
SECONDER:	Adrian Paco, Commissioner
AYES:	Gloria Velasquez, Ernesto Mancera, Adrian Paco
EXCUSED:	Tencia Vargas, Myrna Morales

BUSINESS FROM PLANNING COMMISSION

6. Oral Communications

There was none.

BUSINESS FROM COMMUNITY DEVELOPMENT DIRECTOR/BUILDING OFFICIAL

7. Oral Communications

There was none.

ADJOURNMENT

The meeting was closed at 7:44 PM

Gloria Velasquez, Chairperson

ATTEST:

Alejandra Flores, Development Services
Tech. / Admin Analyst



City of Gonzales

PLANNING COMMISSION

AGENDA
ITEM

4

COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: April 24, 2023

TO: Honorable Gloria Velasquez and Planning Commission

FROM: Taven Kinison Brown, Community Development Director
Brent Slama, AICP, Contract Planner

THROUGH: Trevin W. Barber, City Manager

SUBJECT: Gloria Road Agricultural Cooler Annexation and Use Permit Project

RECOMMENDATION

It is recommended that the Planning Commission take the following actions to recommend approval of the project to the Gonzales City Council:

- Receive the staff report;
- Open the public hearing;
- Close the public hearing; and
- Adopt Resolution No. PC 2023-02 “A Resolution of the Planning Commission of the City of Gonzales Recommending to the City Council Adoption of the Gloria Road Agricultural Cooler Project Initial Study / Mitigated Negative Declaration (SCH#2023030377) and Adoption of the Mitigation Monitoring Reporting Program (MMRP).”
- Adopt Resolution No. PC 2023-03 “A Resolution of the Planning Commission of the City of Gonzales Recommending to the City Council Approval of Amendments to the City of Gonzales General Plan to Change Specific Land Use Designation and Waive the Requirement for a Specific Plan”.
- Adopt Resolution No. PC 2023-04 “A Resolution of the Planning Commission of the City of Gonzales Recommending Adoption to the City Council of an Ordinance Approving the Pre-zoning of the Gonzales Cooler Development Property to Industrial”

- Adopt Resolution No. PC 2023-05 “A Resolution of the Planning Commission of the City of Gonzales Conditionally Approving Conditional Use Permit PL2023-02 to Permit, Construct and Operate a Fresh Vegetable Food Processing and Cooling Facility Consisting of up to 313,800± square foot building and Ancillary Uses on a Project Site of 44.8± acres Located at 31958 Gloria Road (Monterey County Assessor Parcel No. 223-032-019).”
- Adopt Resolution No. PC 2023-06 “A Resolution of the Planning Commission of the City of Gonzales Recommending to the City Council Approval of the Initiation of a 48.97-Acre Annexation Request with the Monterey County Local Agency Formation Commission (LAFCO)”

BACKGROUND

The Rianda property (APN: 223-032-019) is partially within the City limits of Gonzales and is included in its entirety in the 2010 Gonzales General Plan and was also included within the 2014 Sphere of Influence Expansion approved by LAFCO and is currently planned for both Highway Commercial and Neighborhood Residential as part of a designated Specific Plan Area. Rianda was formerly partnered with Puente del Monte Project Interests to develop a Specific Plan for integrated new neighborhoods according to the City’s General Plan. The Rianda Family Trust controlled 114 acres of the 585-acre project site. On or about April 2022 Rianda approached the City to process an application for an Agricultural Cooler on property owned by the Trust and executed a Reimbursement Agreement with the City of Gonzales to pursue a revised project separate from the planned Puente Del Monte project. The City then approved a contract with EMC for CEQA work and an agreement with Brent Slama Consulting to assist with planning services to facilitate the project entitlements and LAFCO processes. On January 12, 2023, the city received the updated Gonzales Cooler Development Project Description, and after review by internal departments and outside responsible public agencies, the project was determined to be considered complete by the City Planning Department on February 28, 2023.

The actions to be considered today include recommendations to the City Council on a number of actions including certification of the Mitigated Negative Declaration under CEQA and adoption of a Mitigation Monitoring Program, a General Plan Amendment, Pre-Zoning by ordinance, the contingent approval of the Conditional Use Permit for the project to allow the eventual development and construction of the agricultural cooler and associated improvements upon annexation into the City of Gonzales, and initiation of an application for annexation from the City to the Monterey County Local Agency Formation Commission (LAFCO).

Future actions that will be required beyond City Council pre-approval of the request include the submittal of the annexation request by the City of Gonzales, approval of the annexation request at a public hearing by LAFCO, compliance with Conditions of Approval, and Mitigation Measures and the applicant securing building permits through the plan check review process, leading to the construction of the facility.

REVIEW AND ANALYSIS

- Description
- CEQA Impacts
- General Plan Amendment
- Annexation

- Pre-zoning
- Project Zoning Conformance
- Key Conditions of Approval

Description

The proposed project description is included along with the report as Exhibit B to Resolution No. PC 2023-05 and includes the location of the project including all site plans, floor plans and building elevations along with relevant maps and graphics indicating the annexation area, zoning, auxiliary uses, and other pertinent information related to the project. The proposed project to be ultimately built that requires all these necessary actions is an agricultural processing/cooler facility.

Location

The Rianda Family Partnership (Project Applicant) proposes the Gonzales Cooler agricultural support facility on 44.8 acres of its 103.54-acre property (APN 223-032-019) on the north side of Gloria Road as described in the application materials on file with the City (Cooler Project) and as shown on the site plan on file with the City (Project Site).

All sides of the project are currently surrounded by active agriculture uses. Potential future uses include Highway Commercial to the West, residential development to the northwest, and Specific Plan development to the east. South of the project is considered to be a permanent agricultural edge in accordance with the 2014 City/County Memorandum of Understanding.

Facility

The proposed project in Gonzales, as stated by the applicant, is a “313,800 square foot facility (243,800 square feet in base configuration with a 70,000 square foot future expansion) which will be planned on 44.8 acres of a 103.54-acre parcel. The facility will consist of approximately 210,000 square feet of raw product cold storage and processing lines where the produce will be cleaned, sized, packaged and shipped, as well as approximately 33,800 square feet of office administration space and miscellaneous mechanical and storage rooms and shop areas.

As a necessary part of the packaging of the finished product, exterior storage of cardboard cartons will be required as part of the operation. The facility will utilize forklifts to move product in and around the facility on pallets. Ancillary improvements required as part of the facility shall include a check-in area when entering the site and fencing enclosing the entire perimeter of the facility as required by current food safety measures. Refrigeration equipment including ammonia engine rooms, condensing towers, and vacuum tubes will be utilized. Paved surfaces are required for truck traffic as well as fire department access and onsite parking for employees and visitors. Utility connections, landscaping, signage, lighting, trash enclosures, and a storm water detention basin are all planned for this site to adhere to local and state requirements.”

Operations

As referenced in the project environmental document project description, “The facility will receive agricultural crops from nearby fields, where they will be cooled, processed and then

shipped to customers. The applicant is proposing the project in Gonzales because it is centrally located to the agricultural fields in the Salinas Valley where raw agricultural input crops are grown. The proposed project would replace the applicant's existing agricultural processing/cooler facility now located in the City of Salinas agricultural-industrial corridor on Abbott Street. The existing facility would be closed, with those operations moved to the proposed Gonzales location. The scale/function of the existing operations in Salinas and the scale/functions of the proposed operations in Gonzales would be same in terms of number of processing lines and volume of product produce processed, number of and types/classifications of jobs, resource demand (e.g., water demand), etc.”

“During the peak season, the facility will employ approximately 436 residents over a 24-hour period and will see approximately 218 non-employee truck visits every 24 hours. During the off-season, the facility will employ approximately 80 employees per 24-hour period and will see approximately 3 non-employee truck visits per week. The facility also operates on a multiple shift schedule, so not all employees are on site at the same time. The most populous shift is the 5:00AM- 2:00PM shift during peak season, which generates 183 employee vehicle trips. The project's proposed parking capacity is to accommodate the short period of time between shifts for smooth start-of-shift and end-of-shift transition.”

General Project Information

Owner / Applicant: The Rianda Family Partnership

Property Address: 31958 Gloria Road Gonzales, CA 93926

Assessor Parcel Number: 223-032-019

General Plan Designation: Current: Neighborhood Residential / Proposed: Industrial

Zoning District: Current: County Agricultural / Proposed: Industrial/Manufacturing

CEQA Impacts

The California Environmental Quality Act (CEQA) requires that the lead agency (the City of Gonzales) first consider the environmental effects of a proposed project prior to approval of the project. The City retained EMC Planning to conduct the required environmental analysis under CEQA. On March 15, 2023, the Gloria Road Agricultural Cooler Project Initial Study/Mitigated Negative Declaration was released for a 30- day public review, where interested governmental organizations and private parties could comment on the issues related to the project. The full document is provided with project application materials as Exhibit A to Resolution No. PC 2023-02. No environmental issues have been determined to be significant & unavoidable. Staff recommends that a Mitigated Negative Declaration be filed as conditioned by the proposed mitigation measures, and as such the project will not have a significant effect on the environment. The Initial Study covers many items, but the key issues covered and summarized are as follows:

Water

From the Initial Study document, “Water supply will be obtained from the City through its existing distribution system. However, there are no existing water mains available at the site. One of two potential alignments for an off-site main to connect the site to the existing system will be selected, along which a new main would be constructed as shown in Figure 12 of the Initial Study, Off-Site Water Distribution Main Location Options. One of the options shows the main extending west down Gloria Road, where it would be constructed under U.S. Highway 101 to the segment of existing Gloria Road and onwards to the point of interconnect with the existing water system. It is assumed that a “jack and bore” construction method would be used to install the main under the highway. This method consists of using an auger to drill a horizontal bore hole and to install piping within the bore as the boring progresses. The jack and bore system is commonly used to install pipelines under roads and railroad lines because it generally causes minimal disruption to the roadway/rail line and traffic/rail operations.

The second potential alignment is along the assumed plan line for extending the existing Herold Parkway through to Gloria Road from its existing terminus north and east of the project site. The proposed project would not trigger the need to construct the extension (of the Parkway); it would be constructed in the future once additional development occurs within the SOI. Consequently, if this optional water supply main location is selected, easements may be required from the owners of the properties through which the main would be constructed.”

In addition, the City commissioned a Water Supply Assessment to ensure that there is sufficient groundwater to handle this cooler project along with the anticipated residential development planned in Gonzales. The results of the study “demonstrates that sufficient groundwater physically exists in the Salinas Valley Groundwater Basin to meet the needs of the Proposed Project, City, and other planned developments. Therefore, the proposed project would have a less-than-significant impact regarding sufficiency of its water supply.”

Sewer/Stormwater

The project will require connection to the City wastewater system, which will then direct water to the City wastewater treatment plant. Per the narrative provided in the environmental document, “The applicant has estimated domestic (waste)water generation at an average of 5,750 gallons per day (gpd) based on the City’s 2019 Wastewater Master Plan generation rate of 1,000 gpd/per acre for light industrial uses. This equates to approximately 0.00575 million gallons per day (MGD). A wastewater main that connects to the City’s wastewater conveyance infrastructure system is located at Charolais Drive and Herold Parkway. The applicant will be required to construct a tie-in from the site directly into this main.

Wastewater would be conveyed to the City’s existing municipal wastewater treatment plant (MWWTP), which is currently permitted to accept up to 1.3 MGD of wastewater, averaging over a month. The plant is currently operating at 1.1 MGD, leaving approximately 0.2 MGD per day of existing treatment capacity. The City expects an increase in wastewater treatment demand over time, particularly as land within the SOI, including the project site, is developed. With available capacity at 0.2 MGD and a project demand of 0.00575 MGD, there is sufficient existing capacity at the MWWTP to serve the proposed project. Consequently, at this time, the proposed project would not result in the need to construct new wastewater treatment capacity improvements, the construction of which could result in environmental impacts.”

The project will generate approximately 85,000 gallons per day in collected process wastewater to be treated and reused. “After treating the wastewater onsite, the applicant proposes to pump, convey, store and reuse the water for agricultural irrigation. A conveyance force main would extend onto the adjacent property on the east, which is owned by the applicant. From there, the main would turn south and cross under Gloria Road. An existing pipeline under the road would be used. The pipeline would extend onto the parcel of land on the south side of Gloria Road that is owned by the applicant, and discharge to a storage pond. The land is within unincorporated Monterey County and outside of the City’s SOI.

To store this water when monthly irrigation demand is lowest (and the required storage volume is highest), a lined, aeriated storage pond 600 feet long, 300 feet wide and up to 15 feet deep with a capacity of about 42.7-acre feet (approximately 13.9 million gallons of water) must be constructed on the parcel south of Gloria Road. A portion of the proposed pond footprint incorporates an existing agricultural irrigation pond.”

As the aerated storage pond is land outside the City’s jurisdiction, the City will condition occupancy of the project upon completion of these improvements which will fall under the jurisdiction of Monterey County and the Central Coast Regional Water Quality Control Board for permitting.

Transportation / Circulation

As part of the environmental review, the impacts on transportation were reviewed.

“The applicant will be required to construct improvements along the project site frontage consistent with those standards. The applicant would be required to construct the north side of the section plus one travel lane and a shoulder on the south side of the centerline along the project frontage.

The existing two-lane road has about 24 feet of pavement and approximately 5-foot-wide shoulders on each side for a total width of about 34 feet (17 feet on each side of the centerline). The new cross section standards show an 81-foot improved road section. The applicant would be required to construct approximately 48 feet of new road section on the north side of the new centerline, such that an additional approximately 30-40 feet outside the existing shoulder along the project site frontage would be disturbed to construct the improvements. Interim improvements needed to “taper” the new north side improvements back to the existing paved road would also be needed to the west of the project site boundary. The segment of Gloria Road between the project site and U.S. Highway 101 would be improved to the full section standards as additional future development occurs within the SOI.

A transportation analysis was conducted for the proposed project. No improvements other than those proposed for Gloria Road were identified as necessary. The applicant will be required to pay traffic impact fees to fund the project contribution to offset demand for cumulative transportation improvements needed with future buildout of the SOI.”

Noise

The document addresses the potential impacts from noise created as a result of construction activities, truck trips on Gloria Road, and ultimate cooler operations. While impacts related to construction and trucks are considered less than significant along with any operational concerns to existing structures, the ongoing noise generated by the cooler project would have a significant future impact to residentially designated lands to the east, while lands to the north would be impacted by loading activities at night which would exceed established noise standards. Mitigation measures have been added that require noise attenuation on both the north and east sides of the property to address these issues and give the applicant choices to modify or screen noise-generating equipment, build noise attenuation walls at the property line upon future residential development, or modify hours of operation at the facility.

Hazardous Materials

The environmental document also covers in great detail the potential use of hazardous materials at the cooler site. These include materials such as ammonia, propane, lithium-ion batteries, diesel fuel, waste oil, battery acid, and cleaning solvents. Incidental cleaning and sanitation chemicals, including chlorine and citric acid, would be stored and used onsite to help meet food safety standards among others.

“Anhydrous ammonia is the most fundamental hazardous material that will be used on the project site and given its potential to create risks to public health and safety, its potential effects were reviewed in greater detail. The proposed refrigeration system will use anhydrous ammonia as the coolant, which is typical for agricultural cooler projects in California. The system would be used for cold rooms, processing rooms, pressure cooler tunnels, chilled water generation and glycol cooling. The refrigeration system must adhere to a range of local and state regulatory requirements to reduce the potential for accidental release during project operations. These regulatory programs include:

- Occupational Safety and Health Administration (OSHA)’s Process Safety Management (29 CFR 1910.119 – PSM)
- Environmental Protection Agency (EPA) Risk Management Program (40 CFR Part 68 – RMP)
- California Accidental Release Prevention Program

All three programs require the applicant to conduct a Process Hazard Analysis to identify, assess the adequacy of engineering and administrative controls, quantify the risks associated with ammonia release, and develop recommendations to reduce the risk levels that are above acceptable levels. The Process Hazard Analysis process would involve the Gonzales Fire Department, Monterey County Health Department, contractors, refrigeration operators, the applicant, the project safety coordinator, and other stakeholders and would be conducted before ammonia is brought onsite.”

Design features incorporated into the proposed ammonia system to minimize the risk of ammonia release and provide faster response should a release occur, include:

- Ammonia detection system;

- Refrigeration machinery room ventilation system;
- Emergency shut-down system;
- Diffusion tank and emergency control box (fire department box); and
- Industrial wastewater drain system.

Additional detail on ammonia and other potentially Hazardous Materials is located in the CEQA Document under Section 9, Hazards and Hazardous Materials.

Public Comment

At the close of the public comment period on April 13th, the city received four written comments. The comments are included in Exhibit C to Resolution No. PC 2023-02 along with City responses to the comments. In summary, the comments and responses were as follows:

1. Monterey County Local Agency Formation Commission (LAFCO)
2. Transportation Agency of Monterey County (TAMC)
3. California Department of Transportation (Caltrans)
4. LandWatch Monterey County

LAFCO - LAFCO sought clarification of whether or not mitigation for converting farmland to non-agricultural use would be required for the project. Independent of this question, LAFCO stated that even though the City's (then) draft agricultural mitigation ordinance exempts agricultural processing facilities and agricultural coolers from agricultural mitigation requirements, the City should expect that LAFCO will require such mitigation. LAFCO stated that a plan for mitigation should be included in the annexation application to LAFCO. While the applicant is supportive of the City's position on the matter, they have moved forward with a plan to formally offer agricultural mitigation for this project in anticipation of future LAFCO action.

TAMC - TAMC provided two comments that are germane to the content/analysis in the IS/MND: 1) inclusion of bicycle facilities on Gloria Road along the project frontage; and 2) recommendation that electric vehicle charging stations be installed.

Regarding bicycle facilities, the ultimate planned Gloria Road cross-section includes bicycle and pedestrian facilities on Gloria Road. The IS includes a graphic showing this section. The applicant will be required to construct improvements along the project site frontage that are consistent with that cross-section. Regarding charging stations, the project includes 20 electric vehicle charging stations and 60 electric vehicle ready parking spaces. Installing electric vehicle infrastructure is a regulatory requirement per the California Building Energy Efficiency Standards.

Caltrans - Caltrans recommended that the applicant develop a transportation demand management program to help reduce vehicle miles traveled (VMT). Bicycle, pedestrian, and transit accessibility for project employees will be expanded in the future as land adjacent to the site is built out over time and connectivity improvements are made to support residential growth in those areas.

LandWatch - LandWatch commented that it could not find the proposed general plan amendment language in the IS/MND exempting the project from the requirement for a specific plan and suggests that the exception to the specific plan requirement be limited solely to the proposed project site. The City's proposed general plan amendment language is addressed in the following section of this staff report.

General Plan Amendment to Industrial

The proposal to annex the property into the City Limits and construct the agricultural cooler will require a change to the Land Use Element in the 2010 Gonzales General Plan, as it currently has a designation of Neighborhood Residential, with an Industrial/Manufacturing land use designation immediately south of the Project Site across Gloria Road (See City General Plan Land Use Map, Pages II-25 and II-31). The Project Applicant is requesting that the City amend its General Plan to reflect an “**Industrial/Manufacturing**” land use designation on the 44.8 acre Project Site to allow the Gonzales Cooler agricultural support facility. State law permits up to four amendments to the General Plan a year.

The primary purpose of this designation is to define those areas that are appropriate for heavy industrial and manufacturing uses, the location of which may create land use conflicts with residential uses and schools. The emphasis is on agricultural services, but other types of industry compatible with the policies in the General Plan are encouraged. The designation permits industrial parks, light manufacturing, warehousing, wineries, auto and farm equipment sales or repair establishments, feed stores, lumberyards, construction supply companies, and similar and compatible uses. Compatible highway-serving uses like gas stations, restaurants, motels, and truck stops are permitted in this area. The maximum permitted Floor Area Ratio is 0.5. The designation has been applied to 469 acres of land in Gonzales, including 325 acres of land west of Highway 101 and 144 acres of land east of Highway 101. This designation is also used in the urban reserve area.

Current General Plan requirements for annexations to the City of Gonzales necessitate the prior approval of a Specific Plan for the area. However, in assessing this General Plan Amendment, it is important to note that Project Site is contiguous to the existing City limits and is for a single site-specific well-defined use. The Project is not creating a new residential neighborhood that would be developed under a Specific Plan, which Specific Plan would set forth orderly development of an entire neighborhood with associated public and community uses consistent with the approved Neighborhood Design Guidelines and Standards and Community Character policies. In this case, the Project Application sets forth the site-specific development standards and parameters with regard to development of the Project Site. A specific plan would not be appropriate for this type of project nor is necessary given the single-use nature of the project with all the required infrastructure improvements to serve it built in a single phase. All conditions of approval, mitigation measures, on- and off-site infrastructure requirements and exactions can be identified and considered through the typical Use Permit process, as has been done for other similar facilities present within the City Limits located in the Gonzales Industrial Park. The proposed language is written and included in Exhibit A to Resolution No. PC 2023-03 that “**a Specific Plan is not required for annexation of new site-specific, single-phase, non-residential uses contiguous to the City limits meeting the City's development standards, subject to discretionary approval.**” Specific Plans for all future residential projects and multi-phase commercial or industrial projects proposing annexation will continue to remain an

important part of the Gonzales General Plan moving forward and for example will still certainly be required for the proposed Vista Lucia and Puente del Monte projects.

In 2014 the City and County entered into a Memorandum of Agreement (MOA) regarding future annexation of property east of the City, and LAFCO adopted an updated Sphere of Influence (SOI) including the Project Site, which Agreement recognized the importance of the Industrial/Manufacturing land use designation, and its associated jobs south of Gloria Road, but also recognized the City's desire to create an urban growth boundary south of Gloria Road.

The primary reasons to recommend the change in land use designation to Industrial/Manufacturing and support the City's desire to annex the 44.8-acre Project Site into the City is to meet the City's need to continue to create jobs, take advantage of the close proximity of the existing Industrial/Manufacturing land use designation immediately south of Gloria Road, and utilize the proximity of the Gloria Road/Highway 101 interchange. For these reasons, the proposed project meets a number of identified City objectives and policy commitments.

The specific proposed amendments to the Tables, Figures and Text are attached as Exhibit A to Resolution No. PC 2023-03 and cover the package of map changes, specific table changes, and all text changes within the document to ensure internal consistency in all cases. In addition, all amendments must be supported by findings that the amendment is in the public interest, consistent with the rest of the General Plan, and not detrimental to public health, safety, and welfare. Support of these changes with existing General Plan policies are indicated further in the report. These required findings are included in the supporting resolution under consideration. The result of the collective changes would have the following impacts:

- 1) Re-designation of the 44.8 Acres from Neighborhood Residential or Public/Quasi Public to Industrial/Manufacturing on all relevant General Plan maps.
- 2) Introduce language that removes the requirement for this project or like projects to be in a Specific Plan prior to annexation.
- 3) Change tables and text to reflect accurate acreages and job and residential projections because of the change.

The impact of the amendment to the land use designation would in effect decrease the size of the anticipated Puente Del Monte Specific Plan project that would come forward to the city and reduce the capacity for residential lands. However, given the other opportunities presented in the General Plan, sufficient capacity remains to accommodate residential growth during the General Plan horizon and the 6th Cycle Regional Housing Needs Allocation (RHNA) cycle between 2023-2031. In addition, this project will certainly result in amendments to the proposed Puente Del Monte Specific Plan to the east in the future that may reduce existing industrial acreage while increasing residential capacity to accommodate this project.

General Plan Objectives and Policies Supporting General Plan Amendment

Support for the General Plan Amendment is contained in the following chapters and policies within the General Plan document:

CHAPTER I: INTRODUCTION:

“As the name implies, the plan is general in nature. It provides broad policies for development rather than site-specific instructions on where and how to build. The document is specific enough to guide growth but flexible enough to allow for adjustments at a site-specific level.” (pg. I-2)

CHAPTER II: LAND USE

“The Gonzales 2010 General Plan adds approximately 4,280 acres of potentially developable land to the existing City of approximately 1,200 acres, which represent approximately more land than needed to accommodate urban development at rates projected by AMBAG.” (pg. II-16)

[Amending the existing residential land use designation on the 44.8-acre Project Site to “Industrial/Manufacturing” does not impede the City’s ability to meet its AMBAG numbers].

“There is also a strong interest in attracting jobs, as well as housing, to the community. Because of its location and cheaper land prices, Gonzales is vulnerable to becoming a bedroom community for Salinas and the Monterey Peninsula. This would probably result in City expenses increasing faster than the local tax base and could strain local services. To be competitive in attracting business, Gonzales needs industrially and commercially designated land, as well as additional water and sewer capacity.” (pg. II-16 &17)

“Because the land supply exceeds projected growth demand, it is important that new development is phased and allowed only if contiguous with existing development or located within a new neighborhood developed under a Specific Plan that sets forth orderly development consistent with the approved Neighborhood Design Guidelines and Standards and Community Character policies” (pg. II-18).

“AMBAG also projects employment for cities and counties in the Monterey Bay Area. The number of jobs in the Gonzales area is projected by AMBAG to increase from approximately 1,063 in 2010 to 1,324 in 2035. This employment projection is at substantial variance from the projections of this General Plan; the 310 jobs that AMBAG says will be added over the course of 25 years does little more than account for the number of new jobs that would be created by the school district and the City to accommodate new development. A total of approximately 5,400 jobs could be accommodated by this General Plan at buildout if commercial and industrial designated land is utilized up to 80 percent.” (pg. II-19)

“Most of the City's near-term employment growth is anticipated in the industrial area west of Alta Street and north of Gonzales River Road. A variety of businesses are accommodated there, including both agriculturally related and non-agriculturally-related enterprises. In the longer term, the north and south interchanges are envisioned as accommodating highway-oriented commercial uses, as well as industrial uses.” (pg. II-35)

Policy LU-1.1 Jobs/Housing Balance

Promote a balance between housing growth and job growth. Encourage the provision of housing at a pace that keeps up with job growth in the City.

Conversely, encourage the creation of jobs at a pace that keeps up with housing growth in the City (pg. II-49)

Implementing Action LU-1.1.1 – Land Use Assignments. Designate land that can support a mix of different housing types and a mix of different job types consistent with the land use assignments set forth in the section entitled: “Land Use Concept” above. (pg. II-49)

Industrial Development

Goal LU-8: A larger and more diversified industrial base

Policy LU-8.1: Reserve Land for Job Generation

Designate land in the vicinity of the north and south Highway 101 interchanges for commercial and industrial uses in order to accommodate the City’s long- term job needs. (pg. II-60)

Implementing Action LU-8.1.1 – Maintain Highway Commercial and Industrial Designations at north and south Interchanges. Avoid amendments to the Land Use Diagram that would reduce the amount of highway commercial, business park, light industrial, and/or industrial/manufacturing land available in the vicinity of the north and south Highway 101 interchanges. (pg. II-60)

Implementing Action LU-8.3.4 – Agricultural Industry. Utilize the Gonzales Redevelopment Agency and other resources to promote and support the expansion of existing agricultural industries within the City of Gonzales (pg. II-61)

CHAPTER III: CIRCULATION

Truck Traffic (and Parking) on Local Streets

“Most Gonzales industries depend on trucks to import and export produce and other goods. Trucks pose special concerns due to their size, weight, and noise. They accelerate slowly, use large amounts of road space, have wide turning radii, break down pavement due to their weight, and make more noise due to their larger engines and braking devices. In Gonzales, the presence of trucks on residential streets is a concern, particularly in the northwest part of town (where trucks may park for extended periods) and on Fifth Street, which is used by trucks coming from and going to Highway 101. This General Plan update addresses this problem by locating new industrial uses in the vicinity of the Highway 101/Alta Street and Highway 101/Gloria Road Interchanges.” (pg. III-17)

CHAPTER IV: HOUSING

Table IV-21 shows housing potential by affordability category for the prototypical neighborhoods in the Sphere of Influence (SOI). These areas provide additional capacity in the future for residential development but are not needed to accommodate the City’s RHNA for this Housing Element planning period. (pg. IV-46)

CHAPTER VI: CONSERVATION AND OPEN SPACE

“Gonzales has also followed this approach, directing future development to the less productive soils east of the city, and included policies in this element that encourage growth that is either

contiguous to the existing city or is located within a new neighborhood developed under a Specific Plan, which sets forth orderly development consistent with the approved Neighborhood Design Guidelines and Standards and Community Character policies.” (pg. VI -23)

Implementing Action COS-4.1.6 – Phased Development. Phase development in an orderly, contiguous manner to maintain a compact development pattern and avoid premature farmland conversion or interference with farm operations. New development should be either contiguous to the existing city or located within a new neighborhood developed under a Specific Plan, which sets forth orderly development consistent with the approved Neighborhood Design Guidelines and Standards and Community Character policies. (pg. VI-47)

Policy COS-4.2 – Permanent Agricultural Edge. Establish permanent agricultural edges in the vicinity of Associated Lane to the northwest, Gloria Road to the southeast, and Gonzales River Road to the west, to preserve adjoining agricultural activities. (pg. VI-47)

CHAPTER VII – COMMUNITY FACILITIES AND SERVICES

Implementing Action FS-1.1.4 – Support Economic Development. Place priority on public service and facility improvements that support the city's economic development goals, including the retention and expansion of business in Downtown Gonzales, the Gonzales Shopping Center, and the city’s existing industrial areas, and the development of new retail businesses and industrial uses at locations designated by the General Plan. (pg. VII-22)

CHAPTER XI: IMPLEMENTATION

C. Use and Amendment of the Plan:

“Once adopted, the General Plan does not remain static. State law permits up to four Plan amendments each year, but any number of changes can be included in each of the four amendments (Government Code Section 65358 (b)). Both the plan diagrams and the plan text may be amended. In the latter case, the city may determine that it is necessary to revise portions of the text to reflect changing circumstances or philosophies. Because the requirement for internal consistency is never relaxed, care must be taken to ensure that amendments maintain consistency with text and diagrams in all plan elements. Moreover, all amendments must be supported by findings that the amendment is in the public interest, consistent with the rest of the General Plan, and not detrimental to public health, safety, and welfare.” (pg. XI-9)

In conclusion, for these reasons identified, staff recommends these changes to the Gonzales General Plan to accommodate the Gloria Road Agricultural Cooler project.

Tribal Consultation Requirements

SB 18, adopted in 2004 requires that the City of Gonzales refer the proposed action to California Native American tribes, as specified, prior to the adoption or amendment of a city’s general plan. The city shall provide opportunities for involvement and conduct consultations with California Native American tribes for the purpose of preserving specified places, features, and objects that are located within the city’s jurisdiction. AB 52 is also similar legislation that applies to CEQA documents which also applies in this case. The City initiated a formal request for consultation in December of 2022, however no tribal responses were sent to the City of Gonzales regarding this project.

Annexation

Annexation is the formal process required to bring the property into the City. The project is within the Gonzales Sphere of Influence, and the development of the property is consistent with the City/County MOA signed in 2014. It is important to note that the Monterey County Local Agency Formation Commission (LAFCO) has the ultimate decision authority to consider and approve the annexation; however the Planning Commission will be taking action to recommend that the City Council initiate the annexation application. Having the City as applicant for the project carries greater weight with LAFCO and is an official determination that the City is on the record to want to assume the property into its city limits. All City project approvals must be contingent upon annexation approval by LAFCO.

As part of the requirements to submit to LAFCO, the application requires significant information to evaluate the proposal. These requirements are summarized here and should be considered in the Planning Commission's recommendation to the City Council.

Plan For Services

A Plan for Providing Services is required in order for LAFCO to evaluate if the city can bring the necessary services to the annexation area. This includes the required upgrading of infrastructure, if necessary, and ensuring that these improvements can be financed and maintained over time. Items that LAFCO reviews include sewer service and capacity, fire protection and emergency medical services, water service, flood control, law enforcement, circulation, and parks and recreation. The draft Plan for Services is included as Exhibit B to Resolution No. PC 2023-06.

Ag Mitigation

LAFCO has an adopted policy for the Preservation of Open Space and Agricultural Lands. In addition, the City of Gonzales is currently in the process of adopting its own local Agricultural Mitigation Ordinance. The first reading of the Ordinance was held on April 3, 2023 and the Ordinance was adopted by the City Council on April 17, 2023. Preservation is also addressed in the City/County MOA adopted in 2014. While the local ordinance will exempt value-added agricultural support uses such as coolers from agricultural mitigation requirements and is consistent with draft proposals for a County-wide ordinance on the topic, LAFCO has no such exemption policy for agricultural facilities and has submitted written correspondence to the City of Gonzales requesting mitigation consistent with adopted LAFCO policies. As a result in not wanting to prolong the LAFCO hearing process and in response to their comment letter, the applicant has proposed to voluntarily place an agricultural easement on 44.8 acres of lands that it owns south of Gloria Road on Parcel 257-021-021, to be used in the City's efforts to create a Permanent Agricultural Edge along the south side of Gloria Road, which will ensure that urban uses are not extended beyond this boundary. This will be completed prior to the completion of the annexation to the City of Gonzales. Staff has reviewed the preliminary proposal and determines it meets the intent of the City ordinance, even when not applying any possible exception language.

This proposal also fully meets the requirements in the 2014 City/County MOA for annexations related to size, soil type, and location as identified in Section 6.3.1. The proposed offer of dedication, which is included in Attachment F, provides a full 1:1 mitigation with comparable

soil types related to prime agricultural lands and lands of statewide significance and is located completely within the area on which the County and LAFCO desire to “establish a permanent agricultural edge for the purpose of maintaining a clearly defined north and south boundary between the urbanized incorporated areas of City and the agricultural areas within the unincorporated County.” For these reasons, it is intended that this proposal also meets the LAFCO adopted a policy for the preservation of Open-Space and Agricultural Lands.

In addition, the action to annex the 44.8-acre cooler site into the City of Gonzales will result in a remainder of 33.78 acres of the existing parcel remaining in unincorporated Monterey County with agricultural zoning. After preliminary discussions with Monterey County LAFCO, it was determined that since the lands were expected to remain in agriculture until a Specific Plan would be considered in the future, that it would be best to remain in the County.

Jobs/Housing Policies

LAFCO also looks at issues related to jobs/housing balance and wants to ensure that the project will meet regional goals. From the LAFCO policy, “Proposals must demonstrate through both quantitative and qualitative methods the relationship between the Proposal and the surplus or deficiency of local and county-wide housing supply and demand, and employment availability and creation. Additionally, the Proposal must demonstrate how its pattern of land use and transportation complements local and regional objectives and goals for the improvement of air quality and reduction of greenhouse gas (GHG) emissions and local vehicle miles traveled (VMT). These factors and their impacts, if any, shall be considered by the Commission in acting upon the Proposal.”

The proposed project would relocate current operations to a location that will be on average closer to the fields where the crops are harvested. It is anticipated that GHG and VMT will be reduced, and more jobs will be available in South County and Gonzales specifically, which needs additional employment, per the most recent AMBAG Regional Growth Forecast. Staff is of the opinion that this proposal meets LAFCO’s current policy requirements.

Fiscal Analysis

LAFCO also requires that the project evaluate the provision of government services to the area proposed to be annexed to ensure that the City has adequate capacity to provide such services. In anticipation of the project, the City contracted with Willdan Financial Services to perform financial analysis of the multiple areas to be considered for annexation. The resulting document is the Gonzales Sphere of Influence Fiscal Impact Analysis. As it related to the Rianda cooler project, the analysis projects that the City will receive \$72,664 in annual revenue with \$46,146 in expenses, resulting in a surplus of \$26,518 per year and is included as Attachment G. This is consistent with the general trend that job-generating land uses result in positive financial impacts to cities.

Pre-Zoning

As part of the action to consider the project and annex the property into the City of Gonzales, both the City and LAFCO require that an ordinance be adopted by the City Council indicating the “pre-zoning” for the area to be annexed. This pre-zoning designation would then be applied

to the official zoning map of the City upon certification of the annexation and would take immediate effect.

The purpose of pre-zoning is for the City and LAFCO to determine the impact that would occur upon the annexation of lands, the conversion of lands from their existing uses, and the potential impact of future development based on the zoning changes. Pre-zoning in this case to “Industrial” is necessary to conditionally approve the cooler use upon annexation, since it is the only zone under the Gonzales Municipal Code that will allow that type of use. As stated per the Municipal Code, “the intent of the industrial (I) district is to provide areas for general industrial, manufacturing, wholesale, and service uses needed by the city and region subject to regulation necessary to protect other nearby uses from hazards, noise, and other disturbances.”

Project Zoning Conformance with Industrial Standards

The proposed cooler project will need to be compliant with the Industrial Zoning Designation that would be applied to it upon annexation. These include typical items such as Lot Area, Floor Area Ratio, and Maximum Lot Coverage, in the following table.

Standard	Requirement	Project
Minimum Lot Area	10,000 square feet	1,951,488 SF (44.8 Acres)
Floor Area Ratio	0.5	0.16
Maximum Lot Coverage	90%	0.16
Minimum Lot Width	50 Feet	1270 Feet
Maximum Height	50 Feet	39 Feet
Minimum Setbacks:		
Front	20 Feet	183 Feet
Side	10 Feet	424 Feet & 504 Feet
Rear	10 Feet	233 Feet +
Parking Required	1 space / 1,000 square feet of gross area (314 Spaces)	400 Vehicle / 55 Truck Parking
Loading Spaces	1 space / 20,000 square feet of gross area (16 Spaces)	26 (+18 For Expansion)

Landscaping

The applicant has submitted a preliminary landscape plan, which is intended to improve the aesthetic appearance of the project frontage at Gloria Road and meet Municipal Code requirements. These landscape areas are specifically required between the area of Gloria Road and the parking lot. The minimum landscape area for industrial projects is 10% of the net lot area. In addition there is a tree requirement of one tree for every four parking spaces. In addition, the applicant has stated that the plan is expected to use minimal water with native trees and grasses which will not need irrigation when mature. As a new project over 2,500 square feet, the project is required to comply with the City’s state-mandated Water Efficiency Landscape Ordinance (WELO).

The Community Development Department, as a condition of approval, will approve the final landscaping plans to ensure consistency. Items to be addressed concern the allowed number of uninterrupted spaces, overall tree counts, and percentage of space given the exceedingly large size of the subject property.

Stormwater

Conformance with State stormwater requirements has become a significant part of planning projects in the last few years. Given the large amount of impervious surface proposed on the project site, the applicant is proposing an internal storm drain system that flows to a basin located on the western edge of the property. This linear basin along the property edge would then flow into a basin on the southwest corner of the property. As a condition of approval, the stormwater retention system will need to be properly sized and designed to meet all local and regional permitting requirements related to the City's storm water permit. The applicant has provided a Tier 4 Preliminary Stormwater Control Plan, which is included in the Project Description section for review.

Lighting

Significant lighting is required to illuminate all exterior areas of the site, including employee parking, entry-exist drives, the outdoor break area, the processing yard, and truck parking and loading areas. The applicant has prepared an exterior lighting schedule and photometric plan showing fixture number, type and locations and lighting intensity. All 56 planned lights would be placed on 20-foot standards.

Architectural Design Review

In addition to the zoning standards, the city of Gonzales has adopted "Industrial District Design Guidelines" by resolution in order to further protect the public health, safety and welfare and to contribute to a positive living and working environment within the city. The city's intent is that the principles set forth in the "Industrial District Design Guidelines" shall be incorporated to the maximum feasible extent in all new development in the industrial zoning district.

The project elevations and building design have been included in the application package under Section 4. The design of the building represents the modern agricultural industrial buildings typically found throughout the Salinas Valley, with additional attention paid to the office side of the property that faces the public views on Gloria Road.

Review of Key Conditions of Approval

As is standard with projects of this size and scope, there are a number of Conditions of Approval that are applicable to the project in order to ensure the health, safety and welfare of the community, and to ensure that certain items of interest to the community including key infrastructure are completed as a part of the project prior to the occupancy of the facility. The full list of Conditions of Approval is included with the Use Permit document. While many of these conditions are standard with all construction projects, there are a few that are specific to this project and are discussed in greater detail here.

COA #1 – Contingent on Annexation - It has been stated earlier, but all project approvals are ultimately contingent upon annexation approval by the Monterey County Local Agency Formation Commission (LAFCO) and any condition that has a timing requirement will be based on the date annexation becomes official, not the date of project approval by the City Council.

COA #4 - California Code – Green Building Standards (CalGreen). Owners and/or successor-in-interest shall comply with all of the applicable non-residential mandatory measures contained in Chapter 5 of the 2022 California Code of Green Building Standards (“CalGreen”); California Code of Regulations, Title 24, Part 11.

COA #5 – Greenhouse Gases - Prior to issuance of building permits for the proposed project, the applicant shall prepare a Greenhouse Gas (GHG) Reduction Plan. The GHG Reduction Plan shall demonstrate, with substantial evidence, that GHG emissions will be reduced to the year 2030 service population threshold of significance of 0.64 MT CO₂e per year per service population. This would require that the project emissions of 1,960.4 MT CO₂e per year be reduced by 1,678.60 MT CO₂e per year to 281.80 MT CO₂e per year.

The GHG Reduction Plan shall prioritize on-site GHG reduction design features and/or other project specific measures. One such on-site measure that shall be included is to meet the voluntary Tier 2 electric vehicle performance standards for non-residential development included in effect at the time a building permit is issued (currently the 2022 California Green Building Code). For projects with 201 or more parking spaces, 20 percent of the total must be electric vehicle capable spaces, and 25 percent of the electric vehicle capable spaces must include electric vehicle supply equipment.

In addition to one or more of the on-site project design/project specific measures, the applicant may include in the Reduction Plan and take credit for GHG reductions resulting from making direct investments in off-site GHG reduction activities/programs in the vicinity. Examples of direct investments include building retrofit programs that pay for cool roofs, solar panels, solar water heaters, smart meters, energy efficient lighting energy efficient windows, and insulation. Other examples include financing programs for installing electric vehicle charging stations, electrifying school buses, and/or planting local urban forests.

COA #9 - Development Impact Fees. Owner/Applicant shall pay all Development Impact Fees as set forth in Chapter 1.48 of the Gonzales City Code at the time and in the manner set forth in the Code. Impact fees may be subject to credits or a reimbursement agreement for facilities constructed by the applicant that are part of the impact fee program. Such fees are subject to an annual adjustment to reflect the percentage change in the construction cost index for San Francisco as of December 1 of the previous year as reported by "Engineering News-Record".

School Facilities Impact Fees payable to the Gonzales Unified School District (GUSD) and Regional Transportation Impact Fees payable to the Transportation Agency of Monterey County (TAMC) are due at the time of issuance of a building permit.

COA #11 - Outdoor Storage. - Outdoor storage of packaging materials including pallets of collapsed cardboard boxes, plastic bags and other similar items used during the packaging processes may be stored on the site only within the areas designated for such storage on the approved Site Plan Permit. All such storage shall be maintained within the confines of a fenced yard. This area shall be kept in a clean and organized manner and any debris escaping from the

enclosure onto other portions of the site or adjoining properties shall be promptly removed. The City shall reserve authority through this condition, to require the Owners and/or successor-in-interest to install tall landscape screening around the designated storage yard if usage of the yard is determined at any point in time to create adverse conditions for the adjoining properties.

COA #15 - Reimbursement of City Costs. - The Owner/Applicant shall reimburse the City of Gonzales for all engineering, inspection, legal, planning, and administrative expenses, included or to be incurred by the City in connection with the Project, including expenses incurred through the use of outside consultants and inspectors, where necessary, at the rates applicable at the time of billing.

COA #43 – Process Water – Monterey County and other regulatory agencies support the reuse of wash water to assist in reducing overall consumption. The applicant has proposed the enlargement of a basin on applicant-owned property south of Gloria Road. Since this property is not in the City or annexation area, a condition of approval will be placed on the project prohibiting occupancy of the cooler project until the City has received completed permits from the Owner/Applicant for project-related Industrial Wastewater Improvements from the Central Coast Regional Water Quality Control Board, and the County of Monterey Health Department consenting to and permitting the enlarged pond.

COA #51 & 52 – Gloria Road Improvements - The existing two-lane road has about 24 feet of pavement and approximately 5-foot-wide shoulders on each side for a total width of about 34 feet (17 feet on each side of the centerline). The new cross section standards show an 81-foot improved road section. The applicant would be required to construct approximately 48 feet of new road section on the north side of the new centerline, such that an additional approximately 30-40 feet outside the existing shoulder along the project site frontage would be disturbed to construct the improvements. Interim improvements needed to “taper” the new north side improvements back to the existing paved road would also be needed to the west of the project site boundary. In order to accommodate this expanded right-of-way, the applicant will be required to make the necessary dedication of land as they control the property on both sides of the current right-of-way.

COA #53 – Herold Parkway Dedication – The Owner/Applicant shall irrevocably offer to dedicate 80’ of right-of-way to the City of Gonzales for the future construction of the extension of Herold Parkway from the northern edge of the property to the future intersection of Gloria Road.

COA #62 - On-Site Landscaping. - At the time Improvement Plans are submitted, the Owner/Applicant shall submit a detailed landscape/irrigation plan and specifications for areas on-site for review and approval by the Director of Community Development and the Director of Public Works, providing details, per City standard of ground cover, shrubs and trees proposed on-site and within parking areas (GCC §12.120.070(C) and §12.120.100 (B through F)). The landscape plan shall include a separate table for each calculation demonstrating compliance with required ratios or percentages of landscaping, site coverage, etc. Prior to the issuance of a Final Certificate of Occupancy, the Owner/Permittee shall cause the installation of all on-site landscaping and irrigation improvements.

COA #64 and #65 – Noise Attenuation –Noise levels would exceed City standards at a distance of about 750 feet from the activity area center, or approximately 350 feet beyond the eastern

facility fence line. Consequently, there is potential that if noise sensitive uses are planned within 350 feet of the eastern facility fence line, they could be exposed to noise levels that exceed City standards. A mitigation measure is required that would reduce this potential impact to less than significant. Options to address this include either, constructing a soundwall to a minimum height of 8.5-feet, incorporate industrial types of sound attenuating enclosures, sound absorbing materials, or other appropriate localized sound attenuation measures to reduce noise levels at/near the individual processing equipment noise sources, or redesign the project site plan to locate noise-producing equipment further from the eastern property line (e.g., along the south side of the facility).

In addition to the eastern edge, the northern property edge exceeds limits during late evening hours when loading activities are scheduled to take place. Therefore, a condition will be required that the applicant either construct an 8.5-foot soundwall along the northern fence line (parcel boundary) or eliminate loading dock activities between 10:00 p.m. and 7:00 a.m. The condition to build soundwalls will take effect upon construction of residential uses on the adjacent properties.

COA #66 – Hazardous Materials/Fire Safety. - Location and storage of combustible materials shall be in compliance with the Fire Code and shall be checked and approved by the Fire Marshal. All hazardous materials storage and disposal shall be accomplished in accordance with the Monterey County Health Department and applicable local, State and federal agency guidelines and requirements and shall be subject to inspection by the Fire Marshal or Public Safety Director. Prior to the issuance of any temporary and/or Final Certificate of Occupancy for the entire Project, or a portion thereof:

- a. Provide to the Fire Marshal for review and acceptance a copy of the Monterey County Health Department approved Hazardous Materials Management Plan (HMMP);
- b. Provide a Hazardous Material Inventory Statement (HMIS) for review and acceptance by the Fire Marshal;
- c. Install Knox Box key access to any portions of site that will be located behind locked gates and to the main access door way of all buildings which may be necessary to access during emergencies in accordance with the requirements of the Fire Marshal.
- d. Install a fire sprinkler system throughout the building, including a Post Indicator Valve. Install an alarm and warning system in association with the fire sprinkler system per requirements of the Public Safety Director and/or Fire Marshal.
- e. Submit a plan for street numbering for review and approval by the Public Safety Director and/or Fire Marshal. All entrances from the street to the building shall be properly numbered so that the number may be readily seen from the street. Numerals shall be at least 4" and shall be of a highly contrasting color to the background (e.g., black numerals on a white background).

COA #69 - Diversion of Commercial Solid Waste (Recycling) - Prior to the issuance of a temporary and/or Final Certificate of Occupancy, the Owner/Applicant shall cause the preparation of a comprehensive recycling and waste management plan for the project site. The content and implementation measures of the Plan shall conform to guidelines promulgated by the

City of Gonzales. The plan shall include, but not be limited to, a program for implementing waste prevention activities, providing adequate containers for recyclable materials (e.g., paper, plastic, glass, metal, and cardboard). Preparation of the Plan shall be coordinated with the City's Recycling Coordinator and reviewed and approved by the Coordinator and the Director of Community Development.

How Recommendation Supports the Vision

Gonzales will continue to be a safe, clean, family-friendly community, diverse in its heritage, and committed to working collaboratively to preserve and retain its small-town charm.

Explain: Annexation and construction of the Cooler project will provide additional employment opportunities, and promotes a sustainable agricultural industry while creating a southern agricultural edge for the city to ensure that it keeps its small-town character.

Explain how the Recommendation Directly Implements the Mission

The City Council and Staff of the City of Gonzales will realize our Vision by providing the leadership, commitment and resources necessary to provide excellent services that enhance the quality of life of our diverse community. Yes No N/A

Explain: Development of a strong industrial base will positively support the City's General Fund on an annual basis, ensuring that the City can improve the quality of life services that are provided to the community.

City services will be delivered in a cost-effective, respectful and friendly manner to ensure the safety and well-being of the residents and the promotion of business, recreational, housing and employment opportunities in an environmentally sustainable manner. Yes No N/A

Explain: See above.

Strong fiscal policies allow us to provide appropriate infrastructure for:

- *Public Safety* Yes No N/A
- *Housing* Yes No N/A
- *Recreation* Yes No N/A
- *Environment* Yes No N/A
- *Education* Yes No N/A

ALTERNATIVES

The Planning Commission is responsible under Section 12.12.060 of the Municipal Code to hear and make recommendations to the City Council on general plan amendments, pre-zonings and annexations and approve Conditional Use Permits.

While staff is recommending full approval of the project as outlined in the staff report, should the Planning Commission have any concerns it may take a number of alternative actions.

- Recommend approval the project to the City Council with additional conditions of approval to address certain issues that arose at the public hearing or to address specific concerns about the project

- Request additional information regarding the project prior to making a recommendation which would result in a continuation of the public hearing to a future date.
- Recommend denial of the project to the City Council. A recommendation of denial would have to be supported by specific written findings outlining the reasons the proposed project would negatively impact the health, safety and welfare of the City and its residents.

BUDGET IMPACTS

According to the report completed by Willdan Financial Services related to the Rianda cooler project, it is projected that the City will receive \$72,664 in annual revenue with \$46,146 in expenses, resulting in a surplus of \$26,518 per year. Additionally, the City would receive one-time revenues associated with permit fees and an anticipated \$4,507,251 in one-time development impact fees (adjusted for any credits for identified improvements constructed by the applicant) upon full build-out of the project to offset the capital construction costs to accommodate future growth in the City of Gonzales.

CONCLUSION

The Gloria Road Agricultural Cooler Annexation Project represents an opportunity for Gonzales to expand its industrial capacity and continue in its support of the agricultural industry that has been such a significant part of the community since before incorporation. By allowing for the annexation and construction of the facility, along with required conditions of approval, the project will positively support the General Fund, provide upgrades to Gloria Road, address other infrastructure needs in the City and meet several City goals and policies outlined in the General Plan.

Therefore staff recommends full approval of the project and that the Planning Commission make a positive recommendation to the City Council by taking all the associated actions outlined in this staff report, including recommending certifying the Mitigated Negative Declaration, Adopting a General Plan Amendment, Approve an Annexation request to Monterey County LAFCO, adoption of a Pre-Zoning Ordinance, and approval of a Conditional Use Permit for the cooler facility, contingent upon approval of the annexation by LAFCO.

Public Notice

The applicant's request for the approval of the Cooler project and all related entitlements has been processed per the City's Zoning Ordinance requirements per Chapter 12.28 as follows: a) An application has been received and accepted by the City of Gonzales for processing; b) A Public Hearing Notice was published in the Salinas Valley Tribune on April 12, 2023; c) Public Hearing Notices were mailed to all property owners within 300'-0" of the site. A certification of mailing is on file at the Planning Department; d) Notice of the Hearing was placed on the City website and City social media pages and e) a public hearing was conducted by the Planning Commission to consider the request on April 24, 2023 and members of the public were invited to comment and all comments were considered by the Planning Commission prior to its decision on the request.

Attachments

- (A) Resolution No. PC 2023-02
 - Exhibit A: Gonzales Cooler Project IS/MND
 - Exhibit B: Mitigation Monitoring Program
 - Exhibit C: Public Comments & Responses

- (B) Resolution No. PC 2023-03
 - Exhibit A General Plan Amendment Figure and Text Changes

- (C) Resolution No. PC 2023-04
 - Exhibit A: Rezoning Map

- (D) Resolution No. PC 2023-05
 - Exhibit A: Conditional Use Permit
 - Exhibit B: Gonzales Cooler Development Project Description

- (E) Resolution No. PC 2023-06
 - Exhibit A: Annexation/Reorganization Map
 - Exhibit B: Plan For Services

- (F) Offer of Agricultural Mitigation Exhibit

- (G) Excerpt of Willdan Sphere of Influence Fiscal Impact Analysis for Rianda Project

RESOLUTION NO. PC 2023-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GONZALES RECOMMENDING TO THE CITY COUNCIL ADOPTION OF THE GLORIA ROAD AGRICULTURAL COOLER PROJECT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (SCH #2023030377) AND ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

WHEREAS, the City of Gonzales received an application for a proposed annexation of 44.8 acres, along with the request to develop a 313,800 square-foot industrial agricultural processing facility in a location along Gloria Road within the Sphere of Influence; and

WHEREAS, the City of Gonzales is the lead agency for the purposes of conducting an environmental review of the proposed Gonzales Cooler Development Project under the California Environmental Quality Act (CEQA), and, as lead agency, has caused to be prepared an Initial Study and Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and related Guidelines (Title 14 California Code of Regulations, Section 15000 et seq.), as Exhibit A; and

WHEREAS, the IS/MND was circulated for public review and comment for 30 days between March 15, 2023, and April 13, 2023, in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and related Guidelines (Title 14 California Code of Regulations, Section 15000 et seq.); and

WHEREAS, a Mitigation Monitoring Reporting Program was prepared as required under CEQA (Public Resources Code Section 21083 and CEQA Guidelines Section 15074(d)) to ensure that all significant environmental impacts are mitigated or avoided, attached by reference as Exhibit B; and

WHEREAS, the City received public comments on the CEQA document during the review process, which are attached by reference as Exhibit C; and

WHEREAS, the IS/MND determined that implementation of the Project has the potential to generate significant environmental impacts that could be reduced to a less-than-significant level with full implementation of mitigation measures as recommended in the document; and that potentially significant environmental impacts that can be reduced through the implementation of mitigation measures include the following: agricultural resources (agricultural mitigation); air quality (short-term construction emissions and nuisance odors); biological resources (e.g., habitat alteration); cultural resources (archaeological); greenhouse gas emissions; and health hazards; and

WHEREAS, on April 24, 2023, the Planning Commission, conducted a noticed public hearing to consider the adequacy of the IS/MND and all comments received, the MMRP, and considered the Staff Report and oral report for the IS/MND; and

WHEREAS, the Planning Commission determines that the IS/MND for the Gloria Road Agricultural Cooler Development Project meets all CEQA requirements and constitutes a complete, comprehensive, and adequate documentation of all environmental effects and impacts of the project and included appropriate and effective implementation measures and alternatives to reduce identified significant impacts.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission, upon its independent judgment and analysis, resolves to recommend that the City Council of the City of Gonzales hold a public hearing and, thereupon, adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Reporting Program for the Gloria Road Agricultural Cooler project.

PASSED AND ADOPTED by the Planning Commission of the City of Gonzales a regular meeting duly noticed and held on the 24th day of April 2023, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

Gloria Velasquez, Chair

ATTEST:

Mary Villegas, Deputy City Clerk

Please click on the link below to view the exhibit:

**Exhibit A: Gonzales Cooler Project
IS/MND**

Gloria Road Agricultural Cooler Project Mitigation Monitoring and Reporting Program

1.1 Introduction

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid or lessen significant environmental effects. The program is to ensure compliance with mitigation measures during project implementation. In addition, monitoring provides a mechanism to evaluate the effectiveness of the mitigation measures.

Definitive project mitigation measures include enough detailed information and enforcement procedures to ensure compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures are implemented.

1.2 Monitoring and Reporting Program

The basis for this monitoring program is the mitigation measures included in the project mitigated negative declaration. The mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant. The mitigation measures become conditions of project approval, with which the project applicant is required to comply.

This checklist is to be used to monitor mitigation measure implementation. It contains all mitigation measures in the mitigated negative declaration.

1.3 Monitoring and Reporting Program Procedures

The City of Gonzales will use the attached monitoring checklist for the proposed project. The monitoring program should be implemented as follows:

1. The Gonzales Community Development Department should be responsible for coordinating the monitoring program, including the monitoring checklist. The Community Development Department should also be responsible for completing the monitoring checklist and distributing the checklist to the responsible individuals or agencies for their use in monitoring mitigation measures applicable to their area of interest or responsibility.
2. Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring checklist have been complied with. Once all

mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring checklist to the Community Development Department to be placed in the project file. If one or more mitigation measures have not been complied with, the monitoring checklist should not be returned to the Community Development Department.

3. The Gonzales Community Development Department will review the checklist to ensure that appropriate mitigation measures have been complied with at the appropriate time.
4. If a responsible individual or agency identifies a non-compliance issue, a written notice should be delivered by certified mail to the project proponent within 10 days, with a copy to the Community Development Department, describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the City of Gonzales.

1.4 Monitoring and Reporting Checklist

Step 1 - Prior to Issuance of Grading Permits

AG-1 The applicant shall provide agricultural mitigation consistent with one or a combination of the agricultural mitigation options identified in the City's draft agricultural mitigation program if the City has not formally adopted an agricultural mitigation program at the time the City considers approving the annexation, general plan amendment, and other project-specific discretionary actions required for the proposed project. If formal adoption has occurred by that time, the applicant shall provide agricultural mitigation consistent with the adopted program. Draft program mitigation options currently include:

- a. Offer easements on similar soils classified as prime farmland and farmland of statewide importance, proximate to Gonzales. Provide for the in-kind one-to-one (1:1) acquisition of agricultural mitigation easements, and the dedication of those mitigation easements to an agricultural land trust or other qualifying entity. Demonstrate that administrative and monitoring expenses for stewardship of the easement in perpetuity have been arranged; and/or
- b. Purchase easements on similar soils classified as farmland and farmland of statewide importance, proximate to Gonzales. Provide for the in-kind direct purchase of an agricultural mitigation easement at a one-to-one (1:1) ratio and dedicate the easement to an agricultural land trust or other qualifying entity. Demonstrate that administrative and monitoring expenses for stewardship of the easement in perpetuity have been arranged; and/or
- c. Purchase agricultural banked mitigation credits at a 1:1 ratio from a qualifying entity, or the City of Gonzales, if available; and/or
- d. Pay a fee in-lieu to the City of Gonzales, or a qualifying entity (e.g., agricultural land trust) to accept fees in-lieu where the fee value is based on a 1:1 mitigation ratio, and the fee amount is independently appraised and sufficient and timely for the City or qualifying

entity to purchase equivalent agricultural mitigation easements and to fund administrative stewardship of the mitigation easements; and/or

- e. Implement another approach as approved by the City or combination of the above options, that:
 - i. Results in the preservation of agricultural land at a 1:1 ratio proximate to the City of Gonzales, or
 - ii. Includes new easements in areas targeted by the City as described in the 2014 MOA. Priority areas for the City of Gonzales to establish new agricultural easements to perfect the Permanent Agricultural Edge per the 2014 MOA with the County of Monterey.

Party Responsible for Implementation: *Applicant/Developer*

Party Responsible for Monitoring: *Community Development Director*

Monitoring Notes:

AQ-1 To reduce dust emissions and TACs from grading and construction activities, the applicant shall prepare a Construction Management Plan for review and approval of the Community Development Director or his/her designate prior to issuance of a grading permit. The Construction Management Plan shall include the following language in all bid documents and grading and construction plans, with measures to be implemented by the project contractor:

1. All exposed surfaces (e.g., parking areas, staging area, soil piles, graded areas, and unpaved access roads) will be watered with non-potable water twice per day, at a minimum;
2. All haul trucks transporting soil, sand, or other loose material off-site will be covered;
3. All vehicle speeds on unpaved roads will be limited to 15 miles per hour;
4. All roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used;
5. Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations. Clear signage shall be provided for construction workers at all access points;

6. All construction equipment will be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and
7. Stage construction equipment and materials as far away from residential land uses to the extent feasible.
8. Heavy-duty diesel vehicles will have 2010 or newer model year engines, in compliance with the California Air Resources Board’s Truck and Bus Regulation, and will not be staged within 500 feet of occupied residences; and
9. All non-road diesel construction equipment will, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, Section 89.112. Further, where feasible, construction equipment will use alternative fuels such as compressed natural gas, propane, electricity or biodiesel.

Party Responsible for Implementation: *Applicant/Developer*

Party Responsible for Monitoring: *Community Development Director*

Monitoring Notes:

BIO-1 Prior to ground disturbance at the project site or off-site improvement locations, a biologist qualified in botany shall conduct a focused survey for Congdon’s tarplant in accordance with current CDFW and CNPS rare plant survey protocols (CDFW 2018 and CNPS 2001). The survey shall occur during the peak blooming period for this species to determine its presence or absence (typically August through September). If possible, a known reference population of the target species in the project vicinity shall first be visited to verify that the species is observable, and the focused survey shall be conducted within two weeks of observing the reference population in full bloom.

The biologist shall then prepare a brief report documenting the results of the survey and, if appropriate, propose measures for avoiding or minimizing possible impacts to Congdon’s tarplant before and during construction, as included below. If the focused survey concludes the species is not present within the project site boundary or at off-site improvement locations, or if it is present but impacts to it can be completely avoided, then no mitigation would be required.

If the focused surveys identify Congdon’s tarplant within the project site boundary or at off-site improvement locations and it would be affected by the proposed project, then appropriate mitigation shall be developed by the biologist and implemented by the applicant prior to issuance of a grading permit. Measures may include, but are not limited to:

- a. A qualified biologist shall identify an on-site or off-site mitigation area suitable for restoration of habitat and seed transplantation for this annual herb. The applicant shall be responsible for the placement of a conservation easement over the mitigation area and the provision of funds to ensure the restoration of the mitigation area and its preservation in perpetuity.
- b. Prior to approval of a grading permit, a qualified biologist or native plant specialist shall perform seed collection from all special-status plants located within the impact areas and implement seed installation at the mitigation area at the optimal time. Additionally, topsoil from the special-status species occurrence area(s) shall be salvaged (where practical) for use in the mitigation area.
- c. A maintenance and monitoring program shall be developed by a qualified biologist and established for a minimum of five years after mitigation area installation to verify that restoration activities have been successful. Maintenance activities may include, but not be limited to, watering during the plant establishment period, supplemental seed planting as needed, and removal of non-native plants. Monitoring shall include, at a minimum, quarterly monitoring reports for the first year and annual reports for the remaining four years. The performance standard for successful mitigation shall be a minimum 3:1 replacement ratio (i.e., three plants observed in mitigation area for each plant lost from the project site or off-site locations) achieved in at least one of the five years of monitoring.

Party Responsible for Implementation: Applicant/Developer

Party Responsible for Monitoring: Community Development Director

Monitoring Notes:

BIO-2 Prior ground disturbance at the project site or off-site improvement locations, a qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of special-status species potentially occurring in the project vicinity, including, but not limited to, California tiger salamander, burrowing owl, and nesting birds and raptors. Their habitats, general measures that are being implemented to

conserve species as they relate to the project, and the boundaries within which construction activities will occur will be explained. Informational handouts with photographs clearly illustrating the species' appearances shall be used in the training session. All new construction personnel shall undergo this mandatory environmental awareness training.

The qualified biologist will train biological monitors selected from the construction crew by the construction contractor (typically the project foreman). Before the start of work each day, the monitor will check for animals under any equipment such as vehicles and stored pipes within active construction zones. The monitor will also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If a special-status species is observed within an active construction zone, the qualified biologist will be notified immediately and all work within 50 feet of the individual will be halted and all equipment turned off until the individual has left the construction area.

Evidence of completion of this training shall be submitted to City of Gonzales Community Development Department prior to ground disturbance.

Party Responsible for Implementation: Applicant/Developer

Party Responsible for Monitoring: Community Development Director

Monitoring Notes:

BIO-3 Prior to ground disturbance, the applicant shall initiate consultation with the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife to determine the appropriate path forward for a construction project within the immediate vicinity of known hybridized (*Ambystoma californiense* X *Ambystoma tigrinum*) salamander populations.

If determined necessary during consultation, the applicant shall hire a qualified biologist to collect genetic samples of salamanders occupying agricultural detention basins or ponds within or adjacent to the project site and off-site improvement locations at least once per month in March, April, and May. The DNA shall then be analyzed to determine the genetic composition of the samples. If no salamanders are found, no further mitigation other than construction personnel training (Mitigation Measure 2) is necessary.

If salamanders are found, the applicant shall submit the results of the genetic analysis to U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife and obtain Incidental Take Authorization from the U.S. Fish and Wildlife Service and/or California

Department of Fish and Wildlife, if necessary. Applications for Incidental Take Authorization require the identification of measures suitable to avoid, minimize, or mitigate impacts to the species and its habitat. In addition to protective measures implemented during construction specified in the permits, mitigation for the loss of breeding, aestivation, and/or dispersal habitat will also be a part of the permit requirements. The appropriate method of conservation and number of credits required will be determined during the consultation process.

Documentation of compliance with this measure shall be submitted to the City of Gonzales Community Development Department prior to ground disturbance.

Party Responsible for Implementation: *Applicant/Developer*

Party Responsible for Monitoring: *Community Development Director*

Monitoring Notes:

BIO-4 To avoid loss of or harm to burrowing owl, the following measures shall be implemented:

- a. Prior to ground disturbance within the project site or at off-site improvement locations, the applicant shall retain a biologist qualified in ornithology to conduct surveys for burrowing owl. The qualified biologist shall conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site boundary, and at off-site improvement locations, no less than 14 days prior to the start of construction or ground disturbance activities. Surveys shall be conducted according to the methods for take avoidance described in the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012). If no burrowing owls are found, a letter report confirming absence shall be prepared and submitted to the City of Gonzales Community Development Department and no further measures are required.
- b. Because burrowing owls occupy habitat year-round, seasonal no-disturbance buffers, as outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012), shall be in place around occupied habitat prior to and during any ground disturbance activities. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a qualified biologist approved by the California Department of Fish and Wildlife verifies through non-

invasive measures that either: 1) birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance Buffers (meters)		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

Party Responsible for Implementation: *Applicant/Developer*

Party Responsible for Monitoring: *Community Development Director*

Monitoring Notes:

BIO-6 Prior to initiation of ground disturbance or construction activities that affect the drainage ditch that traverses the project site, the drainage ditch along the south side of Gloria Road that could be affected by Gloria Road widening construction activities, and the drainage ditches that would be affected by constructing either off-site water main alignment, the applicant will retain a qualified biologist to determine the extent of potential wetlands and waterways regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW).

If the USACE claims jurisdiction, the applicant shall obtain a Clean Water Act Section 404 Nationwide Permit. If the impacts to the drainage ditches do not qualify for a Nationwide Permit, the applicant will proceed in obtaining an Individual Permit from the USACE. The applicant will then coordinate with the RWQCB to obtain a Clean Water Act Section 401 Water Quality Certification. If necessary, the applicant will coordinate with the CDFW to obtain a Streambed Alteration Agreement.

To compensate for temporary and/or permanent impacts to wetlands and Waters of the U.S. that would be impacted as a result of the proposed project, mitigation shall be provided as required by the regulatory permits. Mitigation would be provided through one of the following mechanisms:

- a. A Wetland Mitigation and Monitoring Plan shall be developed that outlines mitigation and monitoring obligations for temporary impacts to wetlands and other waters as a result of construction activities. The Wetland Mitigation and Monitoring Plan would include thresholds of success, monitoring and reporting requirements, and site-specific plans to compensate for wetland losses resulting from the project. The Wetland Mitigation and Monitoring Plan shall be submitted to the appropriate regulatory agencies for review and approval during the permit application process.
- b. To compensate for permanent impacts, the purchase and/or dedication of land to provide suitable wetland restoration or creation shall ensure a no net loss of wetland values or functions. If restoration is available and feasible, a minimum 1:1 impact to mitigation ratio would apply to projects for which mitigation is provided in advance.

For improvements on the project site or off-site improvement locations, the applicant shall comply with terms and conditions of the permits, including measures to protect and maintain water quality, restore work sites, and mitigation to offset temporary and/or permanent wetland impacts. The applicant shall be responsible for implementation of this mitigation measure prior to issuance of a grading permit.

Party Responsible for Implementation: Applicant/Developer

Party Responsible for Monitoring: Community Development Director

Monitoring Notes:

HAZ-1 Prior to the issuance of a grading permit, the applicant shall prepare a Phase I Environmental Site Assessment to determine the potential for or actual presence of hazardous material conditions, including agricultural chemical residues, in all locations that would be disturbed to construct the project, including off-site improvement locations. The applicant shall report the results of the Phase I Environmental Assessment to the Community Development Director prior to issuance of a grading permit. If potential or actual hazardous materials conditions are identified that require preparation of a Phase II Environmental Site Assessment, the applicant shall be responsible for conducting the assessment and shall submit the assessment to the Community Development Director for review. The applicant shall be responsible for implementing all recommendations and requirements for remediation of hazardous materials conditions identified therein, should such conditions be identified. Hazardous materials removed from the site shall be managed consistent with regulations contained in the California Code of Regulations, Title 22

Division 4.5. Certification that remediation actions have been completed shall be provided to the City of Gonzales Community Development Director prior to issuance of a grading permit.

Party Responsible for Implementation: *Applicant/Developer*

Party Responsible for Monitoring: *Community Development Director*

Monitoring Notes:

Step 2 - Prior to Issuance of a Building Permit

AES-1 The applicant shall revise the proposed Site Lighting Diagram/Photometric Study to ensure that no facility lighting will create light splay onto land located outside the eastern fence line of the cooler facility fence line on to land that will remain designated Neighborhood Residential in the general plan. In general, the lighting design shall be designed to prioritize directing lighting away from all adjacent land to the east of the facility fence line for this purpose. Prior to approval of a building permit, the applicant shall submit the revised Site Lighting Diagram/Photometric Study for review and approval of the Community Development Director to ensure compliance with this mitigation.

Party Responsible for Implementation: *Applicant*

Party Responsible for Monitoring: *Community Development Director*

Monitoring Notes:

GHG-1 Prior to issuance of a building permit for the proposed project, the applicant shall prepare a Greenhouse Gas (GHG) Reduction Plan. The GHG Reduction Plan shall demonstrate, with substantial evidence, that GHG emissions will be reduced to the year 2030 service population threshold of significance of 0.64 MT CO₂e per year per service population. This would require that the project emissions of 1,960.4 CO₂e per year be reduced by 1,678.60 MT CO₂e per year to 281.80 MT CO₂e per year.

The GHG Reduction Plan shall prioritize on-site GHG reduction design features and/or other project specific measures. One such on-site measure that shall be included is to meet the voluntary Tier 2 electric vehicle performance standards for non-residential development included in effect at the time a building permit is issued (currently the 2022 California Green Building Code). For projects with 201 or more parking spaces, 20 percent of the total must be electric vehicle capable spaces, and 25 percent of the electric vehicle capable spaces must include electric vehicle supply equipment.

In addition to one or more of the on-site project design/project specific measures, the applicant may include in the Reduction Plan and take credit for GHG reductions resulting from making direct investments in off-site GHG reduction activities and/or programs in the vicinity. Examples of direct investments include building retrofit programs that pay for cool roofs, solar panels, solar water heaters, smart meters, energy efficient lighting energy efficient windows, and insulation. Other examples include financing programs for installing electric vehicle charging stations, electrifying school buses, and/or planting local urban forests.

The applicant shall retain a qualified air quality/GHG professional to quantify the GHG reductions that would result from implementing the Reduction Plan based on substantial evidence to be included in the Reduction Plan. The GHG reduction measures should be implemented even if their implementation would result in a GHG reduction, but the reduction cannot be reliably quantified. The GHG emissions reduction volume resulting from implementing the Reduction Plan measures may then be subtracted from the required 1,678.60 MT CO₂e per year reduction volume in order to reduce or avoid the significant GHG impact.

If the GHG emissions reductions from implementing the GHG Reduction Plan are insufficient to reduce project emissions by a minimum of 1,678.60 MT CO₂e per year or more, the applicant may secure the balance of the required GHG emissions reduction volume by purchasing and retiring voluntary carbon offset credits (not credits created for transactions in California's regulatory Cap and Trade Program). The carbon offset credits shall meet the following performance standards:

- Carbon offset credits shall be issued by a recognized, reputable and accredited registry that mandates the use of established protocols for quantifying and issuing the offset credits. Credits issued based on protocols approved by CARB should be prioritized. Examples of such registries include the Climate Action Reserve, American Carbon Registry, and Vierra.
- In order of priority, the carbon offset credits should be obtained from projects developed in local vicinity/region, the state, national, or international projects. Priority is on offset credits available through registries approved by CARB. Credits from projects developed internationally should not be used unless the applicant demonstrates with substantial evidence that sufficient carbon offsets from projects in vicinity/region,

state, or U.S. are unavailable. International offsets must be quantified and issued using established protocols that are recognized in the United States and that are issued by recognized, reputable and accredited registries.

- All carbon offset credits purchased to reduce GHG emissions, must meet the criteria of being real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code section 38562, subdivisions (d)(1) and (d)(2).

Prior to the City issuing a building permit for the proposed project, the applicant shall submit the GHG Reduction Plan for review and approval of the Community Development Director. The Reduction Plan shall demonstrate that GHG emissions from the project will be substantially reduced. If on-site design and off-site program investments do not result in reducing the GHG impact to less than significant, the applicant shall, prior to approval of an occupancy permit, provide documentation in the form of an executed contract or other certification that the balance of emissions reduction required has been obtained through purchase of carbon offset credits, subject to the performance standards listed above.

Party Responsible for Implementation: Applicant/Developer

Party Responsible for Monitoring: Community Development Director

Monitoring Notes:

N-1. The applicant shall implement one or a combination of measures to reduce noise levels along at the eastern fence line of the facility to City standards. The measure options include, but may not be limited to:

- a. Construct a soundwall along the entire eastern facility fence line to a minimum height of 8.5-feet above the receiver site elevation to reduce noise levels east of the eastern fence line by a minimum of 5 dB. The exact noise level reduction provided by the wall is dependent on the potential location of sensitive receptors within this area, with the respect to the wall. An 8.5-foot sound wall would provide adequate noise attenuation at potential ground level outdoor activity at potential future, adjacent noise sensitive uses. Suitable construction materials include concrete blocks, masonry, or stucco on both sides of a wood or steel stud wall; and/or
- b. Incorporate industrial types of sound attenuating enclosures, sound absorbing materials, or other appropriate localized sound attenuation measures to reduce noise levels at/near the individual processing equipment noise sources. The attenuation

measures and their effectiveness shall be selected in consultation with a qualified acoustical consultant to be retained by the applicant; and/or;

- c. Redesign the project site plan to locate noise-producing equipment further from the eastern property line (e.g., along the south side of the facility).

If the applicant chooses to construct a soundwall, plans for the soundwall shall be included on the construction drawings and soundwall height and specifications confirmed by the City of Gonzales Building Department prior to issuance of a building permit. If “at source” noise reduction measures and/or site redesign options are pursued by the applicant, the applicant shall retain a qualified acoustical consultant to evaluate and demonstrate that measures have been selected which are sufficient to meet the City’s noise standards at the eastern facility fence line. The measures shall be included in the project plans for review and approval by the Community Development Director prior to issuance of a building permit. If a soundwall is constructed, it shall be completed prior to issuance of a building permit for any future project which places noise sensitive receptors within 350 feet of the eastern facility fence line.

Party Responsible for Implementation: *Applicant/Developer*

Party Responsible for Monitoring: *Building Official/Community Development Director*

Monitoring Notes:

- N-2 The applicant shall either construct a soundwall along the entire northern facility fence line (parcel boundary) or eliminate loading dock activities between 10:00 p.m. and 7:00 a.m. If the soundwall option is selected, it shall be constructed to a minimum height of 8.5-feet above the receiver site elevation to reduce noise levels north of the northern facility fence line by a minimum of 5 dB. The exact noise level reduction provided by the wall is dependent on the potential location of sensitive receptors within this area, with the respect to the wall. An 8.5-foot sound wall would reduce nighttime loading dock noise levels at the northern fence line to below City threshold by providing adequate noise attenuation at ground level outdoor activity areas of potential future, adjacent noise sensitive uses. Suitable construction materials include concrete blocks, masonry, or stucco on both sides of a wood or steel stud wall

If the applicant chooses to construct a soundwall, plans for the soundwall shall be included on the construction drawings and soundwall height and specifications confirmed by the City of Gonzales Building Department prior to issuance of a building permit. If a soundwall is

constructed, it shall be completed prior to issuance of a building permit for any future project which places noise sensitive receptors within 300 feet of the northern facility fence line. If the applicant chooses to prohibit loading dock activities from 10:00 p.m. and 7:00 a.m., this shall be attached a condition of project approval by the Community Development Director prior to approval of a general plan amendment or a project-specific entitlement if one is required by the City.

Note: This mitigation may require implementation prior to approval of a project entitlement (Step 1) if the applicant chooses to limit loading dock activity hours)

Party Responsible for Implementation: *Applicant/Developer*

Party Responsible for Monitoring: *Building Official/Community Development Director*

Monitoring Notes:

Step 3 – During Construction

BIO-5 It is possible that birds may nest in locations other than actively farmed agricultural fields. These locations could include the planned process water storage pond area and areas where planned off-site water main and sewer main alignments pass through non-actively farmed agricultural fields. To avoid impacts to nesting birds during the nesting season (January 15 through September 15), all construction activities in these areas should be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction or project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys in these areas as follows.

- a. Two surveys for active bird nests will occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys will be conducted at the appropriate times of day to observe nesting activities. Locations off the site to which access is not available, if any, may be surveyed from public areas. If no nesting birds are found, a letter report confirming absence shall be submitted to the City of Gonzales Community Development Department and no further mitigation is required.

- b. If the qualified biologist documents active nests, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize “normal” bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Once the absence of nesting birds has been confirmed, a letter report shall be submitted to the City of Gonzales Community Development Department.

Party Responsible for Implementation: *Applicant/Developer*

Party Responsible for Monitoring: *Community Development Director*

Monitoring Notes:

CUL-1 If archaeological resources are discovered during soil-disturbing activities, then work should be stopped within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. If the find is determined to be significant, then appropriate mitigation measures will be formulated and implemented. The following language shall also be included on all project plans:

“If any archaeological resources are discovered during grading or construction, all work shall be immediately halted and appropriate personnel, including a qualified Native American representative, shall be contacted and consulted. Based on these consultations, appropriate measures shall be taken to protect the discovered resources, and only after such measures have been implemented shall grading or construction continue.”

Party Responsible for Implementation: *Applicant/Developer*

Party Responsible for Monitoring: *Building Official/Community Development Director*

Monitoring Notes:

CUL-2 If human remains are found during construction activities, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Monterey County is contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American, the coroner will contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission will identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The most likely descendent may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in California Public Resources Code Section 5097.98.

The landowner or their authorized representative will rebury the Native American human remains and associated grave goods, with appropriate dignity, on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify the most likely descendent or the most likely descendent failed to make a recommendation within 48 hours after being allowed access to the site; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Party Responsible for Implementation: Applicant/Developer

Party Responsible for Monitoring: Community Development Director

Monitoring Notes:

LAFCO of Monterey County

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

2023
Commissioners

Chair
Mary Ann Leffel
Special District Member

Vice Chair
Matt Gourley
Public Member

Luis Alejo
County Member

Wendy Root Askew
County Member, Alternate

Kimbley Craig
City Member

David Kong
Special District Member, Alternate

Christopher Lopez
County Member

Ian Oglesby
City Member

Warren Poitras
Special District Member

Steve Snodgrass
Public Member, Alternate

Anna Velazquez
City Member, Alternate

Counsel

Kelly L. Donlon
General Counsel

Executive Officer

Kate McKenna, AICP

132 W. Gabilan Street, #102
Salinas, CA 93901

P. O. Box 1369
Salinas, CA 93902

Voice: 831-754-5838

www.monterey.lafco.ca.gov

March 31, 2023

Taven Kinison Brown, Community Development Director
Gonzales Community Development Department
147 Fourth Street, Gonzales, CA 93926 (via email)

Re: Gloria Road Agricultural Cooler Project Mitigated Negative Declaration

Dear Mr. Kinison Brown,

LAFCO staff is writing to submit comments on the draft Mitigated Negative Declaration for this future development project. LAFCO received the City’s document on March 16, 2023. LAFCO is a CEQA responsible agency with regulatory responsibility for processing city boundary changes. We appreciate the project referral and the ongoing coordination between the City and LAFCO on this project and other potential future Gonzales annexation projects.

Project and Setting

The project site is currently unincorporated. The site is within the City’s sphere of influence as designated by LAFCO in 2014 and pursuant to the approved 2014 City-County memorandum of agreement (MOA) . The project includes annexation into the City of Gonzales for development to occur under City permitting authority.

The planned project is an approximately 320,000-square-foot agricultural cooling plant and related facilities. The project also includes development of a 4.1-acre pond for processing and storage of process water across Gloria Road to the south, on a parcel that is intended to remain in the unincorporated County. LAFCO staff has coordinated with County staff to inform them about this component of the project. LAFCO encourages City representatives to consult with the County to confirm that the pond will be a permissible use under County land-use designations, policies, and regulations.

Please Clarify Whether the City Plans to Require Agricultural Mitigation for this Project

The site is designated as Prime Farmland and is currently in agricultural production.

The MND states that “The project impact from converting farmland must be mitigated to the extent feasible” (MND, page 47).

The MND also describes that:

- “The City is developing an agricultural mitigation program that will be adopted by ordinance. The program is currently in draft form and is subject to change. [...] Agricultural uses are exempt from the mitigation requirements. Agricultural uses include [...] agricultural support uses such as agricultural processing, agricultural coolers, and other direct agriculture value added activities.”
- “Based on the current draft agricultural mitigation program, the proposed project would not be subject to the agricultural mitigation because agricultural coolers are considered an agricultural use. However, because the draft agricultural mitigation program is still undergoing refinement and has not yet

been adopted by the City Council, it is possible that the proposed project could yet be subject to agricultural mitigation. To be conservative, it is being assumed that the project does convert prime farmland and farmland of statewide importance to a non-agricultural use and will contribute to the significant unavoidable impact of such conversion as identified in the general plan EIR” (emphasis added).

- “To partially mitigate for the impact of converting farmland to nonagricultural use, the following mitigation measure shall be implemented.” Proposed Mitigation Measure AG-1 then states that, at the time of approving discretionary actions for the project, the City will implement some combination of mitigation options from either the City’s draft agricultural mitigation program or from the formally adopted City program if adoption has taken place by that time. The draft program mitigation options are then listed. However, these draft measures, and the City’s overall program in general, are “subject to change” as noted on page 47. Nevertheless, the MND states that agricultural mitigation “shall” be implemented.

Based on these provisions, and on the City’s stated intention to exempt agricultural coolers from agricultural mitigation requirements, it is unclear what the City will require for agriculture mitigation if the City adopts its draft agricultural mitigation ordinance prior to approving site-specific discretionary actions for this project. Please clarify whether proposed Mitigation Measure AG-1 applies to this project or not.

City Should Anticipate Carrying Out Agricultural Mitigation as a Required Part of the Annexation Process

Whether or not the City requires agricultural mitigation for this project, the City should anticipate that LAFCO will require it. LAFCO’s longstanding practice is to require that specific agricultural mitigation actions be identified and fully implemented prior to recordation of an annexation. This has been LAFCO’s consistent standard for city annexations involving farmland for approximately 15 years. LAFCO’s policies and practices do not provide for exemptions based on planned future uses of the area being annexed, partly because buildout of a site may differ from what is planned at the time a site is annexed.

Most recently, in December 2023, for the Miramonte annexation to the City of Soledad, the Commission affirmed this standard and required agricultural mitigation to be carried out as part of the annexation by imposing the following condition of approval:

- “Agricultural Mitigation: In consultation with, and to the satisfaction of the LAFCO Executive Officer, the applicant and property owner shall identify and propose agricultural conservation easements in the vicinity of the 2016 City-County Memorandum of Agreement’s designated Permanent Agricultural Edge or Urban Growth Boundary to the east, south, or west of city limits if suitable easement receiver sites are available, and/or pay in-lieu fees to a qualified land conservation entity to fund future acquisition of conservation easements. The required conservation easements and/or in-lieu fee payment amounts shall apply to lands within the affected territory that are designated as Prime Farmland or Farmland of Statewide Significance on the State of California Department of Conservation’s 2018 important farmlands map. The proposed conservation easements and/or in-lieu fee payments, as well as the proposal’s related western agricultural buffer easement, shall be executed to the satisfaction of the Executive Officer prior to recordation of the Certificate of Completion.”

Consistent with this established standard practice, as well as with prior discussions with City and property owner representatives regarding this project, the City and the property owner should plan to make agricultural mitigation a part of the future annexation application to LAFCO. The proposal should clearly identify what is being proposed for agricultural mitigation, and explain how the proposal addresses LAFCO’s adopted policies (as further described in LAFCO’s application form).

Prime farmlands owned by this project’s property owner on the south side of Gloria Rd, across from the project site and outside the city’s designated permanent agricultural edge, appear to be a highly suitable location for placement of a permanent conservation easement.

Offer to Meet

We appreciate this opportunity to provide comments on the City's draft MND. As suggested at the City's February 23 interagency meeting for this project, we look forward to meeting with you again to further discuss agricultural mitigation for this project, and other aspects of the upcoming annexation process.

Sincerely,

A handwritten signature in blue ink that reads "Kate McKenna". The signature is written in a cursive style with a large, stylized "K" and "M".

Kate McKenna, AICP
Executive Officer



April 13, 2023

City of Gonzales Community Development Department
Attn: Taven Kinison Brown, Community Development Director
147 Fourth Street
Gonzales, CA 93926

Via email: tkinisonbrown@ci.gonzales.ca.us

SUBJECT: Comments on Mitigated Negative Declaration for the Gloria Road Agricultural Cooler Project

Dear Mr. Kinison Brown:

The Transportation Agency for Monterey County (TAMC) is the Regional Transportation Planning and Congestion Management Agency for Monterey County. Agency staff reviewed the Mitigated Negative Declaration for the Gloria Road Agricultural Cooler Project and offers the following comments for your consideration:

1. The Agency supports the use of Intersection Control Evaluations (ICE) analysis to inform intersection design and when major modifications to intersections are considered. The Agency encourages the development of roundabouts to support traffic flow and the safety of cyclists and pedestrians.
2. The Transportation Analysis in Appendix G describes the road improvements that would be made on the project frontages along Gloria Road. While the City's Sphere of Influence (SOI) study describes the improvements that would be made on Gloria Road, the Transportation Agency would like to confirm that the improvements are in line with the Class II Bike Lanes that are proposed on Gloria Road as shown in the Monterey County Active Transportation Plan.
3. TAMC appreciates the use of carpooling by employees at the existing site in Salinas, but also the encouragement of continuing carpooling at the new project location. Carpooling is an effective method to reduce the project's Vehicle Miles Traveled (VMT) impact. The Agency offers its Go831 Program, designed to support the development of employer-based commuter trip reduction programs. Go831 provides resources, technology, and tools that save both employees and employers money, while reducing the demand on the region's transportation system. For more information about the Go831 Program, visit <http://www.go831.org/>.

Taven Kinison Brown, City of Gonzales

April 13, 2023

Page 2 of 2

4. During construction of the proposed employee parking lots and truck parking zones, consideration should be given to the installation of electric vehicle charging stations, as new construction provides an opportunity to install this needed infrastructure. Hydrogen charging stations are also encouraged for consideration as this new technology develops for industrial and commercial uses.

Thank you for the opportunity to comment on the proposed project. If you have any questions, please contact Aaron Hernandez of my staff at aaron@tamcmonterey.org or 831-775-4412.

Sincerely,



Todd A. Muck
Executive Director

CALTRANS DISTRICT 5
50 HIGUERA STREET | SAN LUIS OBISPO, CA 93401-5415
(805) 549-3101 | FAX (805) 549-3329 TTY 711
www.dot.ca.gov

April 13, 2023

MON-101-69.429
SCH#2023030377

Taven Kinison Brown
Community Development Director
City of Gonzales
147 Fourth Street
Gonzales, CA 93926

COMMENTS FOR THE MITIGATED NEGATIVE DECLARATION (MND) – GLORIA ROAD
AGRICULTURAL COOLER PROJECT, GONZALES, CA

Dear Mr. Kinison Brown:

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the Gloria Road Agricultural Cooler Project which proposes an agricultural processing facility consisting of 313,800 square feet of building area. Onsite features include raw product cold storage and processing lines, office administration space, miscellaneous mechanical and storage rooms, and shop area. Caltrans offers the following comments in response to the MND:

1. Caltrans supports local development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.
2. Please be aware that if any future work is completed in the State's right-of-way it will require an encroachment permit from Caltrans and must be done to our engineering and environmental standards, and at no cost to the State. The conditions of approval and the requirements for the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditioned and requirements. For more information regarding the encroachment permit process, please visit our Encroachment Permit

Website at: <https://dot.ca.gov/caltrans-near-me/district-5/district-5-programs/d5-encroachment-permits>.

3. Given the project exceeds the vehicle miles traveled (VMT) threshold and with no guarantee the employee transportation behavior will transfer over to the new location, Caltrans recommends the applicant develop a Transportation Demand Management (TDM) program. TDM programs should provide services that can be tailored to meet specific user needs and must be supported with long term maintenance of effort. Service examples include:
 - Carpool and trip planning resources such as a commute information kiosk
 - Employee transportation coordinator
 - Emergency Ride Home program
 - Showers, changing rooms, and clothing lockers for active transportation users
 - Transit subsidies on an ongoing basis

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 835-6543 or email christopher.bjornstad@dot.ca.gov.

Sincerely,

Christopher Bjornstad

Chris Bjornstad
Associate Transportation Planner
District 5 Land Development Review

Dear Mr. Kinison Brown,

I am working with LandWatch Monterey County, who have asked to inquire about the scope of the amendment to General Plan Policy LU-2.1 and its implementing program 2.2.1 that is proposed in order to accommodate the Gloria Road cooler project and annexation.

I left you a voice message, and I'd welcome a quick call to sort out what may be our misunderstanding about the potential scope of the proposed General Plan amendment.

General Plan Policy LU-2.1 requires preparation of a specific plan for new development in the City's SOI growth areas to organize development into complete and self-contained neighborhoods consistent with the General Plan land use designations.

I am unable to locate the text of a proposed general plan amendment in the project description for the Gloria Road cooler project. However, the discussion of the proposed amendment in the Initial Study suggests that an amendment could possibly be proposed that is unnecessarily broad because it would except not just the 48-acre project site from the specific plan requirement but the entire SOI growth area:

"The City is proposing to amend the general plan to allow individual projects in the growth area without the requirement to prepare a specific plan."

(Initial Study, p. 8.) **LandWatch suggests that the Initial Study be clarified to provide that the General Plan amendment to Policy LU-2.1 would be specific to the project site, i.e., that it would allow an individual project in the 48-acre site without the requirement to prepare a specific plan. General Plan Policy LU-2.1 should remain in force in other SOI growth areas.**

Because the Initial Study does not actually assess the effect of eliminating the specific plan requirement elsewhere in the SOI growth area, it would be difficult for the City to find that there would be no significant impacts from abandoning Policy LU-2.1 for growth areas outside the project site. Indeed, the General Plan EIR identifies the specific plan requirement as mitigation for some significant impacts. (See, e.g., GP EIR, pp. 2-3 [Impact AES-1], 2-4 [Impact GHG-1], 2-5 [Impact GHG-2], 2-11 [Impact TT-2].) An agency cannot abandon or modify a previously adopted mitigation measure in a way that reduces its effectiveness without preparing a CEQA document and making findings to assess the effects of that change. (*Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1174; *Lincoln Place Tenants Ass'n v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1508; see also *Napa Citizens for Honest Gov't v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 359; *Katzeff v. Dept. of Forestry and Fire Protection* (2010) 181 Cal.App.4th 601, 614.) These findings would have to be based on assessment in the Initial Study or an EIR. While the Initial Study may address the environmental effects of the proposed development on the 48-acre site, it does not assess the effects of eliminating the specific plan requirement in other areas.

Please give me a call to clarify the scope of the proposed GPA. I believe LandWatch may support an agricultural project that creates local jobs as long as its approvals do not unnecessarily amend the important General Plan tool for developing future residential neighborhoods.

John H. Farrow

M. R. Wolfe & Associates, P.C. | Attorneys

Land Use | Environmental Law | Elections

580 California Street | Suite 1200 | San Francisco, CA 94104
415.369.9400 | Fax: 415.369.9405 | www.mrwolfeassociates.com

IS/MND Comment Responses for Staff Report

Per CEQA Guidelines Section 15074(b), the City is required to consider comments received during the public review process for the IS/MND. The City received comments from four agencies/interests. A summary of comments received that are specific to the IS/MND and a summary of City staff's consideration of the comments are provided below.

Local Agency Formation Commission (LAFCO) of Monterey County

LAFCO sought clarification of whether or not mitigation for converting farmland to non-agricultural use would be required for the project. Independent of this question, LAFCO stated that even though the City's (then) draft agricultural mitigation ordinance exempts agricultural processing facilities and agricultural coolers from agricultural mitigation requirements, the City should expect that LAFCO will require such mitigation. LAFCO stated that a plan for mitigation should be included in the annexation application to LAFCO.

The MND includes a mitigation measure requiring the applicant to provide agricultural mitigation consistent with the City's draft agricultural mitigation ordinance, even though the draft ordinance exempts agricultural coolers from mitigation. In crafting the draft ordinance, City staff was being proactive by considering the invaluable contribution of value-added agricultural processing and cooling projects to supporting the local and regional agricultural economy. City staff was also anticipating the broader countywide agricultural mitigation approach being considered by Monterey County as the County formulates its own agricultural mitigation program. In its current administrative form, that program also exempts agricultural coolers from agricultural mitigation requirements.

The mitigation measure in the IS/MND was included to be conservative given that the City's agricultural mitigation ordinance had not yet been adopted at the time the IS/MND was circulated for public review. It was also included based on the applicant's willingness to provide agricultural mitigation, and on the applicant's anticipation that exempting the project from agricultural mitigation may not be consistent with LAFCO's historical position that agricultural mitigation is required for all projects that convert qualifying farmland, regardless of the project type.

Transportation Agency for Monterey County (TAMC)

TAMC provided two comments that are germane to the content/analysis in the IS/MND: 1) inclusion of bicycle facilities on Gloria Road along the project frontage; and 2) recommendation that electric vehicle charging stations be installed.

Regarding bicycle facilities, the ultimate planned Gloria Road cross-section includes bicycle and pedestrian facilities on Gloria Road. The IS includes a graphic showing this section. The applicant will be required to construct improvements along the project site frontage that are consistent with

that cross-section. Regarding charging stations, the project includes 20 electric vehicle charging stations and 60 electric vehicle ready parking spaces. Installing electric vehicle infrastructure is a regulatory requirement per the California Building Energy Efficiency Standards.

California Department of Transportation

Caltrans recommended that the applicant develop a transportation demand management program to help reduce vehicle miles traveled (VMT).

Transportation demand management programs typically include measures to reduce vehicle trip number and associated VMT. The IS/MND found that the project VMT impact would be less than significant. Regardless, City staff and the applicant considered a range of possible transportation demand management measure options (e.g., van pools, transit subsidies, monitoring carpooling behavior, etc.). None were found practical or functional, in part due to the historic inclination of employees to carpool to the applicant's current facility in Salinas (that behavior is also expected at the proposed facility) and due to uncertainty about if and when transit routes would be available within sufficient distance of the site to promote transit use over private vehicle travel. Bicycle, pedestrian and transit accessibility for project employees will be expanded in the future as land adjacent to the site is built out over time and connectivity improvements are made to support residential growth in those areas.

LandWatch Monterey County

LandWatch Monterey County commented about the statement in the IS/MND that the City is proposing a general plan amendment to allow individual projects in the adopted Sphere of Influence without the requirement to prepare a specific plan. Currently, General Plan Policy LU-2.1 requires specific plans for new development in this area. LandWatch commented that it could not find the proposed general plan amendment language in the IS/MND and suggests that the exception to the specific plan requirement be limited solely to the proposed project site.

The City's proposed general plan amendment language is addressed in the General Plan Amendment section of this staff report.

RESOLUTION NO. PC 2023-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GONZALES
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AMENDMENTS TO
THE CITY OF GONZALES GENERAL PLAN TO CHANGE SPECIFIC LAND USE
DESIGNATIONS AND TEXT AND WAIVE THE REQUIREMENT FOR A SPECIFIC
PLAN**

WHEREAS, the adopted City of Gonzales 2010 General Plan defines and designates certain lands for urban growth and development within areas designated by the General Plan; and

WHEREAS, the City of Gonzales and the County of Monterey developed, adopted, and signed a memorandum of agreement (MOA) in 2014, incorporated herein by reference, to cooperate on common planning, growth, and development issues; and

WHEREAS, the MOA established planning principles for both parties to promote logical and orderly development, direct development away from the best agricultural lands, stay within the urban growth boundary established by the City's General Plan and the MOA, and provide compact urban form development through the use of specific plans; and

WHEREAS, the Rianda Family Partnership desires to initiate proceedings to annex 44.8 acres into the City and build a 313,800 square foot agricultural cooler and amend the general plan to a land use designation consistent with the intended use; and

WHEREAS, the subject property is located in unincorporated Monterey County at 31958 Gloria Road, east of the current City limits, and consists of Assessor's Parcel Number 223-032-019; and

WHEREAS, the Planning Commission has independently reviewed the Initial Study / Mitigated Negative Declaration prepared for the project to adequately address the environmental effects of the proposed General Plan Amendments pursuant to CEQA and determined that it adequately addresses the environmental effects of the proposed General Plan Amendments, and has recommended City Council approval of the IS/MND and the accompanying MMRP; and

WHEREAS, the Planning Commission of the City of Gonzales identifies and determines the principal reasons for amending the City's General Plan Land Use Designations and waiving the requirement for a Specific Plan for this application are as follows:

1. The proposed amendment to the City's General Plan and change of land use designation from Neighborhood Residential to Industrial/Manufacturing is consistent with and facilitates the fulfillment of the goals, policies and objectives set forth in the City of Gonzales General Plan, as the plan area and subject properties are proposed for future development in the 2010 Gonzales General Plan.

2. The Project Site is contiguous to the existing City limits and is for a site-specific well-defined use. The Project is not creating a new residential neighborhood that would be developed under a Specific Plan, which Specific Plan would set forth orderly development of an entire neighborhood with associated public and community uses consistent with the approved Neighborhood Design Guidelines and Standards and Community Character policies. In this case, the Project Application sets forth the site-specific development standards and parameters with regard to development of the Project Site. A specific plan would not be appropriate for this type of project nor is necessary given the single-use nature of the project with the majority of improvements built in a single phase. All conditions of approval, mitigation measures, on- and off-site infrastructure requirements and exactions can be identified and considered through the typical Use Permit process, as has been done for other similar facilities present within the City Limits located in the Gonzales Industrial Park.

3. The amendment to the City's General Plan is consistent with and will implement the General Plan to promote the general health, safety and welfare of the community.

WHEREAS, the Planning Commission at its scheduled meeting of April 24, 2023, considered the amendment to the City's General Plan, the Staff Report and presentation, public testimony, documentary evidence introduced and received during the public hearing along with the entire public record, weighed the evidence before it and made CEQA and Project Findings, and recommends that the City Council approve the General Plan Amendment amending the land use designations and waive the requirement for a Specific Plan.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Gonzales recommends to the City Council approval of the General Plan Amendment amending land use designations and text and waiving the requirement for a Specific Plan as follows:

1. All of the recitals set forth above are true and correct to the best of the City Council's knowledge, and are incorporated herein by reference and made part of this resolution by this reference.

2. That the Planning Commission declares that it has been provided with and reviewed all evidence available in the administrative record to support the findings of project consideration, as well as the Staff Report, presentation by staff, written and oral testimony (collectively, the "Record of Proceedings"), and hereby provides notification that the Record of Proceedings is on file with the clerk of the City of Gonzales.

3. The Planning Commission declares it has reviewed and considered the 2023 Gloria Road Agricultural Cooler Project IS/MND document, and the Mitigation Monitoring and Reporting Program, all of which is incorporated herein by reference.

4. The Planning Commission finds that, after reviewing the public record, findings supported by evidence in the record provide cause for approving the General Plan Amendment.

5. The Planning Commission recommends to the City Council to adopt Exhibit A, which amends the City of Gonzales General Plan Land Use Map, text and figures to designate the subject property APN: 223-032-019 to Industrial/Manufacturing, adopt language waiving the requirement of the development of a Specific Plan for single-uses, incorporated herein by reference, and change tables and text to reflect accurate acreages and job and residential projections, and ensure internal consistency as a result of the change.

PASSED AND ADOPTED this 24th day of April 2023, by the Planning Commission of the City of Gonzales, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

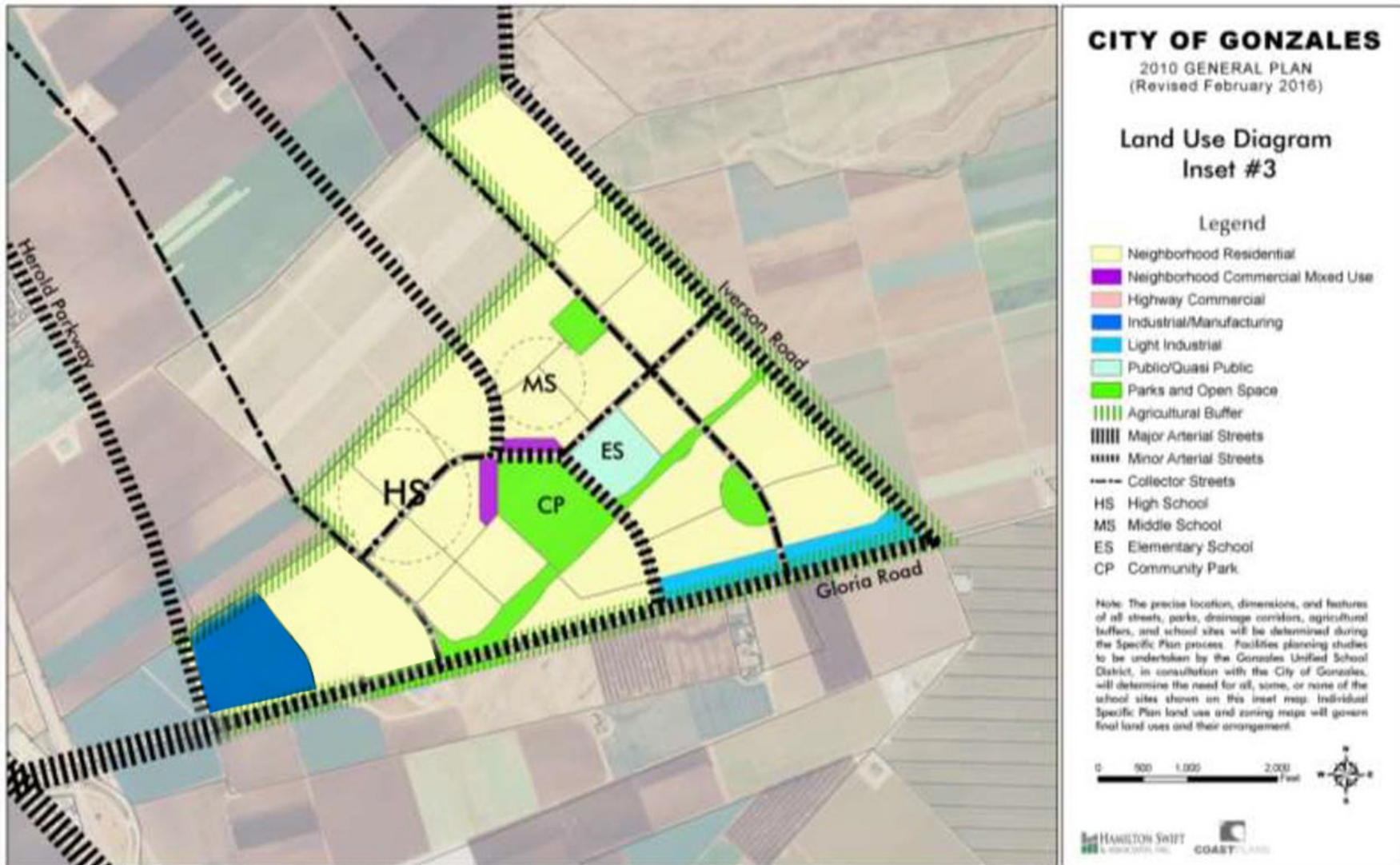
ABSENT: COMMISSIONERS:

Gloria Velasquez, Chair

ATTEST:

Mary Villegas, Deputy City Clerk

Exhibit A - General Plan Amendment Figure & Text Changes



CITY OF GONZALES
RESOLUTION NO. PC 2023-03
EXHIBIT A

AMENDMENT TO THE 2010 CITY OF GONZALES GENERAL PLAN FOR THE
GONZALES COOLER DEVELOPMENT PROJECT INVOLVING
APPROXIMATELY 44.8 ACRES

Changes to the selected general plan text are hereby made as follows:

Page II-34: In Table II-3: FUTURE LAND USE, POPULATION, AND EMPLOYMENT BUILDOUT: Reduce the number of Neighborhood Residential Units in Added Land Use and Total Land Use by 204 Units; Reduce the number of added and total population by 759 persons; Increase the amount of Industrial/Manufacturing total square feet of Added Land Use and Total Land Use by 314,000; and Increase the number of Added Employment and Total Employment by 436.

Page II-36: “D” – LAND USE DESIGNATIONS:

For commercial and industrial uses, intensity is expressed in terms of Floor Area Ratio (FAR). FAR is the gross floor area of structures on a site divided by the site area. For instance, an FAR of 0.5 would allow a 5,000 square foot building on a 10,000-square-foot parcel. The intensity standards define the maximum levels of development permitted. However, these maximums do not establish entitlement to a specific level of development without first conforming to all other City policies and development standards and are subject to discretionary approval. A Specific Plan is not required for annexation of new site-specific, single-phase non-residential uses contiguous to the City limits meeting the City’s development standards, subject to discretionary approval.

Page II-45: 11. Industrial/Manufacturing

“The primary purpose of this designation is to define those areas that are appropriate for heavy industrial and manufacturing uses, the location of which may create land use conflicts with residential uses and schools. The emphasis is on agricultural services, but other types of industry compatible with the policies in the General Plan are encouraged. The designation permits industrial parks, agricultural processing plants, light manufacturing, warehousing, wineries, auto and farm equipment sales or repair establishments, feed stores, lumberyards, construction supply companies, and similar and compatible uses. Compatible highway-serving

uses like gas stations, restaurants, motels, and truck stops are permitted in this area. The maximum permitted Floor Area Ratio is 0.5.

The designation has been applied to ~~469~~ ~~423~~ 468 acres of land in Gonzales, including ~~325~~ 383 acres of land west of Highway 101 and ~~144~~ ~~40~~ 85 acres of land east of Highway 101. This designation is also used in the urban reserve area.”

Page II-51: Policy LU- 2.1 Specific Plans Required in General Plan Growth Area

New development outside of the City’s incorporated area as of 2008 shall be organized through the use of Specific Plans that contain self-contained neighborhoods with the uses prescribed by the applicable land use designations shown in the Land Use Diagram. A Specific Plan is not required for annexation of new site-specific, single-phase non-residential uses contiguous to the City limits meeting the City’s development standards, subject to discretionary approval.

Page II-52: Implementing Action LU-2.1.2 – Commercial/Industrial Specific Plans

“Highway Commercial,” Light Industrial/Business Park,” or “Industrial/Manufacturing” for multi-phase projects or parcels that are not contiguous to the existing City limits, prior to City approval of development entitlements. Such Specific Plans shall be organized into one of three Specific Plans areas—the “North Interchange Area,” the “South Interchange Area,” and the 5th Street Community Commercial Area. In the South Interchange Area, non-residential land north and south of Gloria Road, may be combined with the Specific Plan prepared for neighborhood residential development immediately north of Gloria Road. Likewise, in the North Interchange Area, land designated for residential use located west of Gonzales Slough may be combined with the Specific Plan prepared for non-residential uses in the vicinity.

Page II-52: Implementing Action LU-2.1.3 – Development Policies and Standards.

Unless otherwise exempted as a site-specific, single-phase non-residential project adjacent to the existing City Limits, use development policies and standards contained in Specific Plans to identify permitted uses, accessory uses, conditionally permitted uses, and prohibited uses within each Specific Plan area. These uses should be consistent with the Land Use category designation definitions in this element as well as the goals and policies of this Plan

Page VIII-19: Implementing Action CC-1.1.9 – Specific Plans.

Require Specific Plans prior to the approval of development of large properties **planned for multiple uses and phases** to ensure that such developments are comprehensively planned and implemented.

Changes would be made to the general plan figures as follows:

All Figures as appropriate: revise City Limit upon LAFCO approval of Annexation

Page II-31: Figure II-7: Land Use Diagram Inset #3

Revise to show Industrial/Manufacturing on Project Site north of Gloria Road

=

RESOLUTION NO. PC 2023-04

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GONZALES
RECOMMENDING TO THE CITY COUNCIL ADOPTION OF AN ORDINANCE
APPROVING THE PRE-ZONING OF THE GONZALES COOLER DEVELOPMENT
PROPERTY TO INDUSTRIAL**

WHEREAS, the adopted City of Gonzales 2010 General Plan defines and designates certain lands for urban growth and development within areas designated by the General Plan; and

WHEREAS, the City of Gonzales and the County of Monterey developed, adopted, and signed a memorandum of agreement (MOA) in 2014, incorporated herein by reference, to cooperate on common planning, growth, and development issues; and

WHEREAS, the MOA established planning principles for both parties to promote logical and orderly development, direct development away from the best agricultural lands, stay within the urban growth boundary established by the City’s General Plan and the MOA, and provide compact urban form development through the use of specific plans; and

WHEREAS, the Monterey County Local Agency Formation Commission (“LAFCO”) is the agency with jurisdiction over Sphere of Influence (SOI) amendments and reorganizations of boundaries within Monterey County; and

WHEREAS, the Planning Commission of the City of Gonzales recommends that the City Council requests that proceedings to apply to LAFCO for reorganization are initiated, including annexation of approximately 48.97 acres of property (“Subject Property”) to the city; and

WHEREAS, on April 24th, 2023, the Planning Commission conducted a noticed public hearing to consider a recommendation to the City Council for initiating reorganization proceedings, and considered the Staff Report and oral report for this item; and

WHEREAS, notice of the public hearing on this resolution was given and published in the manner required by law and by the City of Gonzales, and the public hearing on this resolution was held on April 24th, 2023 before the Planning Commission; and

WHEREAS, the City of Gonzales complied with the requirements of the California Environmental Quality Act (“CEQA”), and considered and certified the Final Environmental Impact Report for the City of Gonzales 2010 General Plan, the 2014 General Plan EIR Sphere of Influence Expansion Addendum and the Planning Commission has reviewed and recommended that the City Council adopt the Initial Study/Mitigated Negative Declaration for the proposed Gloria Road Agricultural Cooler Project; and

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Gonzales recommends that the City Council adopt an ordinance that pre-zones the subject property to Industrial “I” as follows:

DRAFT ORDINANCE No. _____

SECTION 1. Findings for Adoption of Pre-zoning and Amendment of the Zoning Map

The City Council hereby makes the following findings concerning the pre-zoning of property and amendment to City zoning map proposed by the Rianda Family Partnership pursuant to Gonzales City Code Section 12.16- Permit Application Submittal:

1. That the proposed pre-zoning is consistent with the general plan.

The City General Plan designation for the project site is currently Neighborhood Residential and the project area is identified as a specific plan area in the General Plan. As part of the proposed development, the request includes a concurrent General Plan Amendment to change the site to Industrial/Manufacturing and removes the requirement for a Specific Plan as the proposed project is a single site and use. The proposed re-zoning is Industrial, to support development of the cooler project as allowed in Section 12.88 of the Gonzales City Code. All other existing sections of the Gonzales General Plan support the development of the cooler project and annexation in the City, and therefore the proposed pre-zoning is consistent with the General Plan.

2. That the proposed zoning and/or amendment will be beneficial to and not detrimental to the public health, safety, or welfare.

Pre-zoning the Project site to Industrial is consistent with the amended General Plan’s vision for the project site. The proposed pre-zoning district will be beneficial to public health, safety, and welfare by allowing the agricultural cooler to be established on the Project site with appropriate conditions to ensure the public health, safety and welfare of the community and ensure compatibility with existing and proposed development on surrounding properties and as the project is proposed incorporates numerous elements and mitigation measures which will advance public health, safety, and welfare.

3. That with the proposed pre-zoning adequate and available sites remain to mitigate the loss of residential density on the subject property to accommodate the City's "fair share" regional housing needs used by the State Department of Housing and Development in determining compliance with Housing Element Law pursuant to Government Code Section 65863(b).

The proposed pre-zone on the site will eliminate a portion of property in the General Plan area that would allow development of the site with residential uses that would enhance the availability of housing in the City and assist in meeting the City’s “fair share” regional housing needs. However, the Gonzales General Plan has more than adequate designated residential areas remaining to meet the housing obligation for the 6th Cycle Housing Element Update of 1,266 housing units for the upcoming 2023-2031 planning horizon.

SECTION 2. Adoption of Pre-zoning and Amendment of the Zoning Map Based on the findings set forth in the preceding section, the City Council ordains that the official pre-zone adopted for Assessor’s Parcel Number 223-032-019 containing approximately 44.8 acres located at 31958 Gloria Road shall be Industrial (I) and further amends the Zoning Map as referred to in Section 12.56.030 of the Gonzales City Code and depicted on Exhibit A attached hereto and by reference incorporated herein.

SECTION 3. Compliance with the California Environmental Quality Act.

The City Council has adopted a Mitigated Negative Declaration, which evaluated the impacts of implementation of this ordinance, including the Mitigation Monitoring and Reporting Program.

SECTION 4. Effective Date.

This ordinance shall be in full force and effective 30 days after its adoption, and shall be published and posted as required by law.

1. The City Council finds and takes action to amend designate the subject property “I” (Industrial), illustrated on the map in Exhibit A, in Pre-zoning the land within the plan area, and adopted the CEQA and Project Findings, incorporated herein by reference.

PASSED AND ADOPTED this 24th day of April, 2023, by the Planning Commission of the City of Gonzales, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

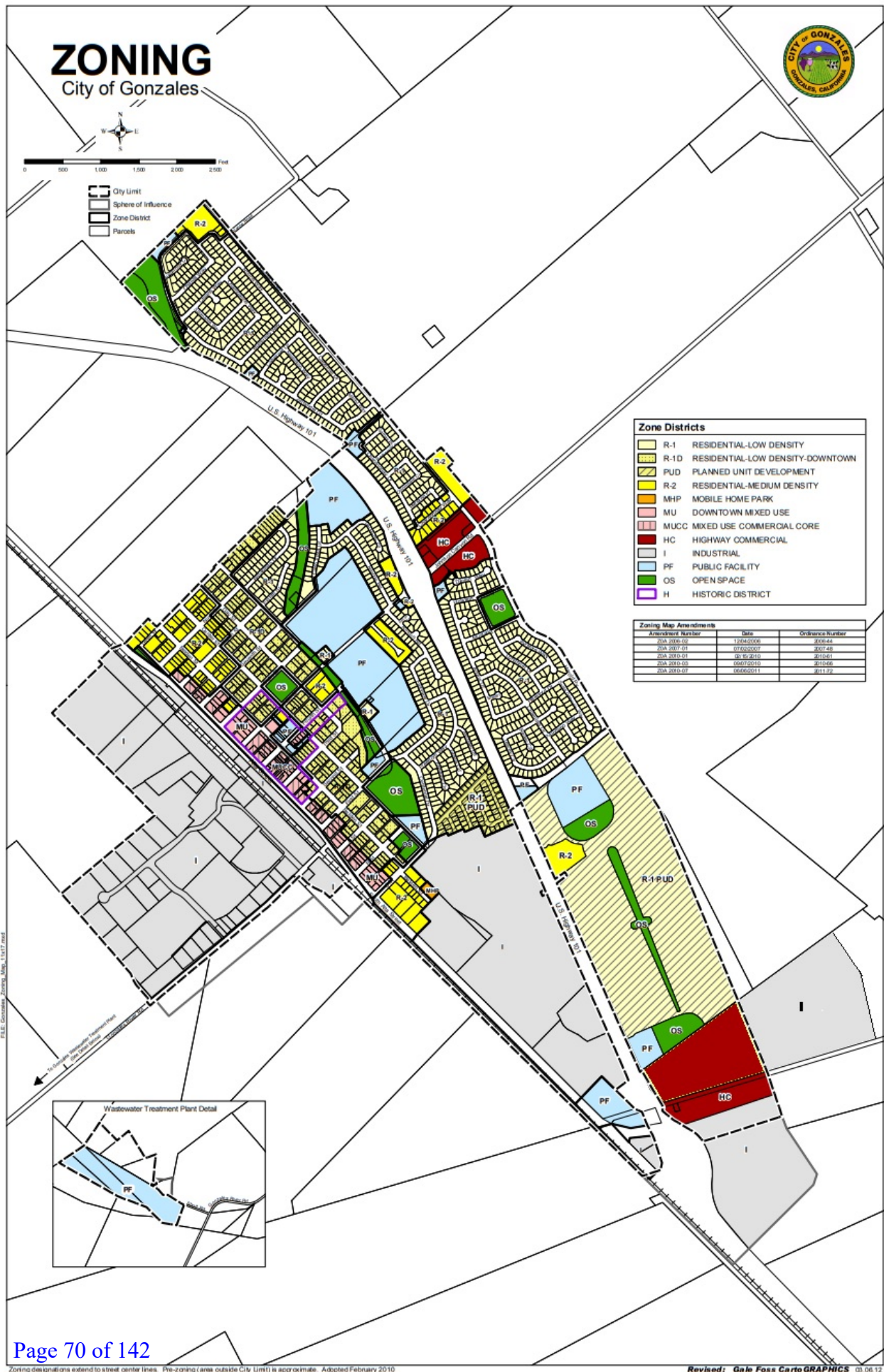
ABSENT: COMMISSIONERS:

Gloria Velasquez, Chair

ATTEST:

Mary Villegas, Deputy City Clerk

Exhibit A: Prezoning Map



RESOLUTION NO. PC 2023-05

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GONZALES
CONDITIONALLY APPROVING USE PERMIT PL2023-02 TO PERMIT,
CONSTRUCT AND OPERATE A FRESH VEGETABLE FOOD PROCESSING AND
COOLING FACILITY CONSISTING OF UP TO 313,800± SQUARE FOOT BUILDING
AND ANCILLARY USES ON A PROJECT SITE OF 44.8± ACRES LOCATED AT 31958
GLORIA ROAD (MONTEREY COUNTY ASSESSOR PARCEL NO. 223-032-019)**

WHEREAS, the Rianda Family Partnership, has applied for a Use Permit to permit the operation of a fresh vegetable food processing & cooling facility and appurtenant uses on a project site consisting of 44.8± acres (APN(s): 223-032-019); and

WHEREAS, the Planning Commission has recommended to the City Council that the property be pre-zoned Industrial and the use is considered to be a proper and compatible use within the Industrial Zoning Designation; and

WHEREAS, the Planning Commission considered the request during a duly noticed public hearing held on April 24, 2023, and invited public comments and the comments of the applicant, and considered the staff report of the same date; and

WHEREAS, the Planning Commission has determined that the requested Conditional Use Permit, subject to standard and special conditions, complies with all City plans and requirements.

NOW, THEREFORE, the Planning Commission of the City of Gonzales hereby finds, determines, resolves, and orders as follows:

Section 1. The foregoing recitals are true and correct, and by this reference, are incorporated herein as findings.

Section 2. The project has been reviewed for compliance with the California Environmental Quality Act and it has been determined that the City of Gonzales is the lead agency for the purposes of conducting environmental review of the proposed Project, and as lead agency, caused to be prepared an Initial Study and Mitigated Negative Declaration for the proposed Gonzales Cooler Development Project in accordance with CEQA and the IS/MND was circulated for public review and comment for 30 days between March 15 2023, and April 13, 2023.

Section 3. A Mitigation Monitoring Reporting Program was prepared as required under CEQA (Public Resources Code Section 21083 and CEQA Guidelines Section 15074(d)) to ensure that all significant environmental impacts are mitigated or avoided, and the IS/MND determined that implementation of the Project has the potential to generate significant environmental impacts that could be reduced to a less-than-significant level with full implementation of mitigation measures as recommended in the document; and that potentially significant environmental impacts that can be reduced through the implementation of mitigation measures include the following: agricultural resources (agricultural mitigation); air quality

(short-term construction emissions and nuisance odors); biological resources (e.g., habitat alteration); cultural resources (archaeological); greenhouse gas emissions; and health hazards.

Section 4. The findings required pursuant to Gonzales City Code Chapter 12.28, Section 12.28.030, can all be made in the affirmative and include the following:

- A. The use is necessary or desirable in relation to the purposes and intent of the Gonzales general plan, zoning ordinance, and the economic, social and environmental status of the City because:

The proposed uses are fully consistent with the General Plan designation of the site as "Industrial/Manufacturing" as defined on page II-46 of the General Plan. This designation emphasizes agricultural services and manufacturing uses. The proposed project is consistent with General Plan policies that promote economic and industrial development.

The proposed uses are consistent with the intent of the Industrial Zoning District, which is to provide areas for general industrial, manufacturing, wholesale, and service uses needed by the City and region subject to regulation necessary to protect other nearby uses from hazards, noise and other disturbances.

- B. The use will be properly related to other uses, transportation facilities, and other public facilities in the area, and will not cause undue environmental impacts relating to noise, odor, pollution, etc because:

The proposed buildings will have access to Gloria Road, with direct access to US 101, away from residential and other potentially incompatible uses. There will be truck traffic typical of the agricultural services and manufacturing uses and the traffic generated by the project can be adequately served by the existing street network upon the completion of identified road improvements to Gloria Road. The site will have access to adequate services, including water, sanitary sewer and storm drainage prior to its operation, and the applicant will construct connections to the site. The project will have adequate on-site parking for employees and trucks serving the site.

Noise generated by the proposed use will be primarily the operation of large trucks, but this noise level is acceptable in this location as conditioned and with mitigation and is typical of this area. The ongoing noise generated by the cooler project could have a significant future impact to residentially designated lands to the east, while lands to the north would be impacted by loading activities at night which would exceed established noise standards. Mitigation measures have been added that require noise attenuation on both the north and east sides of the property to address these issues and give the applicant choices to modify or screen noise-generating equipment, build noise attenuation walls at the property line upon future residential development, or modify hours of operation at the facility.

Zoning regulations prohibit the use from creating any dangerous, injurious, noxious or otherwise objectionable, explosive or other hazard. Nor shall it create noise or vibration, smoke, dust, odor or other form of air pollution; heat, cold or dampness; electrical or other disturbance; glare; liquid or solid refuse or wastes; or other substance, condition or element

in such a manner or in such amount as to unreasonably adversely affect the surrounding area or adjoining properties.

- C. The use will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the city and its residents because:

The operation of a fresh vegetable food processing & cooling facility and appurtenant uses is proposed for the project site and permitted with the issuance of a Conditional Use Permit in the Industrial Zone. The Use Permit includes conditions of project approval so that impacts on the persons living or working in the vicinity are minimized and so that impacts on the City's infrastructure and services are appropriately addressed. The use is entirely consistent with the zoning and is not anticipated to result in any incompatibility issues for existing and future neighboring land uses. No nuisance causing uses or uses generating unusual noise, odor, light or vibration are authorized by the issuance of this permit.

Section 5. After considering all evidence, including comments provided by the public and applicant, and the content of the staff report, the Planning Commission hereby approves Conditional Use Permit No. 2023-02, which is attached hereto as Exhibit A and incorporated herein by reference. The project description, along with project plans, is included as Exhibit B and is incorporated herein by reference.

Section 6. The ability to proceed and rely upon the approvals granted by this use permit are wholly contingent upon annexation into the City of Gonzales and related entitlement actions including an approval of the Initial Study/Mitigated Negative Declaration & Mitigation Monitoring Reporting Program, General Plan Amendment and Pre-Zoning, which will be considered in future hearings by both the City Council and the Monterey County Local Agency Formation Commission. The Use Permit shall only become valid upon the final certification of annexation into the City of Gonzales after approval by the City Council and LAFCO.

PASSED AND ADOPTED at the regular meeting of the Planning Commission of the City of Gonzales duly held on the 24th day of April 2023 by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

Gloria Velasquez, Chair

ATTEST:

Mary Villegas, Deputy City Clerk



P.O. BOX 647
PHONE: (831) 675-5000

147 FOURTH ST.
FAX: (831) 675-2644

GONZALES, CALIFORNIA 93926
www.ci.gonzales.ca.us

CONDITIONAL USE PERMIT 2023-02

COMMUNITY DEVELOPMENT DEPARTMENT

Property Address: 31958 Gloria Road
Gonzales, CA 93926

Assessor Parcel Numbers: 223-032-019

Property Owner: Rianda Family Partnership
31958 Gloria Road
Gonzales, CA 93926

Applicant/ Permittee: David Peartree
Peartree & Belli Architects
235 Monterey St., Suite B
Salinas, CA 93901

Permit Issued To: Owner and Applicant
As described above

Approval Date: April 24, 2023

PC Resolution: PC-2023-05

Permitted Use. Construction and operation of an agriculture cooling and processing facility consisting of a 313,800± square foot single story building located on 44.8± acres of a 103.54-acre parcel (the “Gloria Road Agricultural Cooler Project”). The permitted use includes: raw product cold storage; processing lines where the produce will be cleaned, sized, and packaged; office administration space; and miscellaneous mechanical and storage rooms. Exterior storage of packaging materials is permitted as part of the packaging operation. Permitted ancillary improvements include: a check-in area when entering the site; fencing enclosing the entire perimeter as part of current food safety measures; paved surfaces, including onsite parking for employees and visitors. Other incidental equipment and appurtenances include: utility connections, landscaping, signage, and lighting, trash dumpster and compactor, storm water facilities and a retention basin.

Minor changes to this permit may be approved administratively by the Director of Community Development upon receipt of a written request by an Owner, or his or her agents. Prior to such approval, the Director shall confer with each affected City Department and shall verify the request is not in conflict with any City regulations or plans, and is not otherwise of substantial concern to the City. The Director may refer any requests deemed to be significant to the Planning Commission for formal application and consideration.

FINDINGS & CONSISTENCY

Section 1. Environmental (CEQA) Finding.

An Initial Study ('IS') has been prepared for the Project in compliance with the California Environmental Quality Act (CEQA), and the City of Gonzales has determined that the Project will have less than significant effect on the environment with mitigation measures and has prepared a Mitigated Negative Declaration ('MND'). The IS/MND tiers off the Gonzales 2010 General Plan Environmental Impact Report (SCH # 2009121017) as a means of excluding from further consideration more global issues and allowing more focus on issues that are applicable to the proposed Project. No other environmental review is necessary.

Section 2. General Plan Consistency

A. The permitted use is consistent with the Gonzales General Plan to the following extent:

1. The project site is concurrently being amended to be designated as Industrial/Manufacturing on the General Plan Land Use Plan Diagram. The primary purpose of this designation is to define those areas that are appropriate for heavy industrial and manufacturing uses, the location of which may create land use conflicts with residential uses and schools. The emphasis is on agricultural services, but other types of industry compatible with the policies in the General Plan are encouraged. The designation permits industrial parks, light manufacturing, warehousing, wineries, auto and farm equipment sales or repair establishments, feed stores, lumberyards, construction supply companies, and similar and compatible uses.

Section 3. Zoning Ordinance Consistency

A. The proposed use is consistent with the Gonzales Zoning Ordinance to the following extent:

1. The site is zoned Industrial (I). The intent of the Industrial (I) district is to provide areas for general industrial, manufacturing, wholesale, and service uses needed by the city and region subject to regulation necessary to protect other nearby uses from hazards, noise and other disturbances.
2. A fresh vegetable processing facility is a permitted use in the Industrial District subject to the issuance of a Conditional Use Permit, which said permit was approved by the Gonzales Planning Commission at a public hearing held on April 24, 2023.
3. The proposed use meets zoning standards including setbacks, maximum lot coverage, landscaping and parking.

B. The Conditional Use Permit has been processed per the City's Zoning Ordinance requirements per Chapter 12.28 as follows:

1. An application has been received and accepted by the City of Gonzales for processing.
2. A Public Hearing Notice was published in the Salinas Valley Tribune on April 12, 2023.

3. Public Hearing Notices were mailed to all property owners within 300'-0" of the site. A affidavit of mailing is on file at the Planning Department.
4. A public hearing was conducted by the Planning Commission to consider the request on April 24, 2023, and members of the public were invited to comment and all comments were considered by the Planning Commission prior to its decision on the request.

Section 4. Conditional Use Permit Findings

Pursuant to the Gonzales City Code Chapter 12.28, Section 12.28.030, the following findings are made in support of approval of the Condition Use Permit, including:

- A. The use is necessary or desirable in relation to the purposes and intent of the Gonzales General Plan, zoning ordinance, and the economic, social and environmental status of the City because:

The proposed uses are fully consistent with the General Plan designation of the site as "Industrial/Manufacturing" as defined on page II-46 of the General Plan. This designation emphasizes agricultural services and manufacturing uses. The proposed project is consistent with General Plan policies that promote economic and industrial development.

The proposed uses are consistent with the intent of the Industrial Zoning District, which is to provide areas for general industrial, manufacturing, wholesale, and service uses needed by the City and region subject to regulation necessary to protect other nearby uses from hazards, noise and other disturbances.

- B. The use will be properly related to other uses, transportation facilities, and other public facilities in the area, and will not cause undue environmental impacts relating to noise, odor, pollution, etc because:

The proposed buildings will have access to Gloria Road, with direct access to US 101, away from residential and other potentially incompatible uses. There will be vehicular traffic typical of agricultural services and processing uses and the traffic generated by the project can be adequately served by the existing street network upon the completion of identified road improvements to Gloria Road. The site will have access to adequate services, including water, sanitary sewer and storm drainage prior to its operation, and the applicant will construct connections to the site. The project will have adequate on-site parking for employees, visitors, and trucks accessing the site.

Noise generated by the proposed use will be primarily the operation of trucks, but this noise level is acceptable in this location as conditioned and with mitigation. The noise generated by the cooler project could have a significant future impact to residentially designated lands to the east, while lands to the north would be impacted by loading activities at night which would exceed established noise standards. Mitigation measures have been added that require noise attenuation on both the north and east sides of the property to address these issues and give the applicant choices to modify or screen noise-generating equipment, build noise attenuation walls at the property line upon future residential development, or modify hours of operation at the facility.

- C. The use will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the city and its residents because:

The operation of a fresh vegetable food processing & cooling facility and appurtenant uses is proposed for the project site and permitted with the issuance of a Conditional Use Permit in the Industrial Zone. The Use Permit includes conditions of project approval so that impacts on the people living or working in the vicinity are minimized and so that impacts on the City's infrastructure and services are appropriately addressed. The use is entirely consistent with planned uses within the industrial zone and with proper mitigation is not anticipated to result in any incompatibility issues for existing and future neighboring land uses. No nuisance causing uses, or uses generating unusual noise, odor, light or vibration are authorized by the issuance of this permit.

CONDITIONS OF APPROVAL

A. Standard Conditions.

1. **Timely Completion of Conditions.** Unless otherwise provided for in a special condition to this Use Permit, all conditions shall be satisfied prior to approval of temporary or final occupancy for any portion of the project.
2. **Conditions Run with Land.** The conditions of approval contained herein shall be perpetual and it is the intention of the City that the conditions of approval run with the land and bind the Owner/Applicant and its successors and assigns in interest of the subject property to all of the conditions of approval.
3. **Conditions to be Included on all Plan Sets.** All conditions of approval for this project shall be included by the Owner/Applicant as a component (sheet) of plan sets submitted for review and approval. These conditions of approval shall be on all grading and construction plans kept on the project site. It is the responsibility of the Owner/Applicant to ensure that the various contractors are aware of, and abide by, the conditions of approval.
4. **Time Limits.** Failure to establish the use authorized by this Permit within two years from the date of Certificate of Completion of Annexation, unless otherwise extended for an additional year by the City, shall be grounds for revocation of this permit.
5. **Change in Permitted Use.** Any proposed change in the description of the permitted use approved herein shall be approved by the Director of Community Development, who may impose such requirements in addition to those set forth herein as may be necessary for the protection of adjacent properties and the public interest. If the Director finds that any proposed change in the use would represent a substantial deviation from the purpose for which this permit was granted, then such change shall be considered at a public hearing before the Planning Commission as an amendment to this permit.
6. **Permit Revocation.** Failure to comply with the conditions specified herein, which served as the basis for approval of the Project and the issuance of this Permit constitutes cause for the revocation of the Permit.
7. **No Nuisance/Use of Property.** Use of the property shall be conducted in such a way that it does not constitute a nuisance to the surrounding neighborhood. If the Community Development

Director/Planning Commission/City Council finds at any time that any use of the property constitutes such a nuisance or is otherwise detrimental to the neighborhood or to the community, such use shall be discontinued or modified as may be required. Failure to fully comply with all conditions of this approval may result in revocation of this permit. For the purposes of this condition, regular ongoing agricultural uses and operation of the agricultural cooler facility is not considered a nuisance.

8. **Days/Hours of Work for City Inspection and related Support.** City staff, Building Inspection, Special Testing and Public Works Inspection services will be provided between 8:00AM – 5:00PM Mondays through Fridays. Additional costs for these city services will be incurred by the Owner/Applicant outside of these hours. No construction activities shall occur on Sunday's or City Holidays.

9. **Code and Standards Compliance.** All construction and improvements and uses shall be in accordance with zoning, building, fire, and all other codes, ordinances, and public works standards and specifications of the City of Gonzales or agencies that have regulatory jurisdiction over the project. All such requirements shall be met prior to issuance of a temporary and/or Final Certificate of Occupancy for the entire Project, or a portion thereof, or final building inspection, except for items agreed to by the owner and the Building Official and/or Director of Public Works.

10. **Development Impact Fees.** Owner/Applicant shall pay all Development Impact Fees as set forth in Chapter 1.48 of the Gonzales City Code at the time and in the manner set forth in the Code unless an alternate time and manner of payment is established through the Special Conditions of Approval as set forth below. Impact fees may be subject to credits or a reimbursement agreement for facilities constructed by the applicant that are part of the impact fee program. Such fees are subject to an annual adjustment to reflect the percentage change in the construction cost index for San Francisco as of December 1 of the previous year as reported by "Engineering News-Record".

Impact Fees payable to the Gonzales Unified School District (GUSD) and the Transportation Agency of Monterey County (TAMC) are due prior to issuance of the first building permit.

11. **Hold Harmless and Indemnification.** Except to the extent the City has constructed improvements on or about the property, City and Owner/Applicant acknowledge that City has not made an independent investigation of the design of the proposed use, or conditions affecting either design or use. Owner/Applicant shall indemnify and hold harmless the City, its elective and appointive boards, commissions, officers, agents and employees from all damages, injuries, claims and any and all liability and costs arising from or about the site or in connection with the conduct of business thereon.

Owner/Applicant agree to, and shall, defend City, its elective and appointive boards, commissions, officers, agents and employees, from any suits or actions at law or equity from damages caused, or alleged to have been caused, by reason of the aforesaid design, construction and use of the involved site pursuant to this Permit. Except as provided above, the terms of this paragraph shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of the aforesaid design or operations referred to herein, regardless of whether or not City has prepared, supplied or approved of plans and or specifications for use of the proposed site. To the extent that Owner/Applicant are required to indemnify and hold harmless the parties listed above, it shall have the right to control the litigation, including but not limited to contracting for counsel of its choice, and accepting or rejecting any settlement offer.

12. **Reporting of Taxes.** In order to enable the City to optimize local Tax revenues allowable under the applicable State Tax and Fee Administration guidelines, to the extent that such guidelines apply to the Project Company, the Project Company shall (a) obtain necessary sales /use Tax jobsite sub -permit(s), (b) comply with associated reporting requirements, and (c) procure tangible personal property when commercially reasonable in a manner that directs the local Tax to the City. Such procurement procedures include but are not limited to the Project Company ordering purchases from its vendors' and suppliers' sales offices located in the City if commercially reasonable.

The Project Company agrees with respect to any individual purchases of property subject to sales /use Tax in an amount equal to or greater than \$500,000 to be used, stored or consumed in the City, to allocate the local sales /use Tax with respect to such property to the City, if commercially reasonable and applicable law so permits. The Project Company further agrees to include in each Project Contract and Subcontract a provision obligating the Project Contractors or any Subcontractor to comply with the State Board of Equalization jobsite sub-permitting, reporting requirements and procurement procedures set forth in this paragraph so as to assist the City in optimizing its local Tax revenue allowable under California law.

B. Special Conditions/Mitigated Negative Declaration Mitigation Measures

The following is a list of special conditions which apply to the Project. Some of the conditions are based upon mitigation measures from the Initial Study/Mitigated Negative Declaration prepared for the Project. Those conditions/mitigation measures are identified in parentheses (ex. "AG-1") with the number that is assigned in the Mitigated Negative Declaration.

General

1. **Permit Contingent Upon Annexation.** This permit is being processed concurrently with other land use actions that will require approval by the Gonzales City Council and the Monterey County Local Agency Formation Commission (LAFCO). This Use Permit is fully contingent upon Annexation approval and may not be acted upon until the Certificate of Completion is filed and the property is within the official City Limits of Gonzales.

2. **Reference to Site Plan, Floor Plan and Elevations.** The Permit applies only to the physical site, structures and uses in substantial compliance to those shown on Exhibit 'X' (Site Plan), Exhibit 'Y' (Floor Plan), and Exhibit 'Z' (Building Elevations), which are attached hereto and are made a part of this permit.

3. **Comply with Adopted Industrial District Design Guidelines.** To the extent feasible, as determined by the Director of Community Development, the Owner/Applicant shall comply with the applicable provisions of the City of Gonzales Industrial District Design Guidelines as specified in Chapter 12.88.040(I) of the Gonzales City Code.

4. **California Code – Green Building Standards ('CalGreen').** The Owner/Applicant shall comply with applicable non-residential mandatory measures contained in Chapter 5 of the 2016 California Code of Green Building Standards ('CalGreen'); California Code of Regulations, Title 24, Part 11.

5. **Climate Action Plan Compliance / Greenhouse Gas Reduction Plan (GHG-1).** Prior to issuance of a building permits for the proposed project, the applicant shall prepare a Greenhouse Gas (GHG) Reduction Plan. The GHG Reduction Plan shall demonstrate, with substantial evidence, that GHG emissions will be reduced to the year 2030 service population threshold of significance of 0.64 MT CO₂e per year per service population. This would require that the project emissions of 1,960.4 CO₂e per year be reduced by 1,678.60 MT CO₂e per year to 281.80 MT CO₂e per year.

The GHG Reduction Plan shall prioritize on-site GHG reduction design features and/or other project specific measures. One such on-site measure that shall be included is to meet the voluntary Tier 2 electric vehicle performance standards for non-residential development included in effect at the time a building permit is issued (currently the 2022 California Green Building Code). For projects with 201 or more parking spaces, 20 percent of the total must be electric vehicle capable spaces, and 25 percent of the electric vehicle capable spaces must include electric vehicle supply equipment.

In addition to one or more of the on-site project design/project specific measures, the applicant may include in the Reduction Plan and take credit for GHG reductions resulting from making direct investments in off-site GHG reduction activities and/or programs in the vicinity. Examples of direct investments include building retrofit programs that pay for cool roofs, solar panels, solar water heaters, smart meters, energy efficient lighting energy efficient windows, and insulation. Other examples include financing programs for installing electric vehicle charging stations, electrifying school buses, and/or planting local urban forests.

The applicant shall retain a qualified air quality/GHG professional to quantify the GHG reductions that would result from implementing the Reduction Plan based on substantial evidence to be included in the Reduction Plan. The GHG reduction measures should be implemented even if their implementation would result in a GHG reduction, but the reduction cannot be reliably quantified. The GHG emissions reduction volume resulting from implementing the Reduction Plan measures may then be subtracted from the required 1,678.60 MT CO₂e per year reduction volume in order to reduce or avoid the significant GHG impact.

If the GHG emissions reductions from implementing the GHG Reduction Plan are insufficient to reduce project emissions by a minimum of 1,678.60 MT CO₂e per year or more, the applicant may secure the balance of the required GHG emissions reduction volume by purchasing and retiring voluntary carbon offset credits (not credits created for transactions in California's regulatory Cap and Trade Program). The carbon offset credits shall meet the following performance standards:

- Carbon offset credits shall be issued by a recognized, reputable and accredited registry that mandates the use of established protocols for quantifying and issuing the offset credits. Credits issued based on protocols approved by CARB should be prioritized. Examples of such registries include the Climate Action Reserve, American Carbon Registry, and Vierra.
- In order of priority, the carbon offset credits should be obtained from projects developed in local vicinity/region, the state, national, or international projects. Priority is on offset credits available through registries approved by CARB. Credits from projects developed internationally should not be used unless the applicant demonstrates with substantial evidence that sufficient carbon offsets from projects in vicinity/region, state, or U.S. are unavailable. International offsets must be quantified and issued using established protocols

that are recognized in the United States and that are issued by recognized, reputable and accredited registries.

- All carbon offset credits purchased to reduce GHG emissions, must meet the criteria of being real, quantifiable, permanent, verifiable, enforceable, and additional, consistent with the standards set forth in Health and Safety Code section 38562, subdivisions (d)(1) and (d)(2).

Prior to issuance of the first building permit for the project, the GHG Reduction Plan shall be approved by the Community Development Director. The GHD Reduction Plan shall demonstrate that GHG emissions from the project will be substantially reduced. If on-site design and off-site program investments do not result in reducing the GHG impact to less than significant, the applicant shall, prior to approval of an occupancy permit, provide documentation in the form of an executed contract or other certification that the balance of emissions reduction required has been obtained through purchase of carbon offset credits, subject to the performance standards listed above.

6. **Meters, Hydrants, Utility Poles, etc.** All meters, hydrants and utility poles shall be located clear of sidewalks or as determined by the Director of Public Works. If required, the Owner/Applicant shall install fire hydrants per City specifications, and according to the requirements of the Uniform Fire Code. In some cases, the Owner/Applicant may be required to relocate existing meters, hydrants and poles. Fire hydrants shall be protected by bollards. Fire hydrant locations shall be approved by the City Fire Marshal and Director of Public Works.

7. **Sign Permit.** Prior to the issuance of a temporary and/or Final Certificate of Occupancy for the Project, or a portion thereof, the Owner/Applicant shall submit an application and pay the appropriate fee for any necessary sign permits for the project, in conformity with the GCC Chapter 12.116, §12.116.200. Plans shall include locations of all signs, sign size, materials, colors and messages.

8. **Exterior Lighting (AES-1).** The applicant shall revise the proposed Site Lighting Diagram/Photometric Study to ensure that no facility lighting will create light splay onto land located outside the eastern fence line of the cooler facility fence line onto land that will remain designated Neighborhood Residential. In general, the lighting design shall prioritize directing lighting away from all adjacent land to the east of the facility fence line for this purpose. Prior to approval of the first building permit, the applicant shall receive approval on the Site Lighting Diagram/Photometric Study from the Community Development Director. Exterior lighting shall be designed to provide for operational and security requirements while minimizing adverse effects to other properties in the vicinity. Lighting fixtures shall be downcast and shielded and designed to reflect light away from the surrounding premises and all public rights-of-way.

9. **Agricultural Land Conversion Mitigation (AG-1).** The applicant shall provide agricultural mitigation consistent with one or a combination of the agricultural mitigation options identified in the City's draft agricultural mitigation program if the City has not formally adopted an agricultural mitigation program at the time the City considers approving the annexation, general plan amendment, and other project-specific discretionary actions required for the proposed project. If formal adoption has occurred by that time, the applicant shall provide agricultural mitigation consistent with the adopted program. Draft program mitigation options currently include:

a. Offer easements on similar soils classified as prime farmland and farmland of statewide importance, proximate to Gonzales. Provide for the in-kind one-to-one (1:1) acquisition of agricultural mitigation easements, and the dedication of those mitigation easements to an agricultural land trust or other qualifying entity. Demonstrate that administrative and monitoring expenses for stewardship of the easement in perpetuity have been arranged; and/or

b. Purchase easements on similar soils classified as farmland and farmland of statewide importance, proximate to Gonzales. Provide for the in-kind direct purchase of an agricultural mitigation easement at a one-to-one (1:1) ratio and dedicate the easement to an agricultural land trust or other qualifying entity. Demonstrate that administrative and monitoring expenses for stewardship of the easement in perpetuity have been arranged; and/or

c. Purchase agricultural banked mitigation credits at a 1:1 ratio from a qualifying entity, or the City of Gonzales, if available; and/or

d. Pay a fee in-lieu to the City of Gonzales, or a qualifying entity (e.g., agricultural land trust) to accept fees in-lieu where the fee value is based on a 1:1 mitigation ratio, and the fee amount is independently appraised and sufficient and timely for the City or qualifying entity to purchase equivalent agricultural mitigation easements and to fund administrative stewardship of the mitigation easements; and/or

e. Implement another approach as approved by the city or combination of the above options, that:

- Results in the preservation of agricultural land at a 1:1 ratio proximate to the City of Gonzales, or
- Includes new easements in areas targeted by the City as described in the 2014 MOA. Priority areas for the City of Gonzales to establish new agricultural easements to perfect the Permanent Agricultural Edge per the 2014 MOA with the County of Monterey.

10. **Solid Waste Handling Plan.** The Owner/Applicant shall submit a Solid Waste Handling Plan that provides documentation on the sufficient number of commercial sized trash dumpsters and compactors at suitable locations for convenient access by the franchise hauler. No trash or refuse shall be stored where visible from off the site. The Owner/Applicant shall consult with the franchise hauler (Tri-Cities Disposal) for recommendations on the appropriate size and number of dumpsters and compactors and shall provide proof of consultation to the City's Recycling Coordinator and the Public Works Director. This condition is intended to specifically address solid waste generated from office and administration functions to be collected by the hauler and does not apply to typical activities that are a part of regular daily business operations.

Trash Enclosures for solid waste containers shall have an all-weather noncombustible solid roof to prevent rainwater from mixing with the enclosure's contents. The enclosure shall have structural walls with associated fencing to prevent unauthorized removal or dropping off of any trash. The door(s) will be secured and locked when closed. The concrete pad and adjacent paved area shall be designed to not drain outward and the grade surrounding the enclosure shall not drain into the enclosure. A sewer lateral

with grease trap shall be provided at each enclosure so liquid discharge or wash-down water will be conveyed to the City sewer system. The Solid Waste Handling Plan shall be approved by the Public Works Director prior to issuance of the first building permit.

11. **Outdoor Storage.** Outdoor storage of packaging materials including pallets of collapsed cardboard boxes, plastic bags and other similar items used during the packaging processes may be stored on the site only within the areas designated for such storage on the approved Site Plan. The Owner/Applicant shall ensure that the storage area is kept in a clean and organized manner and any debris escaping from the storage area onto other portions of the site or adjoining properties shall be promptly removed.

12. **Building Colors & Materials.** At the time Improvement Plans are submitted, the Owner/Applicant shall submit for review and approval by the Director of Community Development the colors and materials of all buildings and structures to be constructed on the Project site. All buildings on the site shall be painted with base and trim colors that are harmonious and give the impression of a unified site. If applicable, roof materials and colors should also be coordinated.

13. **Street Address Numbers.** Prior to the issuance of a Certificate of Occupancy for entire project, or a portion thereof, the Owner/Applicant shall submit a plan for street numbering for review and approval by the Director of Public Safety and/or Fire Marshal. The address of the property shall be displayed at the main entrance and shall be properly numbered so that the number may be readily visible from the street. Numerals shall be at least 24-inches and shall be of a contrasting color to the background (e.g., black numerals on a white background).

14. **Demolition of Buildings/Structures/Facilities.** The Owner/Applicant shall be aware that if any buildings are demolished as part of this project, Air District rules may apply. These include Rule 424, National Emissions Standards for Hazardous Air Pollutants and Rule 439, Building Removals. Rule 424 contains the investigation and reporting requirements for asbestos which includes surveys and advanced notification on structures being renovated or demolished. Notification to the Air District is required at least ten days prior to renovation or demolition activities. Rule 424 could also apply if old underground piping or other asbestos containing construction materials are encountered during trenching activities. District Rule 439 prohibits the release of any visible emissions from building removals. Rules 424 and 439 can be found online at <https://www.arb.ca.gov/drdb/mbu/cur.htm>.

15. **Reimbursement of City Costs through a “Developers Account”.** The Owner/Applicant shall reimburse the City of Gonzales for city staff time, consultant support, plan review, building and public works inspection, legal, planning and administrative expenses incurred by the City in connection with the Project.

The City shall provide quarterly statements to the Owner/Applicant for all expenses including copies of all back-up materials.

If, in the judgment of the Community Development Director, it appears that the amount deposited is insufficient to cover all expected expenses, the Owner/Applicant shall, within 15 days after written request from the City, make an additional deposit of funds to make up the deficiency.

At no time after submission of Improvement Plans for the Project shall the balance of the "Developers Account" be less than \$25,000. Delinquency charges of 2% per month shall be applied to the account balance which has not been brought up to this minimum balance within 30 days of notification by City of the need for supplemental deposit. The City reserves the right to stop work on the Project if the required minimum balance is not restored within 30 days of the above notification or if the account has insufficient funds to pay for any of the expenses referenced herein.

The need for the maintenance of this Developers Account shall cease upon completion of all of the following: 1) satisfaction of all conditions associated with the Conditional Use Permit; and 2) reimbursement for all costs should the remaining Owner/Applicant account funds not be sufficient to fully reimburse the City. Within 45 days after project completion the city shall return the remaining funds in the "Developers Account".

Improvement Plans, Soils/Geotechnical Investigation/Grading

16. **Improvement Plans.** The Owner/Applicant shall submit improvement plans in a form acceptable to the City for review and approval. The improvement plans shall be accompanied by supporting studies, technical specifications and detailed cost estimates. The improvement plans shall include grading plans, a geotechnical investigation, water supply, electrical power, street and parking area improvements, water and sewer system improvements, storm drainage and associated retention facilities, gas, electric, telephone and cable facilities, and any other necessary appurtenances and/or services. Unless otherwise noted, all improvement plans and specifications shall be designed and stamped by a Civil Engineer licensed in the State of California. Prior to the issuance of a Final Certificate of Occupancy for the project, the Owner/Applicant shall provide the final improvement plans and map documents to the City in digital format (AutoCADD and GIS Shape files).

17. **Storm Drainage.** A Storm Drainage Study shall be prepared by a registered Civil Engineer that analyses the amount of predevelopment and post-development runoff and the proposed drainage systems and structures to comply with city design standards. The Storm Drainage Study shall be reviewed and approved by the Public Works Director.

18. **Existing Water Wells.** Any existing on-site water wells at the project site shall be abandoned in compliance with Monterey County requirements.

19. **Oversizing or Overcapacity of Improvements.** City may require the Owner/Applicant to design and construct off-site water and sewer improvements, so they serve other developments outside of the Project. Such Oversizing shall be reasonable in scope and the Owner/Applicant shall receive credits and/or reimbursements for Oversizing.

20. **Structural Stability/Seismic Safety.** All structures shall be designed and constructed to resist a major earthquake as required by the latest edition of the California Building Code. All recommendations regarding seismic concerns identified in any geotechnical investigation prepared for the site shall be incorporated into the final building and improvement plans for the Project.

21. **Design of Public Improvements Performance/Payment Bonds.** All public improvements, shall be designed and constructed to the satisfaction of the Director of Public Works. Prior to city approval of the Improvement Plans the Owner/Applicant shall submit payment and performance bonds, each in an amount sufficient to cover 100 percent of the cost of the public improvements. The

Owner/Applicant shall provide the City with an engineer's estimate of the cost of said improvements for the purpose of determining the bond amount and such estimate shall be reviewed for adequacy and approval by the Director of Public Works. The estimate shall be prepared by the project Civil Engineer and shall be based on prevailing wage costs.

22. **Construction Meetings.** Prior to issuance of the Grading Permit the Owner/Applicant shall arrange a Preconstruction Meeting with city staff, city consultants, the Contractor, Subcontractors, Site Civil Engineer, Geotechnical Engineer of Record, Third Party QSD/QSP SWPPP Inspector and other parties.

Prior to issuance of the Building Permit, a similar meeting shall be arranged by the Owner/Applicant.

23. **Construction and Maintenance of On-site Utilities.** On-site wet utilities (i.e., water, sanitary sewer and storm drainage) shall be designed and constructed to City standards and subject to the review and approval of the Director of Public Works and accepted by the City prior to issuance of Final Certificate of Occupancy. All on-site utilities shall be privately maintained.

24. **Warranty and Workmanship of Public Improvements.** All public improvements, as shown on the Improvement Plans, or required by these conditions of approval, shall be constructed per City Standards and Regulations and approved by the Director of Public Works. The city may reject defective work and require its repair, replacement, or removal at no expense to City. All work shall meet the standards adopted or in current use by City, and otherwise shall conform to the approved plans and specifications.

All work is to be free of all defects of workmanship and materials for a period of one year after initial acceptance of the entire work by City. If defects in design, workmanship and materials actually appear during the guarantee period, and once corrected, the guarantee period with respect to such repairs shall automatically be extended for an additional year to ensure that such defects have actually been corrected.

25. **Soils Report/Geotechnical Investigation.** Improvement Plans submitted to the City for review and approval shall be accompanied by a soils report/geotechnical investigation. The project designer shall follow all recommendations included in soils report/geotechnical investigation when preparing the grading plan, site design and utility plans. The project soils engineer shall review the project plans and shall perform all recommended site inspections during construction.

26. **Grading & Excavation.** A registered geotechnical engineer shall perform on-site monitoring of all grading, excavation and compaction activities on the Project site and in the public rights-of-ways. Evidence of an agreement between the Owner/Applicant and a geotechnical engineer shall be submitted for review and approval by the Building Department/City Building Official and the City Engineer prior to the issuance of a grading permit. Said geotechnical engineer will submit evidence that grading, excavation and compaction were performed consistent with the recommendations of the geotechnical investigation.

27. **Parcel Map.** Prior to the issuance of a Final Certificate of Occupancy, the Owner/Applicant shall engage a Licensed Surveyor to prepare a parcel map for city approval to subdivide the existing parcel into three lots. The three lots shall be comprised of the project site, the parcel to the west of the project site (within the city currently zoned Highway Commercial) and a remainder parcel that is expected to remain in agricultural production.

28. **Congdon's Tarplant (BIO-1)** Prior to ground disturbance at the project site or off-site improvement locations, a biologist qualified in botany shall conduct a focused survey for Congdon's tarplant in accordance with current CDFW and CNPS rare plant survey protocols (CDFW 2018 and CNPS 2001). The survey shall occur during the peak blooming period for this species to determine its presence or absence (typically August through September). If possible, a known reference population of the target species in the project vicinity shall first be visited to verify that the species is observable, and the focused survey shall be conducted within two weeks of observing the reference population in full bloom.

The biologist shall then prepare a brief report documenting the results of the survey and, if appropriate, propose measures for avoiding or minimizing possible impacts to Congdon's tarplant before and during construction, as included below. If the focused survey concludes the species is not present within the project site boundary or at off-site improvement locations, or if it is present but impacts to it can be completely avoided, then no mitigation would be required.

If the focused surveys identify Congdon's tarplant within the project site boundary or at off-site improvement locations and it would be affected by the proposed project, then appropriate mitigation shall be developed by the biologist and implemented by the applicant prior to issuance of a grading permit. Measures may include, but are not limited to:

a. A qualified biologist shall identify an on-site or off-site mitigation area suitable for restoration of habitat and seed transplantation for this annual herb. The applicant shall be responsible for the placement of a conservation easement over the mitigation area and the provision of funds to ensure the restoration of the mitigation area and its preservation in perpetuity.

b. Prior to approval of a grading permit, a qualified biologist or native plant specialist shall perform seed collection from all special-status plants located within the impact areas and implement seed installation at the mitigation area at the optimal time. Additionally, topsoil from the special-status species occurrence area(s) shall be salvaged (where practical) for use in the mitigation area.

c. A maintenance and monitoring program shall be developed by a qualified biologist and established for a minimum of five years after mitigation area installation to verify that restoration activities have been successful. Maintenance activities may include, but not be limited to, watering during the plant establishment period, supplemental seed planting as needed, and removal of non-native plants. Monitoring shall include, at a minimum, quarterly monitoring reports for the first year and annual reports for the remaining four years. The performance standard for successful mitigation shall be a minimum 3:1 replacement ratio (i.e., three plants observed in mitigation area for each plant lost from the project site or off-site locations) achieved in at least one of the five years of monitoring.

29. **Special Status Training (BIO-2).** Prior to ground disturbance at the project site or off-site improvement locations, a qualified biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of special-status species potentially occurring in the project vicinity, including, but not limited to, California tiger salamander, burrowing owl, and nesting birds and raptors. Their habitats, general measures that are being implemented to conserve species as they relate to the project, and the boundaries within which construction activities will occur will be explained. Informational handouts with

photographs clearly illustrating the species' appearances shall be used in the training session. All new construction personnel shall undergo this mandatory environmental awareness training.

The qualified biologist will train biological monitors selected from the construction crew by the construction contractor (typically the project foreman). Before the start of work each day, the monitor will check for animals under any equipment such as vehicles and stored pipes within active construction zones. The monitor will also check all excavated steep-walled holes or trenches greater than one foot deep for trapped animals. If a special-status species is observed within an active construction zone, the qualified biologist will be notified immediately and all work within 50 feet of the individual will be halted and all equipment turned off until the individual has left the construction area.

Evidence of completion of this training shall be submitted to City of Gonzales Community Development department prior to ground disturbance.

30. **Tiger Salamanders (BIO-3).** Prior to ground disturbance, the applicant shall initiate consultation with the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife to determine the appropriate path forward for a construction project within the immediate vicinity of known hybridized (*Ambystoma californiense* X *Ambystoma tigrinum*) salamander populations.

If determined necessary during consultation, the applicant shall hire a qualified biologist to collect genetic samples of salamanders occupying agricultural detention basins or ponds within or adjacent to the project site and off-site improvement locations at least once per month in March, April, and May. The DNA shall then be analyzed to determine the genetic composition of the samples. If no salamanders are found, no further mitigation other than construction personnel training (Mitigation Measure 2) is necessary.

If salamanders are found, the applicant shall submit the results of the genetic analysis to U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife and obtain Incidental Take Authorization from the U.S. Fish and Wildlife Service and/or California Department of Fish and Wildlife, if necessary. Applications for Incidental Take Authorization require the identification of measures suitable to avoid, minimize, or mitigate impacts to the species and its habitat. In addition to protective measures implemented during construction specified in the permits, mitigation for the loss of breeding, aestivation, and/or dispersal habitat will also be a part of the permit requirements. The appropriate method of conservation and number of credits required will be determined during the consultation process.

Documentation of compliance with this measure shall be submitted to the City of Gonzales Community Development Department prior to ground disturbance.

31. **Burrowing Owls (BIO-4).** To avoid loss of or harm to burrowing owl, the following measures shall be implemented:

a. Prior to issuance of the Grading Permit, the applicant shall retain a biologist qualified in ornithology to conduct surveys for burrowing owl. The qualified biologist shall conduct a two-visit (i.e., morning and evening) presence/absence survey at areas of suitable habitat on and adjacent to the project site boundary, and at off-site improvement locations, no less than 30 days

prior to the start of grading. Surveys shall be conducted according to the methods for take avoidance described in the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012). If no burrowing owls are found, a letter report confirming absence shall be prepared and submitted to the Community Development Director and no further measures are required.

b. Because burrowing owls occupy habitat year-round, seasonal no-disturbance buffers, as outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012), shall be in place around occupied habitat prior to and during any ground disturbance activities. The following table includes buffer areas based on the time of year and level of disturbance (CDFW 2012), unless a qualified biologist approved by the California Department of Fish and Wildlife verifies through non-invasive measures that either: 1) birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance Buffers (meters)		
		Low	Medium	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

32. **Nesting Birds (BIO-5).** It is possible that birds may nest in locations other than actively farmed agricultural fields. These locations could include the planned process water storage pond area and areas where planned off-site water main and sewer main alignments pass through non-actively farmed agricultural fields. To avoid impacts to nesting birds during the nesting season (January 15 through September 15), all construction activities in these areas should be conducted between September 16 and January 14, which is outside of the bird nesting season. If construction or project-related work is scheduled during the nesting season (February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct nesting bird surveys in these areas as follows.

a. Two surveys for active bird nests will occur within 14 days prior to start of construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding each work area are typically 250 feet for passerines, 500 feet for smaller raptors, and 1,000 feet for larger raptors. Surveys will be conducted at the appropriate times of day to observe nesting activities. Locations to which access is not available, if any, may be surveyed from public areas. If no nesting birds are found, a letter report confirming absence shall be submitted to the City of Gonzales Community Development Department and no further mitigation is required.

b. If the qualified biologist documents active nests, an appropriate buffer between each nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young birds have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of each nest to characterize “normal” bird behavior and establish a buffer distance, which allows the birds to exhibit normal behavior. The

biologist shall monitor the nesting birds during construction activities and increase the buffer if birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the biologist or construction foreman shall have the authority to cease all construction work in the area until the young birds have fledged and the nest is no longer active. Once the absence of nesting birds has been confirmed, a letter report shall be submitted to the Community Development Director.

33. **Drainage Ditch (BIO-6).** Prior to any grading that affects the drainage ditch that traverses the project site, or the drainage ditch along the south side of Gloria Road that could be affected by Gloria Road widening construction activities, and the drainage ditches that would be affected by constructing either off-site water main alignment, the applicant will retain a qualified biologist to determine the extent of potential wetlands and waterways regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW).

If the USACE claims jurisdiction, the applicant shall obtain a Clean Water Act Section 404 Nationwide Permit. If the impacts to the drainage ditches do not qualify for a Nationwide Permit, the applicant will proceed in obtaining an Individual Permit from the USACE. The applicant will then coordinate with the RWQCB to obtain a Clean Water Act Section 401 Water Quality Certification. If necessary, the applicant will coordinate with the CDFW to obtain a Streambed Alteration Agreement.

To compensate for temporary and/or permanent impacts to wetlands and Waters of the U.S. that would be impacted as a result of the proposed project, mitigation shall be provided as required by the regulatory permits. Mitigation would be provided through one of the following mechanisms:

a. A Wetland Mitigation and Monitoring Plan shall be developed that outlines mitigation and monitoring obligations for temporary impacts to wetlands and other waters as a result of construction activities. The Wetland Mitigation and Monitoring Plan would include thresholds of success, monitoring and reporting requirements, and site-specific plans to compensate for wetland losses resulting from the project. The Wetland Mitigation and Monitoring Plan shall be submitted to the appropriate regulatory agencies for review and approval during the permit application process.

b. To compensate for permanent impacts, the purchase and/or dedication of land to provide suitable wetland restoration or creation shall ensure a no net loss of wetland values or functions. If restoration is available and feasible, a minimum 1:1 impact to mitigation ratio would apply to projects for which mitigation is provided in advance.

For improvements on the project site or off-site improvement locations, the applicant shall comply with terms and conditions of the permits, including measures to protect and maintain water quality, restore work sites, and mitigation to offset temporary and/or permanent wetland impacts. The applicant shall be responsible for implementation of this mitigation measure prior to issuance of a grading permit.

34. **Cultural Resources (CUL-1).** If archaeological resources are discovered during project grading, then all work should be stopped within 50 meters (165 feet) of the find until a qualified

professional archaeologist can evaluate it. If the find is determined to be significant, then appropriate mitigation measures will be formulated and implemented. The following language shall also be included on all project plans: *“If any archaeological resources are discovered during grading or construction, all work shall be immediately halted and appropriate personnel, including a qualified Native American representative, shall be contacted and consulted. Based on these consultations, appropriate measures shall be taken to protect the discovered resources, and only after such measures have been implemented shall grading or construction continue.”*

35. **Cultural Resources (CUL-2).** If human remains are found during construction activities, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Monterey County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner will contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission will identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The most likely descendent may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in California Public Resources Code Section 5097.98. The landowner or their authorized representative will rebury the Native American human remains and associated grave goods, with appropriate dignity, on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify the most likely descendent or the most likely descendent failed to make a recommendation within two working days after being allowed access to the site; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

36. **Construction Impacts from Fugitive Dust (AQ-1).** To reduce dust emissions and Toxic Air Contaminants (TACs) from grading and construction activities, the applicant shall prepare a Construction Management Plan for review and approval of the Community Development Director or his/her designate prior to issuance of a grading permit. The Construction Management Plan shall include the following language in all bid documents and grading and construction plans, with measures to be implemented by the Contractor:

1. All exposed surfaces (e.g., parking areas, staging area, soil piles, graded areas, and unpaved access roads) will be watered with non-potable water twice per day, at a minimum;
2. All haul trucks transporting soil, sand, or other loose material off-site will be covered;
3. All vehicle speeds on unpaved roads will be limited to 15 miles per hour;
4. All roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used;
5. Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations. Clear signage shall be provided for construction workers at all access points;

6. All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and
7. Stage construction equipment and materials as far away from residential land uses to the extent feasible.
8. Heavy-duty diesel vehicles will have 2010 or newer model year engines, in compliance with the California Air Resources Board's Truck and Bus Regulation, and will not be staged within 500 feet of occupied residences; and
9. All non-road diesel construction equipment will, at a minimum, meet Tier 3 emission standards listed in the Code of Federal Regulations Title 40, Part 89, Subpart B, Section 89.112. Further, where feasible, construction equipment will use alternative fuels such as compressed natural gas, propane, electricity or biodiesel.

37. **Dust Control.** Prior to the issuance of a grading permit, the Owner/Applicant shall submit a construction dust mitigation plan for review and approval by the Director of Public Works. The plan shall specify the methods of dust control that would be utilized, demonstrate the availability of needed equipment and personnel, use of reclaimed water for dust control, and identify a responsible individual who, if needed, can authorize implementation of additional measures. The dust mitigation plan shall incorporate Best Management Practices to be implemented during all construction activities, including but not limited to the following:

- a. Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure (and prevent visible emissions and off-site drift);
- b. Perform grading activities primarily during morning hours when wind is calmer, and prohibit all grading activities during periods of high wind (over 15 mph);
- c. Haul trucks shall maintain at least 2 feet of freeboard;
- d. All trucks hauling dirt, sand, or loose materials shall be covered;
- e. Cover inactive storage piles;
- f. Install wheel washers at the entrance to construction sites for all exiting trucks;
- g. Post a publicly visible sign that specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance);
- h. Plant vegetative ground cover in disturbed areas as soon as possible;
- i. Sweep street if visible soil material is carried out from the construction site; and
- j. Limit the area under construction at any one time.

38. **Construction Equipment Emissions.** The Owner/Applicant shall be aware that the Air District suggests that cleaner construction equipment be used for the project, including equipment that conforms to ARB Tier 3 or Tier 4 emission standards. The District further recommends that, whenever feasible, construction equipment use alternative fuels such as compressed natural gas (CNG), propane, electricity or biodiesel.

Storm Water Pollution Prevention

39. **Storm Water Pollution Prevention Plan.** Prior to issuance of a grading permit, the Owner/Applicant shall receive approval of a site-specific Storm Water Pollution Prevention Plan (SWPPP) by the City Public Works Director. The SWPPP shall comply with the State NPDES Construction Permit or local ordinance, whichever is stricter. The Plan should cover prevention of soil loss by storm water run-off and/or wind erosion, of sedimentation, and/or of dust/particulate matter air pollution. A copy of the approved SWPPP shall be onsite during project construction. Obtaining the appropriate operational permit is also required prior to the issuance of an occupancy permit.

40. **State Water Resources Control Board Industrial Permit.** The Owner/Applicant is responsible for determining if the project needs to comply with the State's General Permit for Storm Water Discharges Associated with Industrial Activities including on-site sampling requirements. If the project must comply with this Storm Water Permit, the Owner/Applicant shall take all appropriate actions and all design, permitting and construction costs shall be borne by the Owner/Applicant.

41. **State Water Resources Control Board Phase II Small MS4 NPDES Permit.** Owner/Applicant shall be aware that a Storm Water Control Plan (SCP) will be required as a result of the City of Gonzales' enrollment on, July 1, 2013, into the "State Water Resources Control Board Water Quality National Pollution Discharge Elimination System (NPDES) General Permit for Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) – Order No. 2013-0001-DWQ, General Permit CAS000004."

The Stormwater Control Plan (SCP) shall be reviewed and approved by the Public Works Director prior to the first Certificate of Occupancy. The SCP shall be prepared by a registered civil engineer, in conformance with the Post Construction Standards outlined in Section XII of the "General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities Order No. 2009-0009-DWQ as amended by 2010-0014-DWQ and 20 12-0006-DWQ". The SCP must include an Operation and Maintenance (O&M) Plan that addresses maintenance procedures and intervals for each SCM and identifies the responsible party to conduct maintenance. A maintenance Agreement will be required to ensure on-going maintenance for the life of the facility. The Agreement shall include the project owner's signed statement accepting responsibility for the O&M of the installed onsite and/or offsite structural treatment and flow control SCMs until such responsibility is legally transferred to another entity; and either:

- a. Written conditions in the sales or lease agreements or deed for the project that require the buyer or lessee to assume responsibility for the O&M of the onsite and/or offsite structural treatment and flow control SCM until such responsibility is legally transferred to another entity; or
- b. Any other legally enforceable agreement or mechanism, such as recordation in the property deed, that assigns responsibility for the O&M of the onsite and/or offsite structural treatment and flow control SCM to the project owner(s) or the City.

42. **Design of Storm Water Facilities.** The Owner/Applicant shall utilize the *Post-Construction Stormwater Management Requirements for Developments Projects in the Central Coast Region (Resolution No. R3-2013-0032)* for the design of storm water retention facilities to be constructed to mitigate the increase in runoff due to development of the project. In addition, the project shall retain the

100-year storm return period. A registered Soils/Geotechnical Engineer shall perform on-site soil testing and percolation tests to determine the estimated infiltration rate for design purposes. A registered Civil Engineer shall prepare a hydrology/hydraulics report based on storm hydrographs and other criteria in the Monterey County Drainage Design Manual. The results of all tests and the hydrology/hydraulics report shall be reviewed and approved by the City Engineer.

43. **On-site Storage and Treatment of Industrial Wastewater.** The Owner/Applicant has proposed the enlargement of a basin on applicant-owned property at its own expense outside the City and proposed annexation area to serve the project. Prior to the issuance of a Certificate of Occupancy for the project, the applicant shall obtain and provide evidence to the City of Gonzales of completed permits for storage of industrial wastewater at the adjacent site from the Central Coast Regional Water Quality Control Board, Monterey County Environmental Health Department and any other governmental agency with jurisdiction with regard to public health, groundwater or vector control matters. Any lagoons, ponds or other storage of industrial wastewater shall be lined to the satisfaction of the determining officers of the relevant agencies.

44. **Compliance with City of Gonzales Ordinance No. 2015-83.** The Owner/Applicant shall comply with the applicable provisions of Ordinance No. 2015-83, including those provisions contained in the Gonzales City Code at Chapter 10.24 Water Efficient Landscape Design Requirements and Chapter 10.28 Stormwater Quality Management and Discharge Control.

Water Conservation & Wastewater Allocation, Discharge and Monitoring

45. **Water Conservation.** Prior to the issuance of a building permit, the Owner/Applicant shall submit to the City a water conservation plan for review and approval by the Director of Public Works and the City Engineer that includes the information outlined in GCC Chapter 10, §10.08.050. If practical, the Owner/Applicant should consider recycling of and reuse of the water that is used on the site.

46. **Industrial Wastewater Discharge.** Concurrent with the submittal of Improvement Plans and/or prior to the issuance of a building permit, the Owner/Applicant shall cause the preparation of a plan for review and approval by the Director of Public Works that addresses on-site storage, conveyance and disposal of industrial wastewater associated with operation of the facility.

An Industrial Wastewater Discharge permit in compliance with the city's Industrial Wastewater Pretreatment Program shall be obtained prior to any industrial wastewater discharge.

The Industrial Wastewater Discharge plan shall address the volume of flow discharged by the project, including effluent constituents, and the manner in which the wastewater is treated and disposed of (GCC Chapter 10, §10.16.100(A)(1)&(2)). Prior to the issuance of a building permit, the Owner/Applicant shall obtain approvals for project-related Industrial Wastewater Improvements from the Central Coast Regional Water Quality Control Board, the County of Monterey Health Department and the City.

47. **Wastewater Allocation.** City assigns to the property a total wastewater capacity allocation of 5,740 gallons/day (gpd) consisting of 0.0 gpd of industrial wastewater (aka ag-wash water) and 5,740 gpd of domestic wastewater, subject to rules and regulations provided in Gonzales City Code Chapter

10.16 titled “Sewage Disposal”, and compliance with all other terms and conditions contained in these conditions of approval, and all other terms and conditions otherwise applied to said operations.

48. **Wastewater Discharge and Monitoring.** Concurrent with submittal of Improvement Plans, the Owner/Applicant shall cause the design and installation, at its sole expense, a sewer discharge flow meter and effluent constituent sampling station & enclosure for use by City in monitoring project discharges from the industrial wastewater discharge line (GCC Chapter 10.16, §10.16.100(C)(1)). Plans for the monitoring station shall be subject to the review and approval of the Director of Public Works.

The Owner/Applicant is required to properly install and maintain a flow meter to measure effluent flow at the constituent sampling station & enclosure. The type of meter shall be determined by the Director of Public Works. The effluent flow meter shall include a refrigerated programmable composite sampler and shall display instantaneous flow and totalized flow that is recorded on a 7 day chart recorder. The city may require calibration of the flow meter when the City deems it necessary, but at a minimum on an annual basis. Following installation, the monitoring station shall be accessible to City Public Works employees and shall be maintained and kept in good working order at all times. The sampling station shall be designed to ensure that electrical power is continual and without any interruptions.

The Owner/Applicant shall pay for all laboratory analysis required for compliance with this condition of approval.

49. **Concentration of Industrial Waste.** The Owner/Applicant shall provide proper screens to reduce the concentration of industrial wastes to acceptable levels. The mesh (screen) shall be of sufficient fineness to prevent the entrance of objectionable slugs of solids to the industrial sewer line. Screens shall be located to be readily and easily accessible for cleaning and inspection. Discharges shall insure that screen be replaced or cleaned without releasing slugs of materials into the industrial waste system. The Owner/Applicant shall consult with the Director of Public Works as to the type of screen and its location.

50. **Exceedance of Daily Flow and/or Prohibited Discharges.** If average daily flow (discharge of wastewater, as determined from an average metered for any period of 12 consecutive months) should exceed the permitted volume of 5,740 gallons/day (gpd), the Owner/Applicant shall pay to City the additional impact fee or fees, based on the amount by which average daily flow exceeds the permitted discharge.

Circulation (On- and Off-site) and Parking

51. **Gloria Road Dedication.** Prior to the issuance of the Grading Permit for the project, Owner/Applicant shall, at its own expense, dedicate to the City the necessary required right-of-way to allow for a total of 81 feet for the ultimate roadway section for Gloria Road across the project frontage.

52. **Gloria Road Improvements.** Prior to issuance of the initial temporary or permanent Certificate of Occupancy, the Owner/Applicant shall have completed construction of roadway improvements along Gloria Road according to the adopted street section in the Sphere of Influence Circulation Study (prepared by Kimley-Horn, December 8, 2019). The improvements shall conform and “taper” to existing road improvements at each end of the project frontage.

The improvement plans shall accommodate the future roundabout at the intersection of Gloria Road/Herold Parkway. The plans, specifications, and cost estimates shall be approved by the Public Works Director. Construction of the roadway improvements shall be inspected by the city and any defects shall be addressed prior to issuance of the initial temporary or permanent Certificate of Occupancy.

53. **Herold Parkway Dedication.** Prior to the issuance of the Grading Permit for the project, the Owner/Applicant shall, at its own expense, provide the city with an irrevocable offer to dedicate the 80-foot of right-of-way to the City of Gonzales for the future extension of Herold Parkway from the northern edge of the property to the future intersection of Gloria Road, according to approved project plans. Such dedication is intended to be centered along the western boundary of the annexation site and final alignment shall be reviewed and approved by the Public Works Director.

54. **Encroachment Permit.** The Owner/Applicant shall obtain encroachment permits from the City for any work to be performed in City public rights-of-way, from the County for any work to be performed within the Monterey County rights of way, and from the California Department of Transportation for any work to be performed in the State rights-of-way. Any work in these rights-of-way shall be performed by contractors licensed in the State of California.

55. **Internal Parking Areas & Fire Lanes.** Prior to the issuance of any temporary and/or Final Certificate of Occupancy for the Project, or a portion thereof, Owner/Applicant shall construct the parking lot and internal paved areas to City standards, subject to approval by the City's Public Works Director. If applicable, fire lanes shall be posted and maintained in areas determined appropriate and approved by the Fire Marshal.

56. **On-Site Parking.** Pursuant to the project description, the Owner/Applicant shall provide a minimum of 400 on-site parking spaces, including nine (9) accessible parking spaces. 61 parking spaces nearest to employee entrances (except as required by accessibility requirements) shall be designated as "Carpool-Only" spaces. Prior to the issuance of any temporary and/or Final Certificate of Occupancy for the entire Project, or a portion thereof, the Owner/Applicant shall ensure that all required parking spaces are provided, striped and ready to use. At no time shall the Owner/Applicant utilize Gloria Road to satisfy the parking needs for the operation of the processing facility. Additionally, the Owner/Applicant shall continually monitor parking operations on the site and additional parking spaces shall be provided on-site to offset the demand if an insufficient parking supply is observed. EV Charging stations shall be installed per the 2023 Calif Building Code.

57. **Off-Street Traffic Flow Markings.** Prior to the issuance of any temporary and/or Final Certificate of Occupancy for the Project, or a portion thereof, the Owner/Applicant shall ensure that all off-street parking areas are provided with entrance, exit and traffic flow markings so arranged and marked as to provide for orderly and safe parking of automobiles, subject to the approval of the Director of Public Works and the City Engineer.

58. **Damage to Curb and Gutter and Street Paving within the Public Right-of-Way.** Prior to issuance of a grading permit, the Owner/Applicant shall submit documentation (e.g., photographs) illustrating the condition of all curb and gutter and street pavement within the public right-of-way along the frontage of the site. Prior to the issuance of any temporary and/or Final Certificate of Occupancy for the entire Project, or a portion thereof, the Director of Public Works shall inspect the curb and gutter and street paving along the frontage of the project site and based upon comparison with previously

submitted materials shall determine what, if any, items should be replaced due to having been damaged or destroyed. Any damaged portions of the existing roadway shall be replaced to the satisfaction of the City's Public Works Director.

59. **Frontage Improvement Plans and Access Driveway.** The number and location of project driveways shall be designed to City standards and is subject to the review and approval of the Director of Public Works. Improvement Plans shall include truck turning templates to demonstrate the driveway location, design radii, sight distance, setbacks and geometric layout shall result in all vehicles that enter and exit the site travel in appropriate traffic lanes.

60. **Utility Easements.** The Owner/Applicant shall dedicate all required easements for utility, streets and public access ways to the City to the satisfaction of the City's Public Works Director.

Fencing and Landscaping (On- and Off-site)

61. **Perimeter Fencing.** Chain-linked fencing may be constructed along the rear, side and interior portions of the property. The fencing shall include PVC or wooden slats and/or vegetative screening, which method shall be coordinated with the Director of Community Development. Barbed wire or razor fencing shall not be permitted on any perimeter fence due to aesthetic and public safety concerns.

62. **Gloria Road Landscaping.** At the time Improvement Plans are submitted, the Owner/Applicant shall submit a detailed landscape/irrigation plan and specifications for areas within the public right-of-way to the property line along Gloria Road. Landscaping, including street trees shall be consistent with the approved landscaping plans. Minor deviations between the submitted Plan and any approved master plan may be approved by the Director of Community Development and Public Works Director. The landscape plan shall include a table for demonstrating compliance with required ratios or percentages of landscaping, site coverage, etc.

Upon approval of the Landscaping Plan, the Owner/Applicant shall enter into an agreement with the City, which discusses the time frame for the installation of the irrigation and landscaping, and provide the City with financial security in an amount sufficient to cover 100 percent of the cost for the installation of the irrigation and landscaping improvements guaranteeing that the installation will occur.

Prior to the issuance of a Final Certificate of Occupancy, the Owner/Permittee shall cause the installation of the landscaping and irrigation improvements to occur in conformance with City standards and specifications (*City of Gonzales Public Works Department Design Standards and Standard Specification*). Installation of the improvements shall be certified by a licensed landscape architect or licensed landscape contractor in accordance with the approved detail plans and specifications.

A one (1) year plant establishment period shall go into effect once the City issues a Final Certificate of Occupancy. The Owner/Applicant shall maintain the landscaping and irrigation system for the duration of the one (1) year plant establishment period at his/her sole expense. The plant establishment responsibility and irrigation guarantee shall conform to the City's design standards and standard specifications. Thirty (30) days prior to the expiration of the plant establishment period, the Owner/Applicant shall perform a walk-through with the Director of Public Works to assess the condition of the landscaping.

Prior to the release of financial security, the Owner/Applicant shall have the installation of the irrigation system and landscaping certified by a licensed landscape architect or licensed landscape contractor, has having been installed in accordance with the approved detail plans..

63. **On-Site Landscaping.** At the time Improvement Plans are submitted, the Owner/Applicant shall submit a detailed landscape/irrigation plan and specifications for areas on-site for review and approval by the Director of Community Development and the Director of Public Works, providing details, per City standard of ground cover, shrubs and trees proposed on-site and within parking areas (GCC §12.120.070(C) and §12.120.100 (B through F)). The landscape plan shall include a separate table for each calculation demonstrating compliance with required ratios or percentages of landscaping, site coverage, etc. Prior to the issuance of a Final Certificate of Occupancy, the Owner/Permittee shall cause the installation of all on-site landscaping and irrigation improvements

64. **Noise/Fence along Eastern Boundary (N-1).** The applicant shall implement one or a combination of measures to reduce noise levels along the eastern fence line of the facility to City standards. The measure options include, but may not be limited to:

a. Construct a soundwall along the entire eastern facility fence line to a minimum height of 8.5-feet above the receiver site elevation to reduce noise levels east of the eastern fence line by a minimum of 5 dB. The exact noise level reduction provided by the wall is dependent on the potential location of sensitive receptors within this area, with the respect to the wall. An 8.5-foot sound wall would provide adequate noise attenuation at potential ground level outdoor activity at potential future, adjacent noise sensitive uses. Suitable construction materials include concrete blocks, masonry, or stucco on both sides of a wood or steel stud wall; and/or

b. Incorporate industrial types of sound attenuating enclosures, sound absorbing materials, or other appropriate localized sound attenuation measures to reduce noise levels at/near the individual processing equipment noise sources. The attenuation measures and their effectiveness shall be selected in consultation with a qualified acoustical consultant to be retained by the applicant; and/or;

c. Redesign the project site plan to locate noise-producing equipment further from the eastern property line (e.g., along the south side of the facility).

If the applicant chooses to construct a soundwall, plans for the soundwall shall be included on the construction drawings and soundwall height and specifications confirmed by the City of Gonzales Building Department prior to issuance of a building permit. If “at source” noise reduction measures and/or site redesign options are pursued by the applicant, the applicant shall retain a qualified acoustical consultant to evaluate and demonstrate that measures have been selected which are sufficient to meet the City’s noise standards at the eastern facility fence line. The measures shall be included in the project plans for review and approval by the Community Development Director prior to issuance of a building permit. If a soundwall is constructed, it shall be completed prior to issuance of a building permit for the first future project approved for land located directly adjacent to the eastern facility fence line.

65. **Noise/Fence Along Northern Boundary (N-2).** The applicant shall either construct a soundwall along the entire northern facility fence line (parcel boundary) or eliminate loading dock activities between 10:00 p.m. and 7:00 a.m. If the soundwall option is selected, it shall be

constructed to a minimum height of 8.5-feet above the receiver site elevation to reduce noise levels north of the northern facility fence line by a minimum of 5 dB. The exact noise level reduction provided by the wall is dependent on the potential location of sensitive receptors within this area, with the respect to the wall. An 8.5-foot sound wall would reduce nighttime loading dock noise levels at the northern fence line to below City threshold by providing adequate noise attenuation at ground level outdoor activity areas of potential future, adjacent noise sensitive uses. Suitable construction materials include concrete blocks, masonry, or stucco on both sides of a wood or steel stud wall.

If the applicant chooses to construct a soundwall, plans for the soundwall shall be included on the construction drawings and soundwall height and specifications confirmed by the City of Gonzales Building Department prior to issuance of a building permit. If a soundwall is constructed, it shall be completed prior to issuance of a building permit for the first future project approved for land located directly adjacent to the northern facility fence line. If the applicant chooses to prohibit loading dock activities from 10:00 p.m. and 7:00 a.m., this shall be attached a condition of project approval by the Community Development Director prior to approval of a general plan amendment or a project-specific entitlement if one is required by the City.

Fire Safety and Hazardous Materials

66. **Hazardous Materials/Fire Safety.** Location and storage of combustible materials shall be in compliance with the Fire Code and shall be checked and approved by the Fire Marshal. All hazardous materials storage and disposal shall be accomplished in accordance with the Monterey County Health Department and applicable local, State and federal agency guidelines and requirements and shall be subject to inspection by the Fire Marshal. Prior to the issuance of any temporary and/or Final Certificate of Occupancy for the entire Project, or a portion thereof:

- a. Provide to the Fire Marshal for review and acceptance a copy of the Monterey County Health Department approved Hazardous Materials Management Plan (HMMP);
- b. Provide a Hazardous Material Inventory Statement (HMIS) for review and acceptance by the Fire Marshal.
- c. Install Knox Box key access to any portions of site that will be located behind locked gates and to the main access doorway of all buildings which may be necessary to access during emergencies in accordance with the requirements of the Fire Marshal.
- d. Install a fire sprinkler system throughout the building, including a Post Indicator Valve. Install an alarm and warning system in association with the fire sprinkler system per requirements of the Public Safety Director and/or Fire Marshal.
- e. Submit a plan for street numbering for review and approval by the Public Safety Director and/or Fire Marshal. All entrances from the street to the building shall be properly numbered so that the number may be readily seen from the street. Numerals shall be at least 4" and shall be of a highly contrasting color to the background (e.g., black numerals on a white background).

67. **Fire Safety Inspection.** Prior to the issuance of any temporary and/or Final Certificate of Occupancy for the entire Project, or a portion thereof, the Owner/Applicant shall contact the Fire

Marshal and request a meeting to discuss the layout of the carton bays and pallet storage area (for example, there shall be an eight-foot setback from all perimeter fencing). The final layout of the carton storage yard, its carton bays and pallet storage area is subject to the satisfaction of the Director of Public Safety and/or Fire Marshal. The fire safety inspection is subject to the payment of all applicable fees.

68. **Environmental Site Assessment (HAZ-1).** Prior to the issuance of a grading permit, the applicant shall prepare a Phase I Environmental Site Assessment to determine the potential for or actual presence of hazardous material conditions, including agricultural chemical residues, in all locations that would be disturbed to construct the project, including off-site improvement locations. The applicant shall report the results of the Phase I Environmental Assessment to the Community Development Director prior to issuance of a grading permit.

If potential or actual hazardous materials conditions are identified that require preparation of a Phase II Environmental Site Assessment, the applicant shall be responsible for conducting the assessment and shall submit the assessment to the Community Development Director for review. The applicant shall be responsible for implementing all recommendations and requirements for remediation of hazardous materials conditions identified therein, should such conditions be identified. Hazardous materials removed from the site shall be managed consistent with regulations contained in the California Code of Regulations, Title 22 Division 4.5. Certification that remediation actions have been completed shall be provided to the Community Development Director prior to issuance of a grading permit.

Diversion of Solid Waste and Construction/Demolition Debris (Recycling)

69. **Diversion of Commercial Solid Waste (Recycling).** Prior to the issuance of a temporary and/or Final Certificate of Occupancy, the Owner/Applicant shall receive city approval of a comprehensive recycling and waste management plan. The content and implementation measures of the Plan shall conform to guidelines promulgated by the City of Gonzales. The plan shall include, but not be limited to, a program for implementing waste prevention activities, providing adequate containers for recyclable materials (e.g., paper, plastic, glass, metal and cardboard). Preparation of the Plan shall be coordinated with the City's Recycling Coordinator and reviewed and approved by the Public Works Director.

70. **Diversion of Construction & Demolition Debris (Recycling).** Prior to the issuance of a Demolition Permit and/or Building Permit, the Owner/Applicant shall cause the preparation of a Construction and Demolition Debris Waste Management Plan for the project. The content and implementation measures of the Plan shall conform to guidelines promulgated by the City of Gonzales, as summarized in a handout entitled "*City of Gonzales Construction & Demolition Recycling Requirement Review for: Demolition, New Construction & Roofing*". The Plan shall include, but not be limited to, a Construction Waste Management Plan, Construction Waste Management Worksheet and Inventory of Waste Material Type and Diversion Method, and Waste Reduction & Recycling Plan. Preparation of the Plan shall be coordinated with the City's Recycling Coordinator, and reviewed and approved by the Coordinator and the City Building Official.

71. **SB 1383 Compliance (Organics Recycling).** The facility will be required to meet State requirements under SB 1383 which are as follows:

- a. Businesses must provide organic waste collection services for employees, contractors and customers on premises and must supply and allow access to an adequate number, size, and location of containers with the correct labels or container colors.
- b. Annually educate employees, contractors, customers, and tenants on how to properly sort organic waste into the correct bins, and employees, contractors, and customers must properly sort organic materials into the correct containers at business establishments.
- c. Businesses are required to either subscribe to and participate in their jurisdiction’s organics curbside collection service or self-haul organic waste to a specified composting facility, community composting program, or other collection activity or program.
- d. Businesses must provide collection containers for organic waste and recyclables in all areas where disposal containers are provided for customers, except in restrooms. However, if a business does not generate any of the materials that would be collected in a specific container, then it does not have to provide that particular container.
- e. Internal containers must conform to the proper color requirements or labeling requirements.
- f. Businesses must periodically inspect organic waste containers for contamination and inform employees if containers are contaminated and instruct employees about how to properly sort material into the correct containers.

I hereby declare that I have read the foregoing conditions and that they are the conditions which were imposed upon the granting of this permit. I agree to abide fully by these conditions.

Date: _____

Owner: Rianda Family Partnership

By: _____

Title: _____

CITY OF GONZALES

Date: _____

 Taven Kinison Brown
 Community Development Director

Any action or decision of the Director of Community Development may be appealed to the Planning Commission in the manner set forth in GMC § 12.29.080.

[END OF CONDITIONAL USE PERMIT 2023-02]

Please click the link below to view exhibit:

**Exhibit B: Gonzales Cooler Development
Project Description**

RESOLUTION NO. PC 2023-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GONZALES RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE INITIATION OF A 48.97-ACRE ANNEXATION REQUEST WITH THE MONTEREY COUNTY LOCAL AGENCY FORMATION COMMISSION

WHEREAS, the adopted City of Gonzales 2010 General Plan defines and designates certain lands for urban growth and development within areas designated by the General Plan; and

WHEREAS, the City of Gonzales and the County of Monterey developed, adopted, and signed a memorandum of agreement (MOA) in 2014, incorporated herein by reference, to cooperate on common planning, growth, and development issues; and

WHEREAS, the MOA established planning principles for both parties to promote logical and orderly development, direct development away from the best agricultural lands, stay within the urban growth boundary established by the City’s General Plan and the MOA, and provide compact urban form development through the use of specific plans; and

WHEREAS, the Monterey County Local Agency Formation Commission (“LAFCO”) is the agency with jurisdiction over Sphere of Influence (SOI) amendments and reorganizations of boundaries within Monterey County; and

WHEREAS, the Planning Commission of the City of Gonzales recommends that the City Council requests that proceedings to apply to LAFCO for reorganization are initiated, including annexation of approximately 48.97 acres of property (“Subject Property”) to the city as illustrated on a map prepared by the Rianda Family Partnership’s engineer as shown in “Exhibit A”, incorporated herein by reference, and which property currently falls within Assessor Parcel Number 223-032-019 located at 31958 Gloria Road; and

WHEREAS, on April 24th, 2023, the Planning Commission conducted a noticed public hearing to consider a recommendation to the City Council for initiating reorganization proceedings, and considered the Staff Report and oral report for this item; and

WHEREAS, notice of the public hearing on this resolution was given and published in the manner required by law and by the City of Gonzales, and the public hearing on this resolution was held on April 24th, 2023 before the Planning Commission; and

WHEREAS, the City of Gonzales complied with the requirements of the California Environmental Quality Act (“CEQA”), and considered and certified the Final Environmental Impact Report for the City of Gonzales 2010 General Plan, the 2014 General Plan EIR Sphere of Influence Expansion Addendum and the Planning Commission has reviewed and recommended that the City Council adopt the Initial Study/Mitigated Negative Declaration for the proposed Gloria Road Agricultural Cooler Project; and

WHEREAS, the Planning Commission of the City of Gonzales finds and recommends to the City Council that the principal reasons for the proposed reorganization of boundaries, including annexation to the City of Gonzales, are as follows:

1. The Planning Commission finds that the proposed reorganization (annexation) is consistent with and facilitates the fulfillment of the goals, policies and objectives set forth in the City of Gonzales General Plan; and

2. The plan area and subject property is proposed for future development pursuant to the 2010 Gonzales General Plan, and the proposed General Plan Amendment which are incorporated herein by reference; and

3. The Planning Commission recommends that the City of Gonzales City Council initiate a consultation with Monterey County and LAFCO for the reorganization,; and

4. The Planning Commission finds that this Reorganization, including Annexation, will not create islands or other discontinuous parcels within the City, because the plan area and subject properties are contiguous with the existing City of Gonzales limits; and

5. The Planning Commission requests the preparation of an annexation area “Plan for Services”, and to include these documents in any application submittal to LAFCO for a Reorganization, including Annexation, of the Subject Property; and

6. The Planning Commission further finds that this LAFCO Reorganization/Annexation will promote the general health, safety and welfare of the community.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Gonzales recommends that the City Council request the initiation of LAFCO proceedings to reorganize boundaries and annex 48.97 acres of Assessor’s Parcel Number 223-032-019 located at 31958 Gloria Road to the City of Gonzales as follows:

1. All of the recitals set forth above are true and correct to the best of the Planning Commission’s knowledge, and are incorporated herein by reference and made part of this resolution by this reference; and

2. That the Planning Commission finds that it has been provided with and reviewed all evidence available in the administrative record to support the findings of project consideration, as well as the Staff Report, presentation by staff, written and oral testimony (collectively, the “Record of Proceedings”), and hereby provides notification that the Record of Proceedings is on file with the clerk of the City of Gonzales; and

3. The Planning Commission finds that it has reviewed and considered the 2023 Gloria Road Agricultural Cooler Project IS/MND and related Mitigation Monitoring and Reporting Program, both of which are incorporated herein by reference; and

4. Finds that, after reviewing the public record, findings supported by evidence in the record provide cause for the Planning Commission to recommend approval to the City Council of a request for the Reorganization and Annexation to the Local Agency Formation Commission of Monterey County; and

5. The Planning Commission, as supporting evidence for the proposed annexation, hereby recommends that the City Council requests the submission of a “Plan for Services” to LAFCO with the City’s request for Reorganization and Annexation, of the subject property as illustrated in “Exhibit B” attached hereto.

PASSED AND ADOPTED this 24th day of April 2023, by the Planning Commission of the City of Gonzales, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

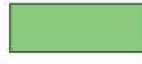





Gloria Velasquez, Chair

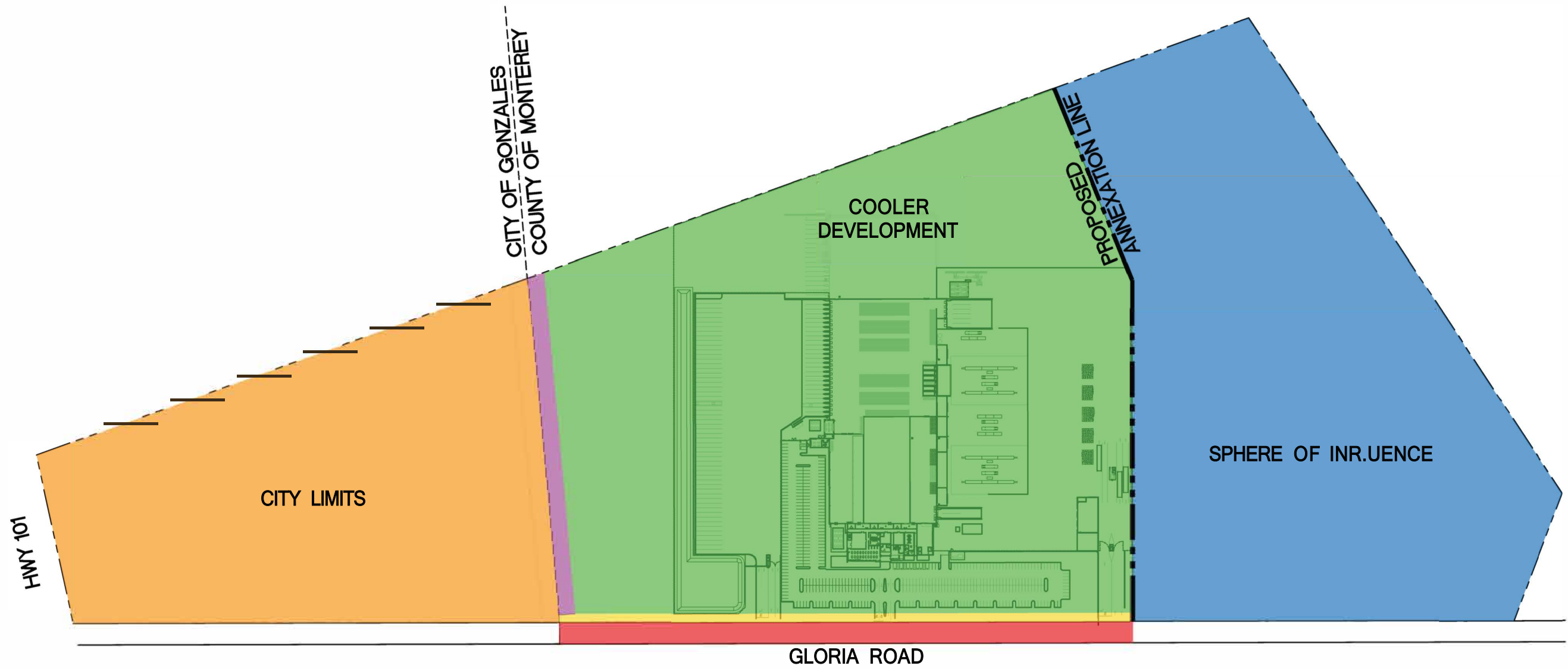
ATTEST:

Mary Villegas, Deputy City Clerk

Exhibit A: Annexation Map

LEGEND

	APPLICANT-PROPOSED COOLER DEVELOPMENT ANNEXATION: 44.80 qc		EXISTING CITY LIMIT AREA: 23.01 qc
	EXISTING ± HIDE GLORIA ROAD R.O.H. TO BE ANNEXED BY CITY OF GONZALES: 2.22 qc		AREA NOT A PART OF THE ANNEXATION, 33.75 qc
	±25' HIDE GLORIA ROAD R.O.H. DEDICATION TO BE ANNEXED BY CITY OF GONZALES, 0.91 qc		
	±47.5' FUTURE HEROLD PARKWAY R.O.V-1. DEDICATION TO BE ANNEXED: 1.04 qc		



City of Gonzales
Plan For Providing Services
Gloria Road Agricultural Cooler Project

Prepared For:

City of Gonzales
147 Fourth Street
P.O. Box 647
Gonzales, CA 93926

Prepared By:

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April 2023



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Executive Summary

The City of Gonzales has prepared the *Plan for Providing Services for the Gloria Road Agricultural Cooler Project* as required as part of the application to the Local Agency Formation Commission of Monterey County (“LAFCO”) for the reorganization and annexation of 44.8 acres of property into the City of Gonzales to develop a 313,800 square foot agricultural cooler facility. This plan is also to be used by the public and city staff to inform and to assist the Gonzales Planning Commission and City Council in their decision-making process on the project.

This plan addresses the services that will be provided by the city or outside agencies to serve the proposed Agricultural Cooler project under the requirements of California Government Code Section 56653. These services that are addressed include water, fire protection and emergency service, water service, flood control service, law enforcement, circulation and parks and recreation service. The provision of City services such as law enforcement will be extended to cover the project area immediately upon annexation. Fire protection and emergency services are already provided to the property through existing current agreements through the Gonzales Rural Fire Protection District and Monterey County respectively and no visible changes to service will occur upon annexation to the City. Parks & recreation services are not directly impacted by this industrial annexation. As it concerns necessary infrastructure improvements to water, sewer, flood control, and circulation to service the area, all improvements indicated within the plan for services that are necessary for the construction of the Gloria Road Agricultural Cooler Project will be carried out prior to completion and occupancy of the project as established conditions of approval. As this is a single project and no new neighborhood is being developed, no comprehensive infrastructure financing plan is necessary. Future circulation improvements that are not operationally necessary upon buildout of the cooler project will be facilitated through the donation of right-of-way as part of this annexation. Those road improvements will be constructed at a future date dependent upon the timing of phases of surrounding future development triggering the need for those improvements.

1. Introduction

Background

The *Plan for Providing Services for the Gloria Road Agricultural Cooler Project* is provided per requirements under State law associated with the proposed annexation of 48.97 acres of property and right-of-way to the City of Gonzales. The proposed annexation is located at Gloria Road immediately adjacent to the current city limits of Gonzales, approximately 1,750 feet east of the Gloria Road/U.S. Highway 101 interchange. **Figure 1, Location Map**, shows the regional and vicinity location. The proposed cooler facility is planned on a portion of a 44.8-acre area that is in turn, a portion of an approximately 103.54-acre parcel (APN 223-032-019) owned by the project applicant.

There are five components of the 103.54-acre parcel that are described here (sequentially from west to east). These are shown on **Figure 2, Annexation Exhibit**. The first component is the westernmost approximately 23.01 acres that are located within the city limits of Gonzales. There is no development proposed for this area as part of the current project. The 80.53-acre balance of the parcel is within Monterey County and within the City of Gonzales Sphere of Influence (SOI). Of this area, the second component is an approximately 1.04-acre strip of land that is being reserved for dedication to the City for a future extension of Herold Parkway from its current terminus through to Gloria Road. The extension is part of the City's planned circulation network as identified in the Gonzales 2010 General Plan (City of Gonzales 2011, updated in 2018) ("general plan"). In addition, a 0.91-acre strip is being dedicated by the applicant to widen Gloria Road along the entirety of the southern boundary of the project, which is added to an existing 2.22 acres of existing Gloria Road right-of-way that would be transferred to Gonzales' jurisdiction. Then there is the 44.8-acre proposed annexation area, which is referenced in this initial study as the "project site". The proposed cooler facility would be constructed on 32.1 acres of this area; the balance is not a functional part of the cooler project and would remain vacant. The fourth component is the easternmost 33.78-acre "remainder" of the parcel. There is no development proposed for this remainder area as part of the current proposed project. It is not proposed for annexation at the present time as it will continue to be actively farmed and is not necessary to serve the cooler project.

The proposed project also includes off-site improvements. These include water conveyance infrastructure, circulation improvements, and process wastewater conveyance and associated storage pond infrastructure. These improvements and their settings are described further in this document.

The project site is currently in agricultural row crop production. It is bisected by a topographical grade break, along which run both a farm road and an agricultural drainage ditch. Adjacent land on the west, north and east is also in active agricultural production. Gloria Road borders the site on the south, with agricultural land to the south of the road. The nearest developed urban uses within the city limits are about one-half mile to the northwest on the opposite side of U.S. Highway 101. The nearest existing residential neighborhoods are to the north/northwest, about 0.76 miles west and .72 miles east of the highway, respectively.

Figure 3, Aerial Photograph, shows existing site features, as well as other features in the immediate vicinity.

Relationship to Gonzales General Plan

The annexation request is being considered concurrently with a General Plan Amendment.

The project site is within one of several locations the City of Gonzales identified as a future development area in the general plan. In May 2014, the Monterey County Local Agency Formation Commission (LAFCO) approved the City's request to include these growth areas in the City's sphere of influence (SOI). The SOI which is a planning boundary outside of a city's legal boundary that represents a city's probable future growth boundary and service area. The project site is located within the SOI.

Figure 4, Existing General Plan Land Use, shows existing land use designations for the project and surrounding properties. It also shows the SOI boundary in the immediate project area. The project site is currently designated Neighborhood Residential. An application for a specific project known as Puente del Monte was filed with the City in 2018. The Puente del Monte specific plan boundary includes the land on which the cooler facility is proposed. The development review process for the specific plan has since been delayed for a variety of reasons. If the City approves the current proposed project, the Puente del Monte specific plan project description would need to be modified to exclude the current project site; additional changes would also likely be required to accommodate proper buffers between industrial and residential uses.

A General Plan Amendment was filed concurrently as part of the annexation request to change the designation to Industrial, which with appropriate pre-zoning would allow development of the cooler project.

The City has adopted programs and policies throughout the General Plan to ensure the provision of services to annexation areas. Master Plans for utilities have been developed by the City of Gonzales to ensure the proper provision of services, and that new development be required to construct new infrastructure as necessary to serve new annexation areas. In addition, the City has a Development Impact Fee program in order to offset the cost of upgrading and expanding existing public facilities and infrastructure that are impacted by new growth.

Statutory Requirements

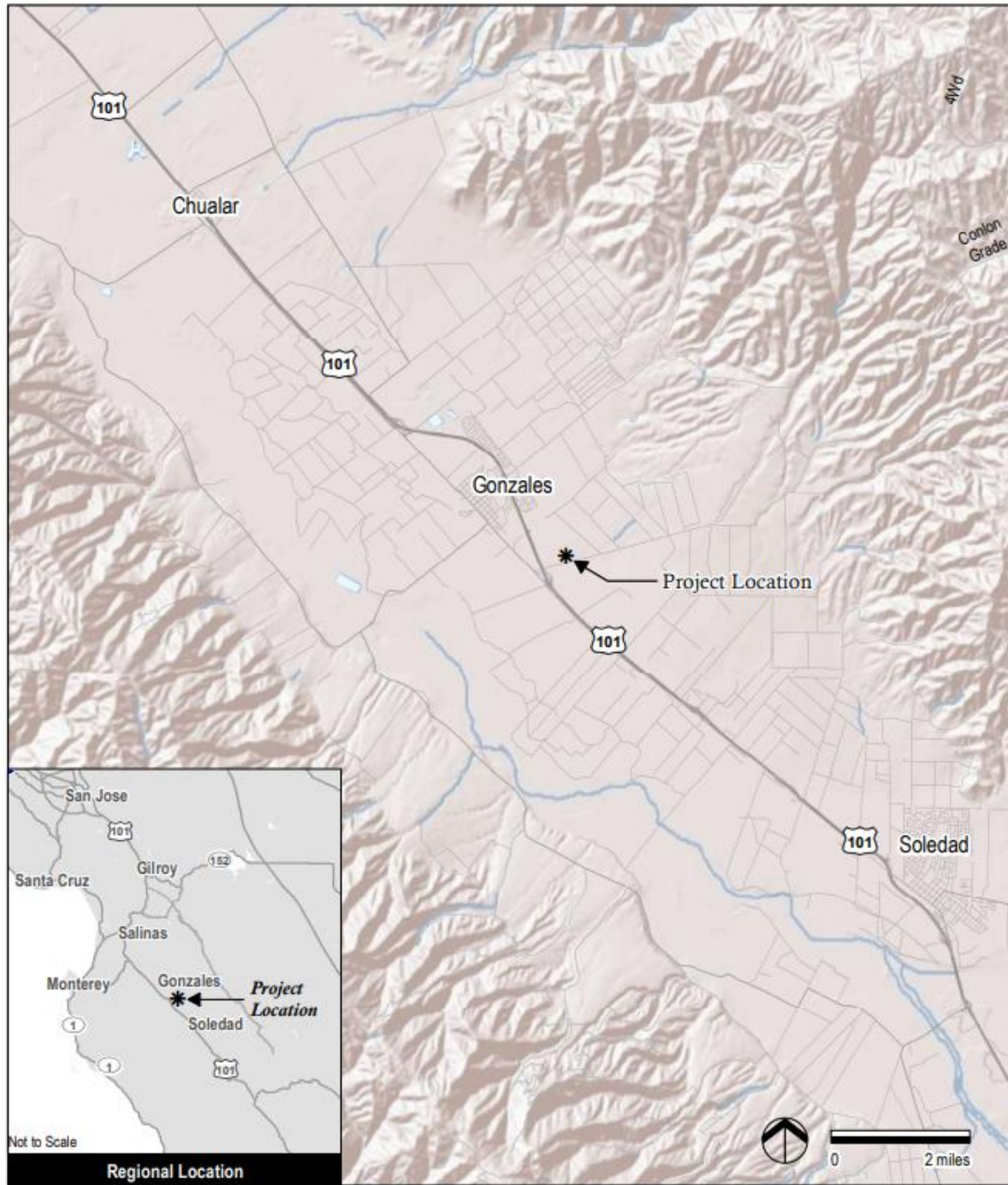
Pursuant to Government Code Section 55653 and as stated in the most current Monterey County LAFCO Policies and Procedures document dated February 24, 2020 (Page 29), the following information is required in the plan for services.

- a. An enumeration and description of the services to be extended to the affected territory.
- b. The level and range of those services.
- c. An indication of when those services can feasibly be extended to the affected territory.

- d. An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- e. Any conditions which would be imposed or required within the affected territory such as, but not limited to, improvement or upgrading of structures, roads, and sewer or water facilities.
- f. Information with respect to how those services will be financed.

The sections of the *Plan for Services* follow the checklist provided by Monterey County LAFCO in identifying and quantifying, where applicable, the improvements necessary to adequately serve the proposed development within the annexation area.

Figure 1 – Location Map (Source: Gloria Road Agricultural Cooler Project IS/MND – EMC, 2023)



Source: ESRI 2014

Figure 1
Location Map

Gloria Road Agricultural Cooler



Figure 2 – Annexation Exhibit (Peartree + Belli, 2023)

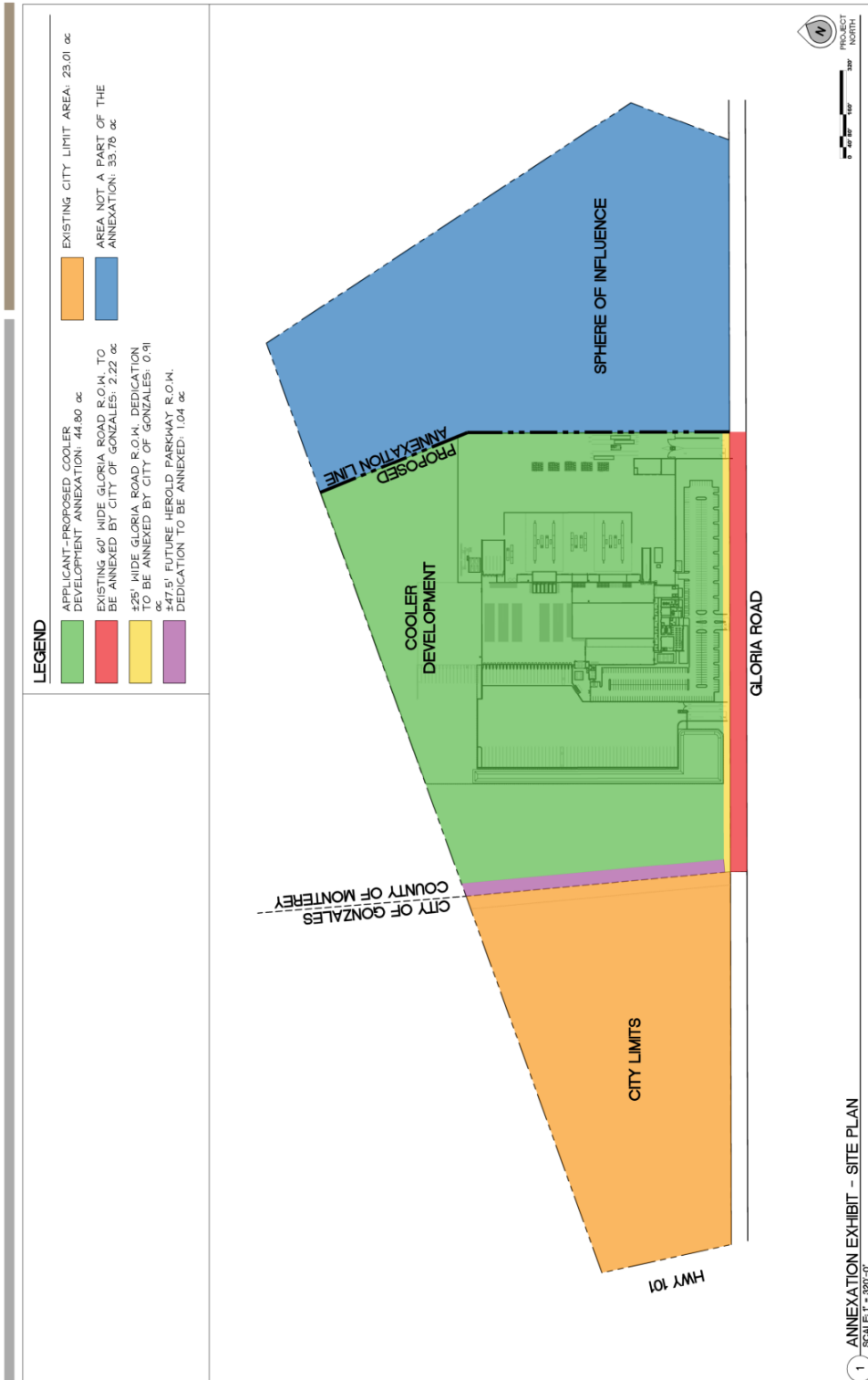


Figure 3 – Aerial Photograph (Source: Gloria Road Agricultural Cooler Project IS/MND – EMC, 2023)

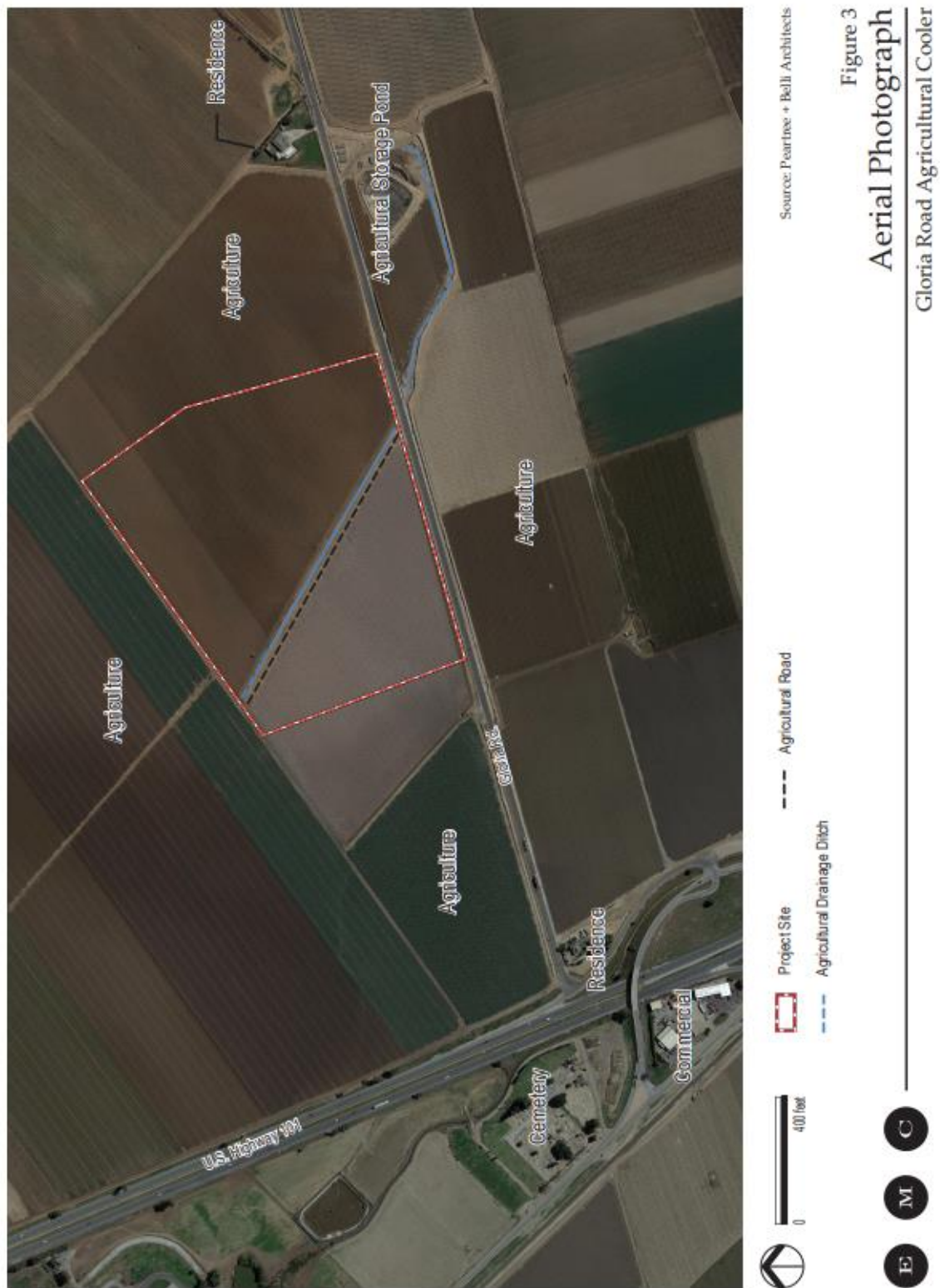
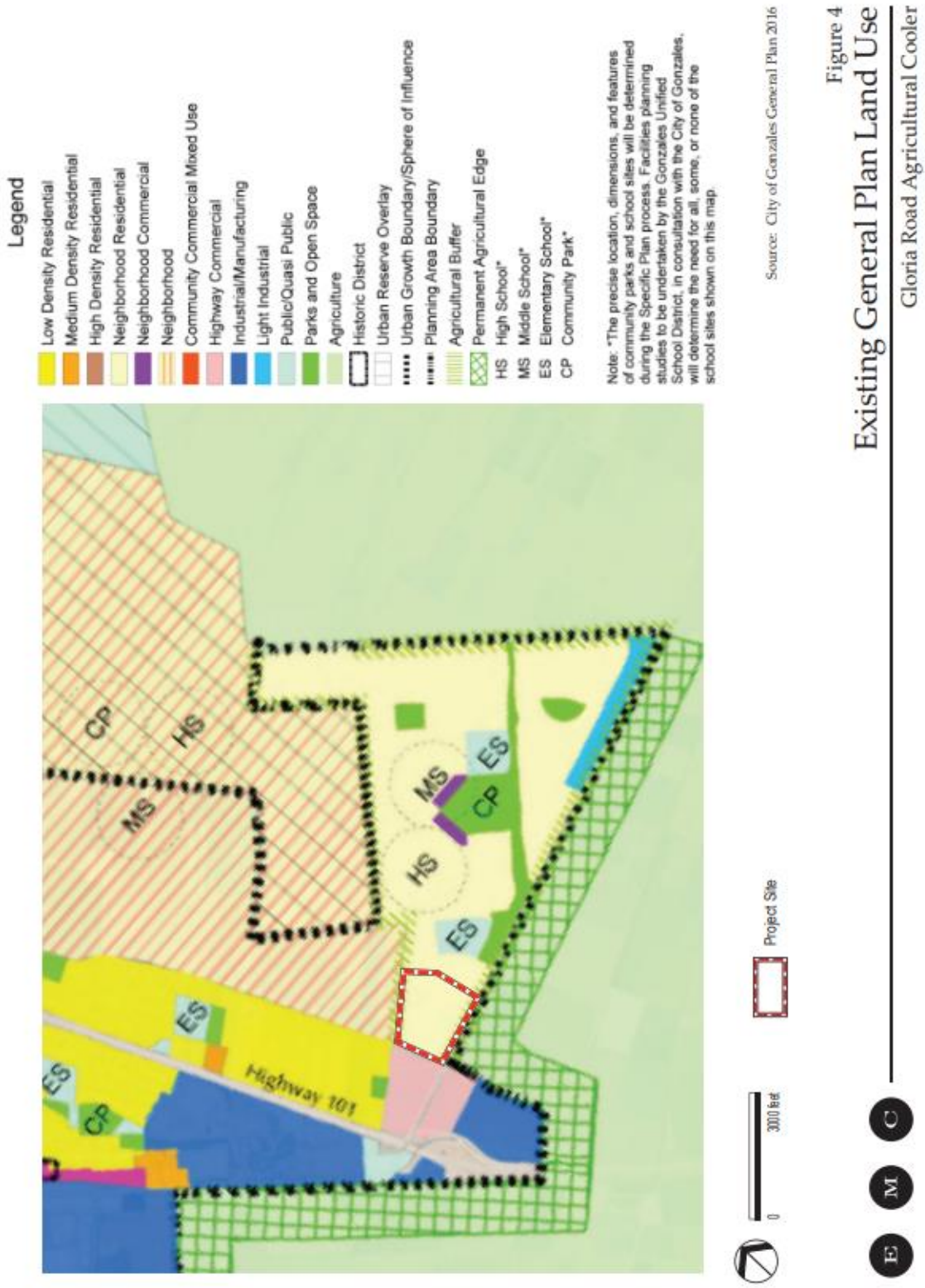


Figure 4 – Existing GP Land Use (Source: Gloria Road Agricultural Cooler Project IS/MND – EMC, 2023)



2. Sewer Service

Background

The City of Gonzales is the responsible agency for the collection, treatment and disposal of wastewater service. The information cited below is from Kimley-Horn's December 2019 Report, "The City of Gonzales' Existing City Plus Sphere of Influence Wastewater Master Plan."

The permitted discharge capacity of the Gonzales Treatment Plant is 1.3 million gallons per day (MGD). Currently the plant takes in an average of 1.1 MGD (Interview with Public Works Director Patrick Dobbins, March 20, 2023). There are currently no existing wastewater mains available in Gloria Road. The project proposes to connect a small diameter force-main to the existing collection system via a manhole at Charolais Drive and Herold Parkway (Number 9 on [Figure 6](#)). The force-main would follow the future Herold Road alignment that follows the future City boundary to Gloria Road. An easement will be required to construct this improvement from the property owners of which the Herold Parkway extension will be constructed. These improvements, imposed as conditions of approval on the project applicant, will be constructed at the applicant's expense prior to occupancy of the project.

In order to significantly reduce the impact of a 313,000 square foot agricultural cooler project on the City's wastewater system, the applicant is proposing the use of a pond on property controlled by the applicant to direct 85,000 gallons per day (GPD) to handle the process water produced by the project. The total impact to the City sewer system is anticipated to average a minimal amount of 5,740 GPD to handle domestic uses at the facility. The process water will be collected via a network of floor drains and flow into a sump with two pumps. The sump pumps will pump the process water south, cross beneath Gloria Road, outside of City limits and discharge into a lined and aerated storage pond. A pump will pull water out of the lined storage pond and irrigate a harvestable crop. Process water management and disposal will be in accordance with the requirements of the Central Coast Regional Water Quality Control Board (Regional Board).

Requested Information

The following information was requested in the LAFCO Checklist provided, as per LAFCO Policies and Procedures, Part D.VII.4 and is intended to provide sufficient information to evaluate the project and the provision of services to support the annexation. Each of the following sections in this report has a similar format of requested information, with project-specific responses provided.

a. Provide a map that depicts the local agency's sewer system in the immediate area.

See [Figure 5, Nearest Wastewater Treatment Plant To Proposed Project](#) and [Figure 6, Existing/Proposed Collection System](#), which depict the location of the wastewater plant to the west of the City proper and the nearest sewer infrastructure to the project site at the southern end of the existing residential areas on the east side of US 101.

b. Describe the agency's sewer system, including but not limited to treatment plant(s) and number of service connections.

See [Figures 5 and 6](#) for the location of the existing Gonzales WWTP and collection system. The Current Average Daily flow and connections are summarized in [Figure 7, Existing Wastewater Generation](#) and includes 1,899 residential connections. The permitted discharge capacity is 1.3 MGD. Currently, the plant uses an average of 1.1 MGD.

c. Describe any present or proposed service agreements with other jurisdictions that would affect the area?

The City's growth strategy within the SOI is to continue to absorb sewer into the City's WWTP and does not have current plans to rely on outside agencies for service. Although not necessary for the project, the City of Gonzales is in the process of planning a 1.0 MGD Industrial Wastewater Treatment Plant to enhance sewer capacity for future development.

d. What is the agency's present sewage treatment capacity and outfall capacity?

The permitted discharge capacity of the Gonzales treatment plant is 1.3 MGD.

e. What is the agency's projected sewage treatment capacity and outfall capacity?

This project will have minimal effects on the flow to the treatment plant. Bathrooms, break rooms and other office use wastewater will be routed to the treatment plant and is estimated to be under 6,000 gallons per day (GPD) maximum (0.006 MGD). The process wastewater from this project will be contained and treated in a pond, and will ultimately be recycled via land application on adjacent fields (approximately 80,000 GPD).

f. What major sewer facilities and/or expansion of existing facilities are being considered to meet anticipated demand within the proposal area?

No expansion of the current wastewater treatment facilities is required to accommodate this project.

g. How will the facilities discussed above be financed?

The project will provide the necessary connection to the existing collection system entirely at the project owner's expense. No expansion of the WWTP is required to accommodate the project; however the project will pay its fair-share portion of impact fees to help support future development and expansion.

Figure 5 – Gonzales Cooler Development Offsite Utility Exhibit (Source: Wallace Group)

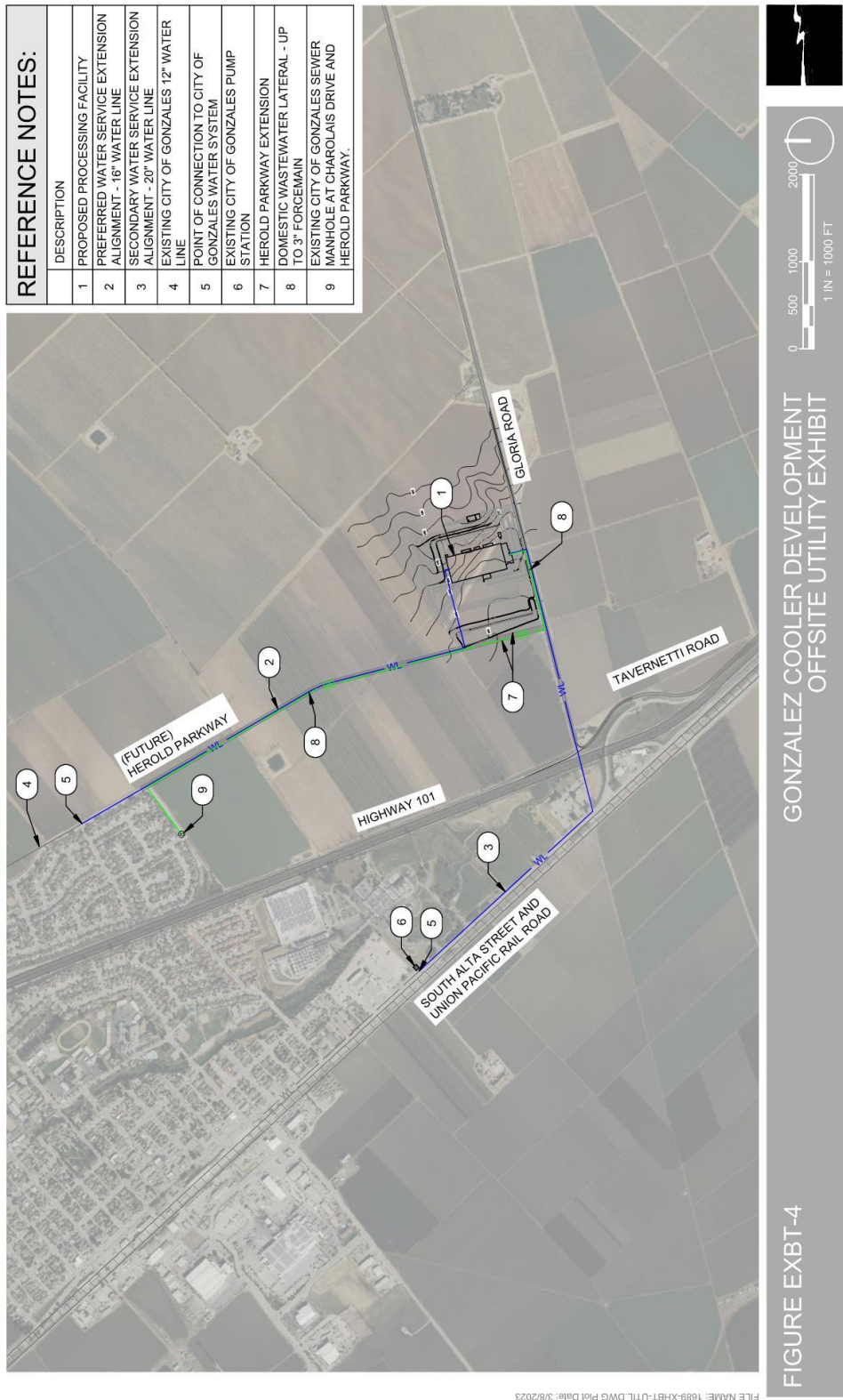


Figure 6 – Nearest Existing Wastewater Treatment Plant to Proposed Project (Source: 2019 Gonzales Wastewater Master Plan, Kimley-Horn)

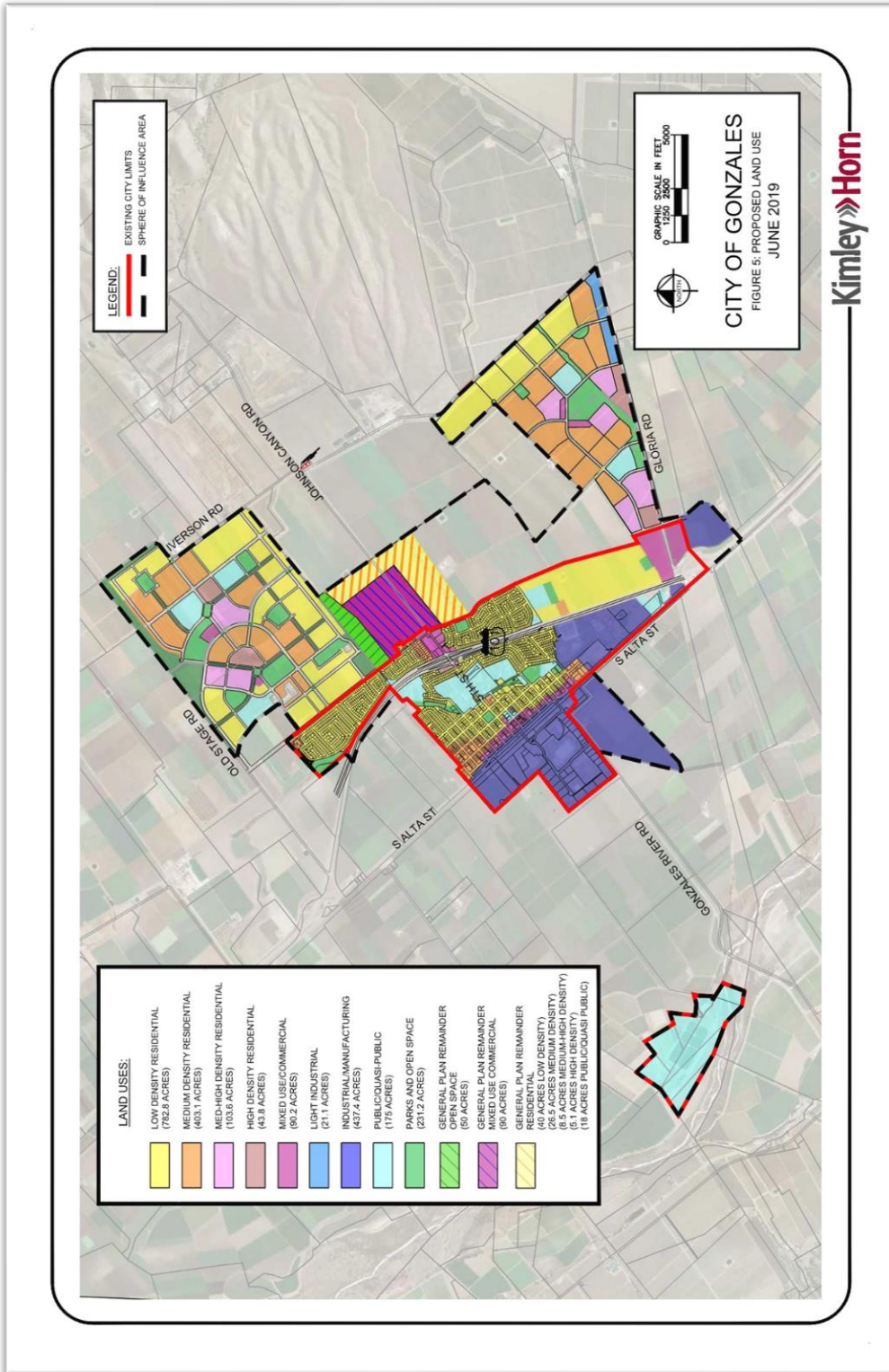
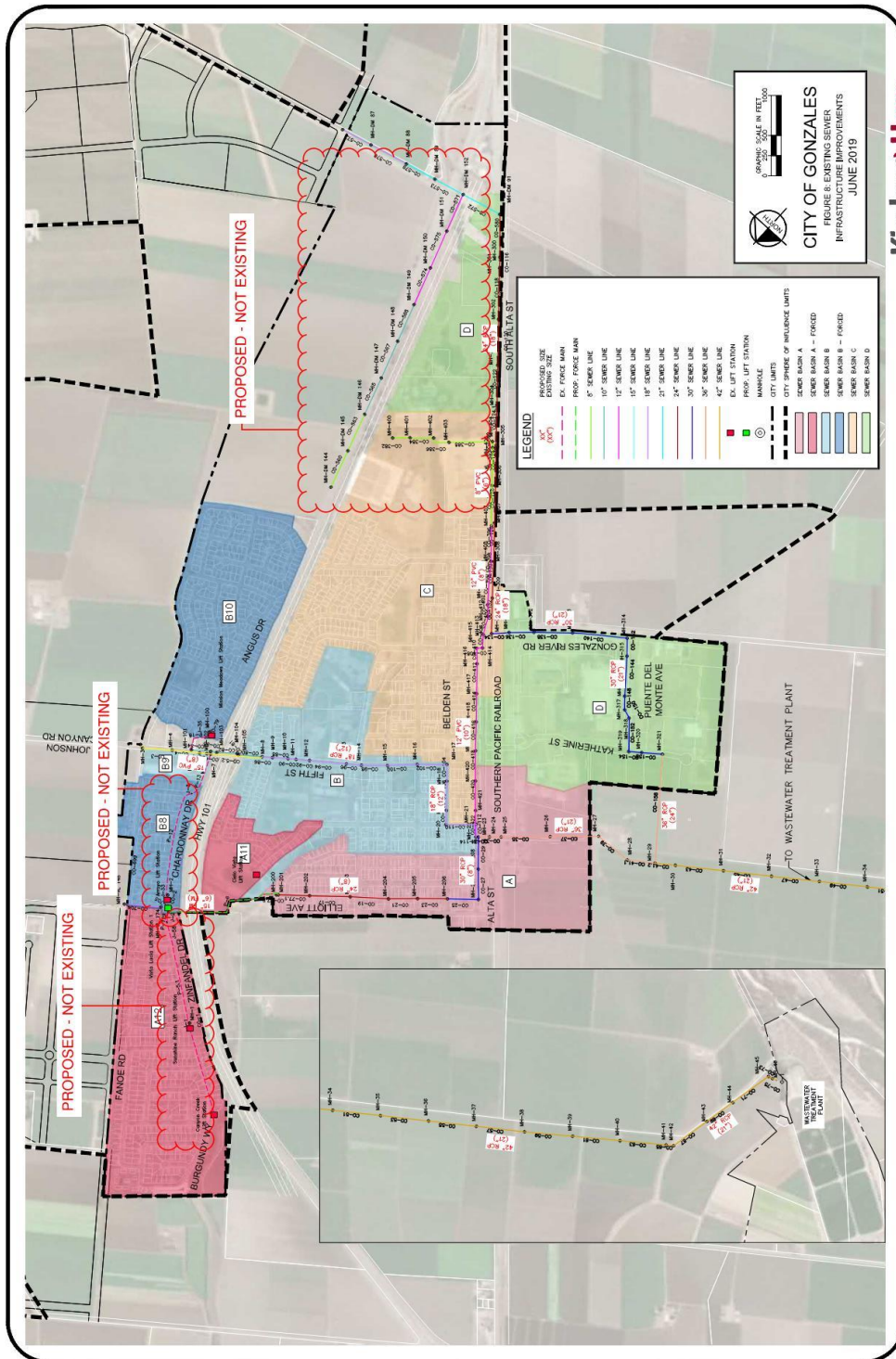


Figure 7 – Existing / Proposed Collection System (Source: 2019 Gonzales Wastewater Master Plan, Kimley-Horn)



Kimley»Horn

Figure 8 – Existing Wastewater Generation (Source: 2019 Wastewater Master Plan, Kimley-Horn)



A summary of the existing land use acreages and residential unit counts that generate wastewater flows for the existing City are shown in Table 1.

Table 1
Wastewater Generation by Land Use – Existing City

Land Use	Unit Flow Factor (GPD/AC)	Total Area (Acres) ¹	Dwelling Unit Count ²	ADWF (GPD)
Low Density (4.5 du/ac)	1,377.5	328.6	1,474	452,647
Medium Density (7.6 du/ac)	2,345	50.0	380	117,250
Medium-High Density	N/A	-	N/A	-
High Density (22.5 du/ac)	6,883	2.0	45 ³	13,766
Neighborhood Commercial	1,600	30.0	N/A	48,000
Downtown & Highway Commercial				
Institutional	1,000	76.5	N/A	76,500
Light Industrial	1,000	<i>Included in Heavy Industrial</i>		
Heavy Industrial	2,200	214.0	N/A	470,800
Hospital	387.5 GPD/BED	-	N/A	N/A
School	1,000	<i>Included in Institutional</i>		
Active Open Space	300	12.2	N/A	3,660
Total		713.3	1,899	1,182,623

1. The existing wastewater treatment plant is not included.
2. Per Table II-2 of the 2010 General Plan. For informational purposes only.
3. Table II-2 of the 2010 General Plan indicates there are 213 existing High Density homes on 2 acres. However, there are only 45 apartments on this site.
4. Active Open Space assumes 60 visitors/acre/day and 5 gallons generated per visitor. Passive open space is assumed to have no facilities.

3. Fire Protection and EMS

Background

The Gonzales Fire Department serves the entire city including surrounding rural areas under contract with the Gonzales Rural Fire Department. See [Figure 7, Gonzales Rural Fire Protection Boundaries](#) for the map of the City and District. The Gonzales Fire Department has been able to improve on providing safety services to the public, 24 hours a day and 365 days a year, in a safe and effective manner.

According to the City of Gonzales website, the Gonzales Fire Department has experienced continuous growth in size throughout the years. As of January 2022, the department has fourteen firefighters; of those firefighters, seven are sworn full-time employees (one Fire Chief, three Fire Lieutenants, and three Firefighters). The proposed cooler project is located in an area already served by the Gonzales Fire Department. The building will be required to meet all current Fire Code requirements. The Department has indicated that no additional staffing needs are required to meet the needs of the facility.

Requested Information

Information for this section was provided by Gonzales Fire Department Chief Jason Muscio (interview on March 20, 2023).

a. What agency, or agencies, provide fire protection service to the proposed area?

The Gonzales Fire Department currently provides services to the proposed annexation area as part of its ongoing service contract with the Gonzales Rural Fire Protection District. Upon annexation, the project will be served directly by the Gonzales Fire Department.

b. Identify the location of the nearest existing and proposed fire stations.

The Gonzales Fire Department station is located at 325 Center Street, 1.5 miles away from the proposed project.

c. What does the agency consider an acceptable fire response time within its jurisdiction?

Acceptable response times are considered to be 5 minutes or less within the City Limits.

d. What are the response times to the proposal area?

Time to the project area is considered to be less than five minutes from the station down Alta Street, across the US 101 / Gloria Road interchange and on to the project site.

e. What is the existing Insurance Service Office (ISO) rating for the proposal area?

The ISO rating for the area is 3 with connection to the City's water system.

f. Would additional stations, equipment and staffing be needed to serve the proposal area?

The proposal for the agricultural cooler will not meet any service thresholds to require any new stations, equipment or staffing.

g. How would these improvements be financed?

While no facilities or improvements are required as a part of the annexation, the project will contribute its fair share to future improvements through the payment of development impact fees.

h. What automatic or mutual aid agreements or service contracts have been signed that may affect the proposal territory?

The City of Gonzales Fire Department is a participant in a county-wide mutual aid agreement with every fire agency in Monterey County that can provide support for large scale emergencies. The City has automatic aid agreements in place with both the Monterey County Regional Fire District and the Correctional Training Facility Fire Department. Each agency automatically provides a Type 1 engine upon any structure fire dispatch.

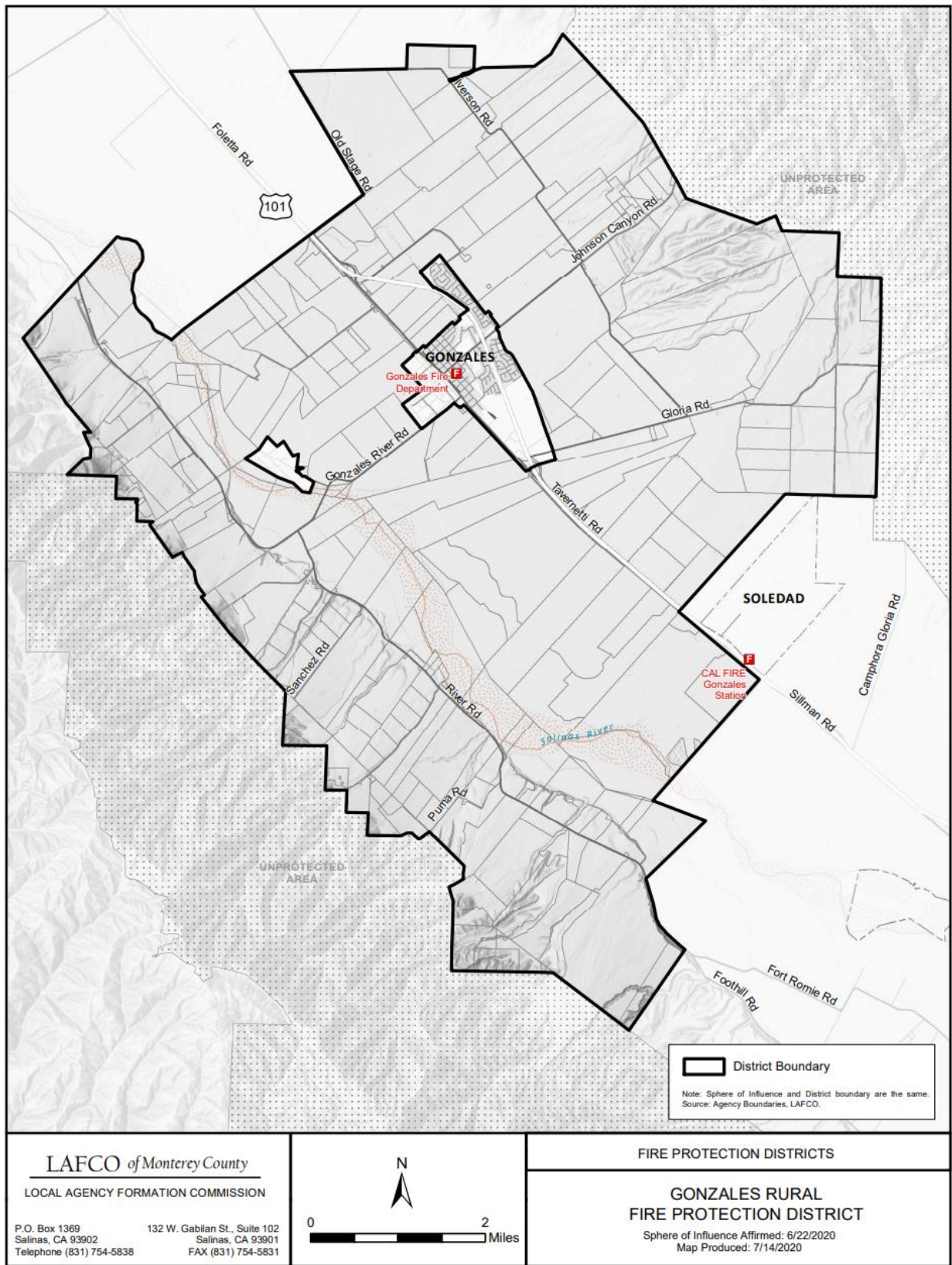
i. Describe any problems that might be encountered in providing this service to the proposal area.

Existing conditions are that there is only one viable route to get to the project site from the fire station in the case of an emergency. The current secondary route to get to the site is circuitous around Johnson Canyon Road and Iverson Road. Although unlikely given current and future anticipated traffic counts, possible traffic congestion at the US 101 / Gloria Road interchange could delay response during certain times of day. The property owner will be dedicating right-of-way for the future extension of Herold Parkway to Gloria Road that will be constructed upon development of the residential subdivision to the northwest of the project which will provide a future timely secondary route to get to the facility.

j. How is ambulance service provided in the proposal area?

Ambulance service to the site is currently provided by AMR to both incorporated and unincorporated areas through contract with the County of Monterey and would not change as part of the annexation.

Figure 9 – Gonzales Rural Fire Protection District Boundaries, (Source: Monterey County LAFCO, 2020)



4. Water Service

Background

The City of Gonzales owns, operates and maintains a potable water distribution system to provide water service to the residents and businesses within the City boundary. The information cited below is from Kimley-Horn's December 2019 Report, "The City of Gonzales' Existing City Plus Sphere of Influence Water Master Plan" and the "City of Gonzales SB 610 Vista Lucia Water Supply Assessment", completed by Zanjero in February 2023.

The Gonzales Water supply is provided 100% through groundwater in the Salinas Valley Groundwater Basin. Many existing water users, including the existing customers of the City of Gonzales and existing irrigated agriculture near the site of the Proposed Project share groundwater available in the aquifer. See [Figure 10, Groundwater Basins and City Wells](#). The conclusions of the most recently completed SB 610 Water Supply Assessment indicate that there is a reliable water supply to accommodate the City's anticipated growth, including this proposed project. Additional detail on the water demand of the project and availability to provide necessary flows are provided in the requested information section.

City wells collect and discharge water directly into the distribution system. The City maintains three (3) existing storage tanks, one 1.0 million-gallon (MG) tank and two 3.0 MG tanks, totaling 7.0 MG of storage capacity. The tanks are located on the east side of the Iverson Road and Johnson Canyon Road intersection, east of the City and on the eastern border of the SOI Area. The ground elevation of the tanks is approximately 290-feet, and high-water level is approximately 322-feet. Control valves on the tank discharge pipeline help to regulate system pressure. The City's water distribution system consists of one pressure zone (PZ1), which currently serves customers at an elevation range of approximately 125 – 170 feet.

The agricultural cooler project proposes to connect a water main to the existing distribution system at Hereford Drive and Herold Parkway (Depicted as Number 5 east of US 101 on [Figure 5, Gonzales Cooler Development Offsite Utility Exhibit](#)). The water main would follow the future Herold Road alignment that follows the future City boundary to Gloria Road.

Requested Information

- a. **Provide a map that depicts the water system in this area.**

See [Figure 11, Existing Gonzales Water System](#) that depicts the City of Gonzales water system and location of mains and storage tanks.

- b. **Describe the water system, including but not limited to treatment plants, storage facilities, interagency connections, and the number of service connections.**

Quoted from the Kimley Horn report, the City of Gonzales owns, operates and maintains a potable water distribution system to provide water service to the residents and businesses within the City boundary. Water supply is provided through groundwater wells. The wells discharge water directly into the distribution system. The City maintains three (3) existing storage tanks, one 1.0 million-gallon (MG) tank and two 3.0 MG tanks, totaling 7.0 MG of storage capacity. The tanks are located on the east side of the Iverson Road and Johnson Canyon Road intersection, east of the City and on the eastern border of the SOI Area. The ground elevation of the tanks is approximately 290-feet, and high-water level is approximately 322-feet. Control valves on the tank discharge pipeline help to regulate system pressure. The City's water distribution system consists of one pressure zone (PZ1), which currently serves customers at an elevation range of approximately 125 – 170 feet.

c. Describe any factors that could limit the delivery capacity of the agency, such as storage capacity, transmission lines, etc.

The current Gonzales Municipal water distribution system has sufficient capacity to serve this site. The City's existing water supply comes via three (3) groundwater wells, Wells 4, 5 and 6. Wells 4 and 5 are rated at 1,200-gpm, and Well 6 is rated at 1,800-gpm, for a combined capacity of 4,200-gpm. The City is currently developing Well 7, expected to have a capacity of 1,200-gpm, bringing the total capacity to 5,400-gpm. The existing maximum day demand is estimated at 1,885-gpm. With the construction Well 7, the surplus water supply is 3,686 gpm. As the estimated historical demands of a similar site is 85,000 GPD, average demand of 60 GPM and peak hour demand of 120 GPM, this will not require additional capacity.

The City has 7.86 MG of storage, with a required storage of 2.75 MG. No additional storage is required to accommodate this project.

d. Describe any major system expansions that would be necessary to serve the proposal area.

Other than the infrastructure being provided directly by the applicant to serve the proposed site, no significant expansion is required to serve the area.

e. How will any expansions be financed?

No expansion to the storage system or major transmission lines are required. The connection of the system from the connection point at Hereford Drive and Herold Parkway to the project site will be constructed at the applicant's own expense and is a required condition of approval prior to occupancy of the project.

f. Does the proposal have the potential to degrade surface water, reduce water quality, or limit downstream availability?

Process wastewater from the project will be recycled on adjacent food crops and will be required to enroll in and comply with the Regional Board's General Waste Discharge Requirements Order No. R3-2004-0066 for Discharges of Fruit and Vegetable Processing Waste (General Permit). Consistent with the General Permit the Central Coast Water Board is supportive of the beneficial reuse of treated process wastewater. Process wastewater will be managed at agronomic rates as to not degrade surface water, reduce water quality, or limit downstream availability.

Figure 10 – Groundwater Basins and City Well Locations (Source: SB 610 Water Supply Assessment – Vista Lucia Project, Zanjero)

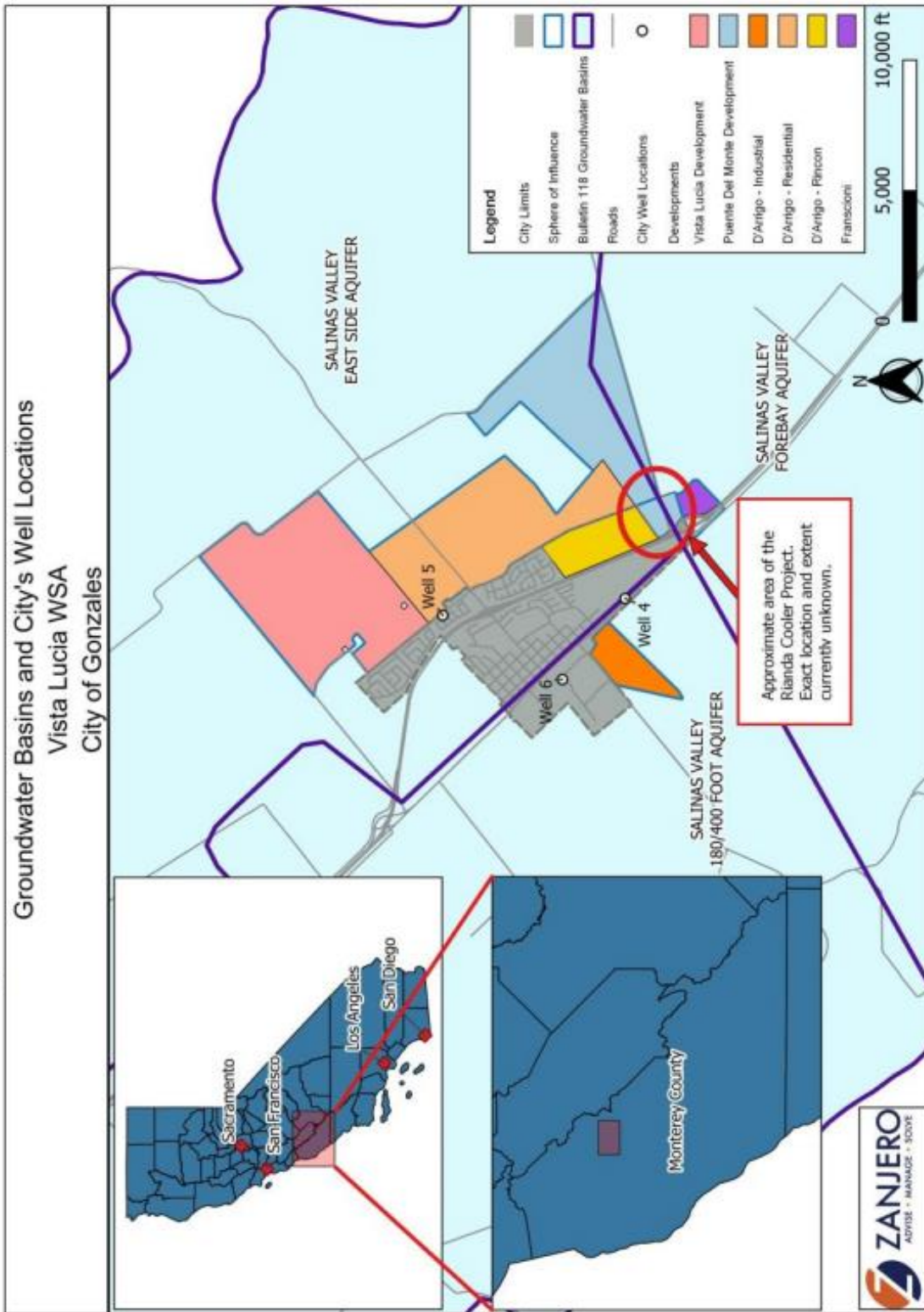
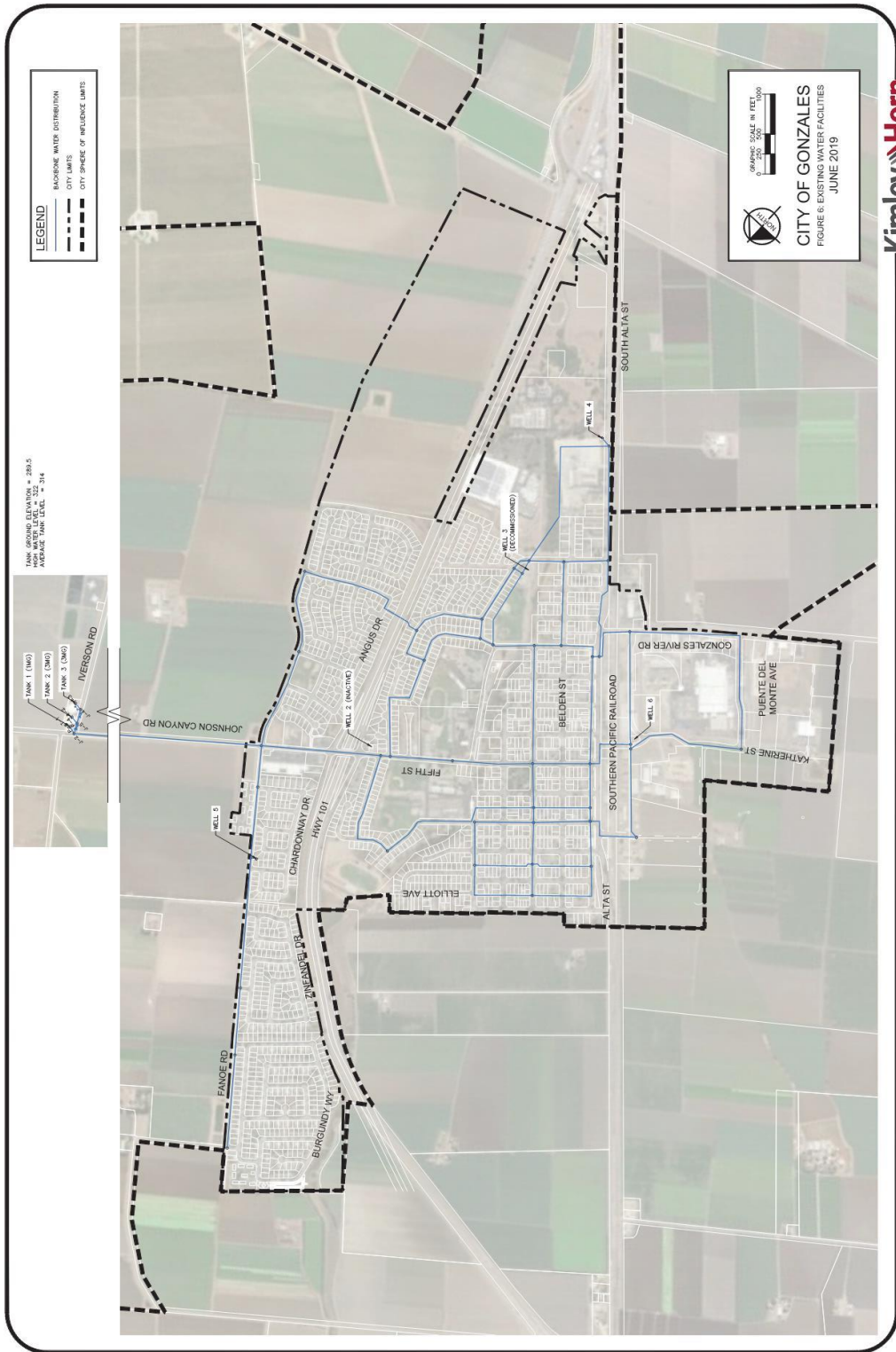


Figure 11 – Existing Gonzales Water System (Source: 2019 Water Master Plan, Kimley-Horn)



5. Flood Control Service

Background

The proposed annexation area is partially located in the 100-year floodplain on the southwest corner of the project. The project site is located over two miles away from the Salinas River, where primary flooding occurs within the Salinas Valley. The annexation area slopes from the northeast to the southwest corner of the property. Storm water will typically be kept on-site with a drainage pond to serve the development located on the western side. [Figure 12, Preliminary Grading and Drainage](#), shows the drainage plan for the agricultural cooler project. Grading for the project is expected to be 360,000 cubic yards of cut and fill.

Requested Information

a. Is the project within a 100-year floodplain?

A portion of the project is within a 100-year floodplain, defined by FEMA as Zone AE ([see Figure 13, FEMA Flood Map](#)). This mapping is preliminary, meaning it has not yet been formally adopted by FEMA. It is not uncommon to use preliminary data for site design.

b. Is the area within a zone of the Monterey County Water Resources Agency?

The project area is within MCWRA Zone 2, 2A, 2C (Dam Operations) and 2Y (CSIP), while the Process wastewater pond is within MCWRA Zone 2, 2A, 2C (Dam Operations), 2Y (CSIP) and Zone 2Z (Salina Valley Reclamation Project).

c. Are any major flood control facilities planned in this area? How will these items be financed?

No major flood control facilities are planned in this area.

Figure 12 – Preliminary Grading and Drainage Plan (Source: Project Description, Peartree + Belli)

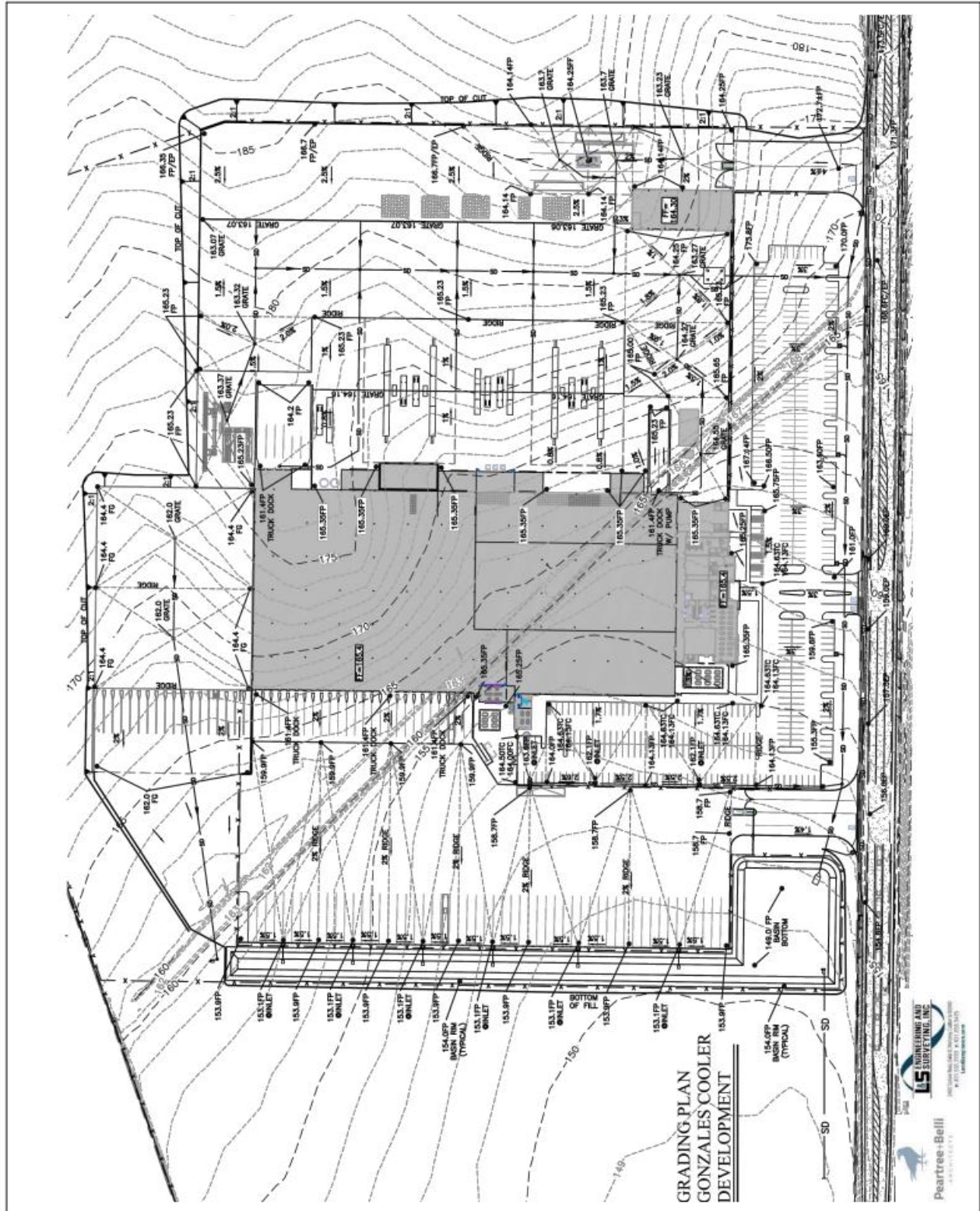
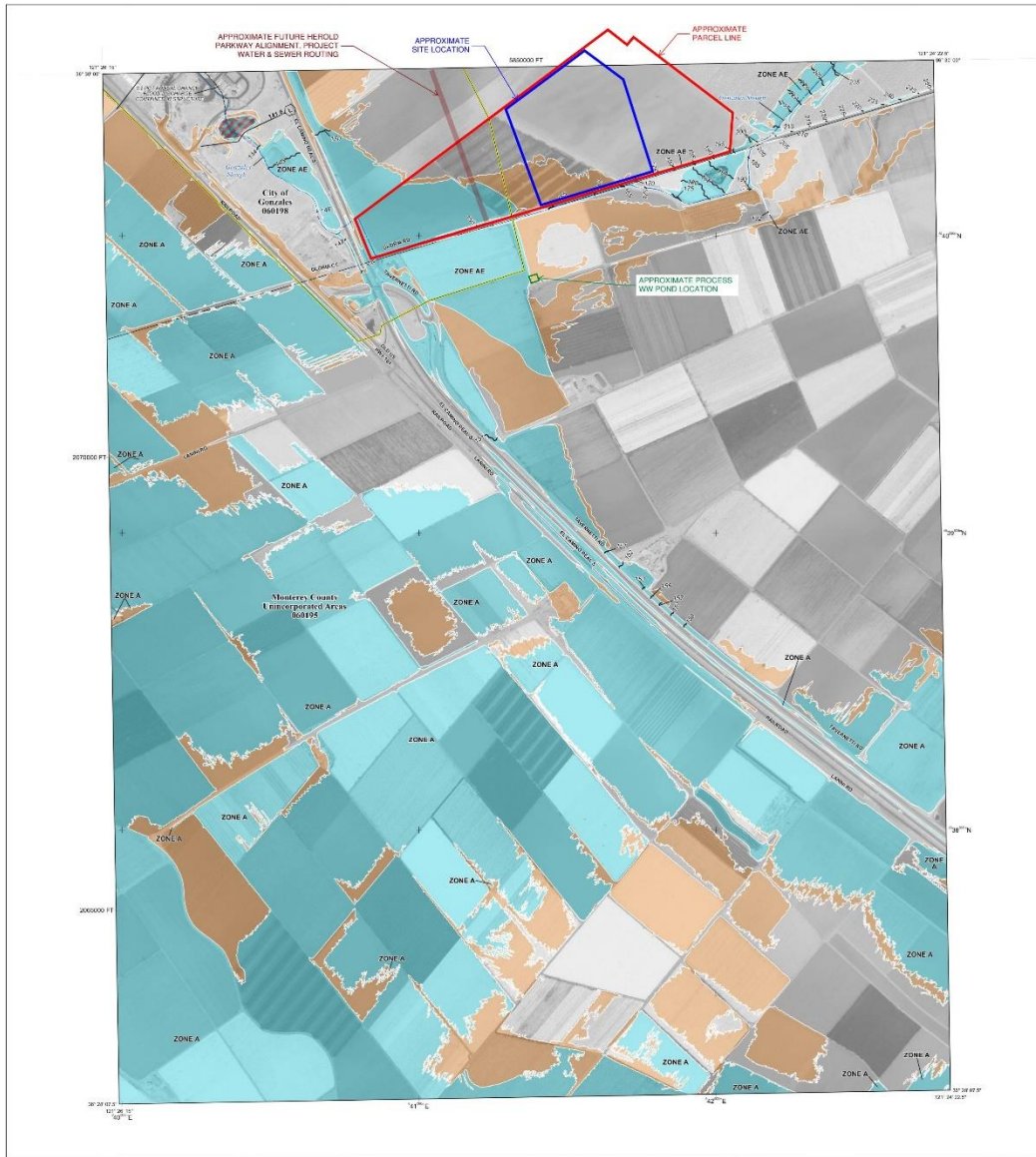


Figure 13 – FEMA Flood Map (Source: FEMA National Flood Insurance Program)



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
 THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTPS://MSSC.FEMA.GOV](https://mssc.fema.gov)

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE) WITH BFE or Depth (Zone AE, AO, AH, VE, AR)
- Regulatory Floodway
- 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot or with drainage areas of less than one square mile (Zone X)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee (See Notes, Zone X)
- Area with Flood Risk due to Levee (Zone D)

OTHER AREAS OF FLOOD HAZARD

- NO SCREEN Area of Minimal Flood Hazard (Zone X)
- Area of Undetermined Flood Hazard (Zone D)

OTHER AREAS

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

GENERAL STRUCTURES

- 13.2 Cross Sections with 1% Annual Chance Water Surface Elevation
- 17.5 Coastal Travers
- Coastal Travers Baseline
- Profile Baseline
- Hydrographic Feature
- Base Flood Elevation Line (BFE)
- Limit of Study

OTHER FEATURES

- Jurisdiction Boundary

NOTES TO USERS

The information and symbols shown on this Flood Insurance Rate Map (FIRM), including products associated with the FIRM, are not intended to be used for any purpose other than to provide information to the public. The information is not intended to be used for any purpose other than to provide information to the public. The information is not intended to be used for any purpose other than to provide information to the public.

Contractors and others using this FIRM should refer to the latest edition of the Flood Insurance Rate Map (FIRM) and the Flood Insurance Study (FIS) Report for the area shown on the map. The information is not intended to be used for any purpose other than to provide information to the public.

Base Flood Elevation (BFE) information shown on this FIRM was derived from FEMA National Flood Insurance Study (NFIS) data. The information is not intended to be used for any purpose other than to provide information to the public.

SCALE

Graphic scale: 1 inch = 500 feet. Scale bar showing 0, 500, 1,000, 2,000 feet and 0, 125, 250, 500 meters.

PANEL LOCATOR

Map showing the location of the panel (0615, 0625, 0635) within the Monterey County area.

FEMA National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP

MONTEREY COUNTY, CALIFORNIA

PANEL 581 of 1950

PRELIMINARY 10/21/2021

VERSION NUMBER: 2.6.4.6
 MAP NUMBER: 06053CD581M
 MAP REVISED

6. Law Enforcement

Background

The Gonzales Police Department covers the area within incorporated City limits, serving the residents and visitors of the community. According to the City of Gonzales website, this service is based on a community policing philosophy that forms partnerships with our residents, schools and businesses. The department consists of 14 sworn Police Officers, one Records Supervisor, one Police Clerk and one Community Service Officer. The department is also supplemented by a Volunteer's in Policing Program that allows community members to assist the police department with many of its day-to-day operations.

Requested Information

Information for this section was provided by Gonzales Police Department Chief Keith Wise (interview on March 20, 2023).

a. Identify the location of the nearest existing and proposed police stations.

The Gonzales Police Department Station is located at 109 Fourth Street on the west side of US 101 in the downtown area of the city.

b. What does the city consider to be acceptable police response time?

The Gonzales Police Department considers up to 4 minutes as the maximum acceptable police response time.

c. What are the response times to the proposal area?

It is anticipated that it would be between 3 and 4 minutes to arrive at the

d. Would additional stations, facilities, and staffing be needed to service the affected area?

The proposal for the agricultural cooler will not meet any service thresholds to require any new stations, equipment or staffing.

e. How would these items be financed?

While no facilities are required as a part of the annexation, the project will contribute its fair share to future improvements through the payment of development impact fees.

f. Describe any problems the city might encounter in providing this service to the proposal area.

Existing conditions are that there is only one viable route to get to the project site from the fire station in the case of an emergency. The current secondary route to get to the site is circuitous around Johnson Canyon Road and Iverson Road. Although unlikely based on current and projected traffic counts, possible traffic congestion at the US 101 / Gloria Road interchange could delay response during certain times of day. The property owner will be dedicating right-of-way for the future extension of Herold Parkway to

Gloria Road that will be constructed upon development of the residential subdivision to the northwest of the project which will provide a future secondary route to get to the facility.

7. Circulation

Background

Gonzales is primarily linked to other cities in the Salinas Valley by U.S. Highway 101, which operates as a freeway through Gonzales with two lanes in each direction and a center median. The city is served by three interchanges at North Alta Street and Old Stage Road, Fifth Street and Gloria Road. In addition, the city has secondary connections in the region through Gonzales River Road, Johnson Canyon Road, Old Stage Road, Gloria Road, and Foletta Road.

The local roadway system includes a grid of north/south and east/west streets, with some of the east-west streets extending across Gonzales Slough into subdivisions characterized by curvilinear streets and cul-de-sacs. Fifth Street continues east from the grid and crosses 101, providing access to the newer subdivisions on the east side of the city. A network of farm roads forms a large grid on the eastern side of the city, including Associated Lane, and Fanoe Road/Herold Parkway closest to and paralleling Highway 101. Gloria and Iverson Roads form the south and eastern limits of this local roadway system. At the present time, there is a limited narrow road from the northern interchange and no direct paved access route from the southern interchanges to the existing neighborhood residential areas on the east side of US 101; however connections are proposed as part of the Gonzales General Plan Circulation Element. See [Figure 14, Existing Major Streets and Roads](#) for the existing network of streets and roads in the Gonzales Planning Area and [Figure 15, Circulation Diagram](#) for anticipated future improvements to the street network, including the key extension of Herold Parkway near the proposed project.

The project applicant will be required to expand Gloria Road along the project frontage consistent with the requirements of the Circulation Element. In addition, the future right-of-way for the extension of Herold Parkway will be dedicated to the City as part of this project.

Requested Information

a. Describe vehicular access to the proposal area, if applicable.

The project is accessed via Gloria Road. It is anticipated that nearly all employee traffic and all truck traffic will access the project via the US 101 / Gloria Road interchange.

b. What major circulation improvements are needed to serve the proposal area?

No major improvements are required as the project will not significantly impact the interchange. Road improvements will be made along the frontage of the annexation area per the build-out of Gloria Road per the General Plan Circulation Element. The property owner will be dedicating additional right-of-way along Gloria Road to facilitate these improvements. In addition, the property owner will be dedicating 80' of right-of-way for the future extension of Herold Parkway. The timing of the construction of this road will be dictated by the construction of residential areas to the northwest of the project site but will provide

greater circulation in the area and will connect to the east side of the City in a more direct manner than currently exists now.

c. How would the maintenance and construction of these improvements be financed?

The road improvements that are required along the property frontage at Gloria Road will be entirely financed by the property owner as a condition of approval for the project. Future expansion of Herold Parkway and enlargement of Gloria Road in either direction will be paid and constructed by future development.

d. What regional improvements are necessary for the proposal area?

None. The traffic operational analysis done to consider this project did not identify any regional improvements as a result of the construction of the agricultural cooler.

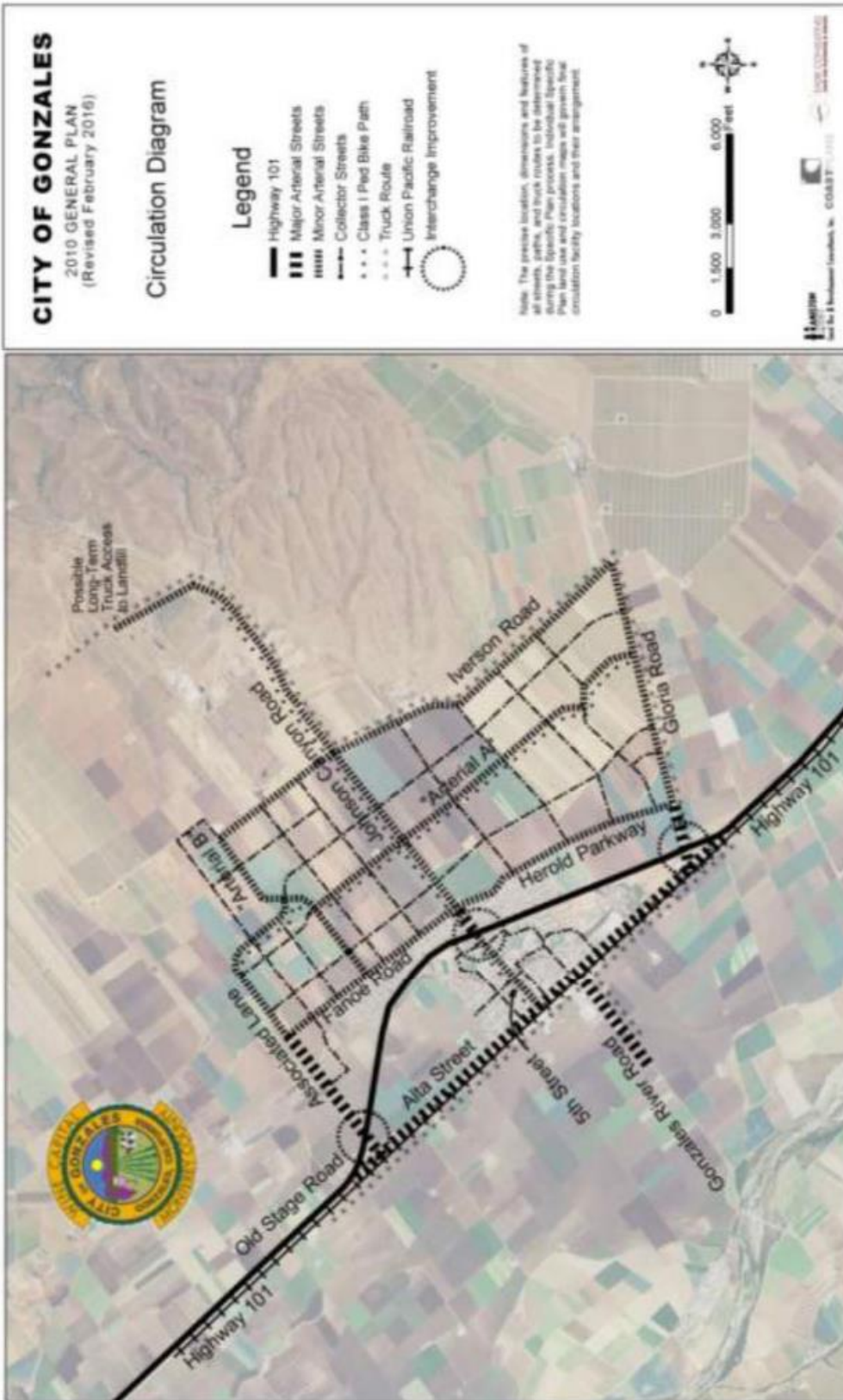
e. Will there be any other regional transportation impacts and what mitigation measures will be taken to address those impacts?

None are anticipated. It is expected that by moving operations of the agricultural cooler from an existing site in Salinas to the new site in Gonzales that impacts will be reduced by reducing the distance trucks are required to travel from the agricultural fields to carry product and that it will reduce VMT for employees based out of South County.

Figure 14 – Existing Major Streets and Roads (Source: 2010 Gonzales General Plan Circulation Element)



Figure 15 – Circulation Diagram (Source: 2010 Gonzales General Plan Circulation Element)



8. Parks and Recreation Service

Background

The City of Gonzales maintains seven parks, a recreation center, a community pool, and shares a gymnasium with the Gonzales Unified School District. The City operates a recreation Department to meet the recreational needs and desires of the residents of Gonzales by developing, implementing, and maintaining quality programs, services, and facilities which are cost-effective, creative, and responsive to resident input.

Requested Information

a. Describe the potential impacts of the proposal on park and recreation programs.

As the project is entirely industrial and no residential uses are planned, there are no anticipated impacts to the City of Gonzales Parks and Recreation system. No improvements are planned as a result of the project and no parks impact fees will be collected as a result of this project.

b. Are any existing or proposed parklands within the proposal area?

The site is currently 100% agricultural and no parklands are located in the proposal area. No parklands are proposed as part of the annexation project.

c. Are any lands of historical significance included within the proposal area?

There are no lands of historical significance included within the proposal area.

9. References

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June 2019. Existing City Plus Sphere of Influence Wastewater Master Plan.

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February 2023. SB 610 Water Supply Assessment for Vista Lucia Specific Plan Project.

March 2023. Gloria Road Cooler Agricultural Project Initial Study / Mitigated Negative Declaration.

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July 14, 2020. Special District Maps.

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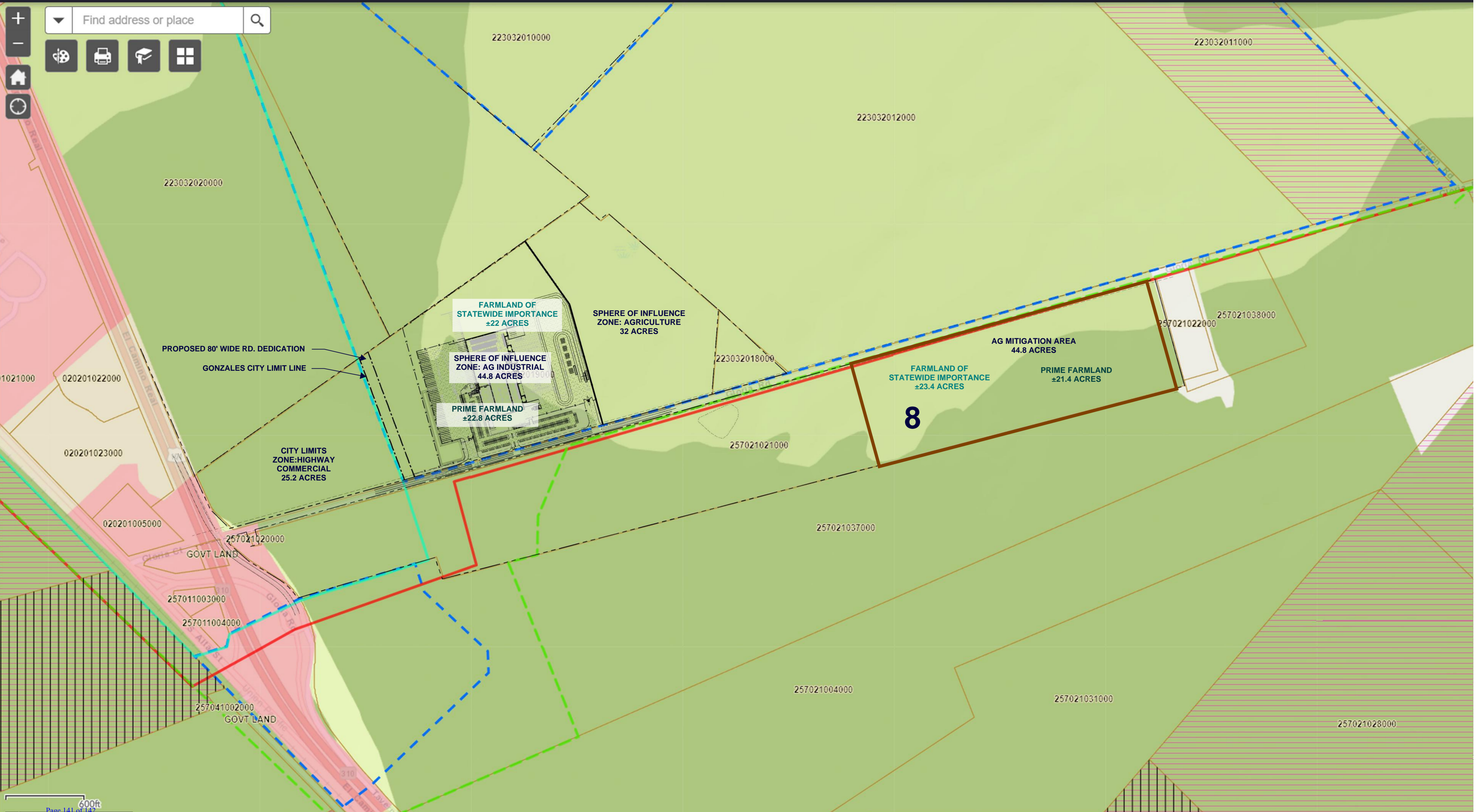
Peartree & Belli. January 2023. Gonzales Cooler Development Project Description, Revised.

Wallace Group. March 8, 2023. Gonzales Cooler Development Offsite Utility Exhibit.

Wise, Keith. Chief of Police, City of Gonzales. Interview with consultant. 20 March 2023.



Find address or place



Layer List

- Ag_Conservation_Easements
- Williamson Act
- Community Areas
- Rural Centers
- City Limits
- Permeant Agricultural Edge
- Urban Growth Boundary
- City Growth Boundary
- City Sphere of Influence (SOI)
- Proposed Annexations Submitted to LAFCO
- Salinas Economic Development Target Areas
- Parcels
- CA Important Farmlands
- Most Recent
- Prime Farmland
- Farmland of Statewide Importance
- Unique Farmland
- Grazing Land
- Farmland of Local Importance
- Farmland of Local Potential
- Other Land
- Confined Animal Agriculture
- Nonagricultural or Natural Vegetation
- Vacant or Disturbed Land
- Rural Residential Land
- Semi-agricultural and Rural Commercial Land
- Urban and Built-Up Land
- Water Area
- Irrigated Farmland
- Nonirrigated Farmland

Table 21: Net Fiscal Impact

Annual General Fund Impact ¹	Vista Lucia Total			Puente del Monte Total				Agricultural Cooler
	Village 1	Village 2	Residential	Nonresidential	West	East	Residential	
Fire Cost Scenario 1								
Revenues ²	\$ 1,726,032	\$ 1,496,788	\$ 3,222,820	\$ 401,949	\$ 641,203	\$ 1,432,797	\$ 2,074,000	\$ 307,876
Expenditures ³	3,497,590	2,998,662	6,496,252	26,801	1,323,584	2,863,722	4,187,305	25,302
Net Impact	\$(1,771,558)	\$(1,501,875)	\$(3,273,433)	\$ 375,149	\$(682,381)	\$(1,430,925)	\$(2,113,305)	\$ 282,574
Fire Cost Scenario 2								
Revenues ²	\$ 1,726,032	\$ 1,496,788	\$ 3,222,820	\$ 401,949	\$ 641,203	\$ 1,432,797	\$ 2,074,000	\$ 307,876
Expenditures ³	3,599,237	3,086,477	6,685,714	27,977	1,361,262	2,946,778	4,308,040	26,203
Net Impact	\$(1,873,205)	\$(1,589,689)	\$(3,462,894)	\$ 373,972	\$(720,059)	\$(1,513,982)	\$(2,234,040)	\$ 281,673

¹ Annual General Fund impact at build out in current dollars.

² See Table 11.

³ See Table 20.

Source: Willdan Financial Services