

October 30, 2015

Mic Steinmann, Community Services Director
City of Greenfield
599 El Camino Real
Greenfield, CA 93927

Re: Comments on Tunzi (Apple Row) Annexation and Vesting Tentative Map Mitigated Negative Declaration

Dear Mr. Steinmann:

Thank you for providing the Monterey Bay Unified Air Pollution Control District (Air District) with the opportunity to comment on the above-referenced document. The Air District has reviewed the document and has no comments.

Please let me know if you have any questions. I can be reached at (831) 647-9418 ext. 227 or aclymo@mbuapcd.org.

Best Regards,



Amy Clymo
Supervising Air Quality Planner

CITY OF GREENFIELD

COMMUNITY SERVICES DEPARTMENT
CITY OF GREENFIELD
P.O. BOX 127
599 EL CAMINO REAL
GREENFIELD, CA 93927
PHONE: (831) 674-5591 FAX: (831) 674-3149



SEPTEMBER 30, 2015

NOTICE OF AVAILABILITY/NOTICE OF INTENT TO ADOPT A SUBSEQUENT MITIGATED NEGATIVE DECLARATION FOR THE TUNZI (APPLE ROW) ANNEXATION AND VESTING TENTATIVE MAP

NOTICE IS HEREBY GIVEN that the City of Greenfield has prepared a Subsequent Mitigated Negative Declaration, pursuant to the requirements of CEQA, for the Tunzi (Apple Row) project. The project site is located north of Apple Avenue and generally west of the intersection with Morris Way. The site is located adjacent to the Greenfield city limits to the south and east. proposed Subsequent Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Community Services Department, 599 El Camino Real, Greenfield, CA 93927. An additional copy for public review is available at the Greenfield Branch Library at 315 El Camino Real. An additional copy for public review is available at the Greenfield Branch Library at 315 El Camino Real. The Initial Study can also be viewed on the city's website, www.ci.greenfield.ca.us. In accordance with time limits mandated by State law, written comments on this Subsequent Mitigated Negative Declaration and Initial Study will be accepted from:

Begins WEDNESDAY, SEPTEMBER 30, 2015; ends FRIDAY, OCTOBER 30, 2015.

Project Description: The proposed project is a vesting tentative map and annexation of approximately 9.55 acres from Monterey County into the City of Greenfield. The proposed project consists of 43 residential lots, a 0.2-acre percolation basin, a 0.45-acre park, and 0.18 acres of open space. The project proposes an internal street network that would connect to the streets in the approved (future) Mira Monte and Willow Glen projects. The project would connect to the Mira Monte project in the northwest portion of the site, and the roadway on the eastern portion of the project site is the same as indicated on plans for the Willow Glen project. Primary access to the project site would be from Apple Avenue, and interior streets would provide circulation within the project site. Public services and facilities, such as water, wastewater, gas, and electricity, would be extended from the City of Greenfield to the project site. Actions that would be taken relative to the project evaluated in the Subsequent MND include approval of the Vesting Tentative Map and all

SEP 30 2015

City-issued permits for construction and occupation. Prior to construction, annexation of the project area must be approved by the Monterey County Local Agency Formation Commission (LAFCO).

FOR ADDITIONAL INFORMATION CONTACT:

Mic Steinmann, Community Services Director
City of Greenfield
599 El Camino Real
Greenfield, CA 93927
msteinmann@ci.greenfield.ca.us
(831) 674-5591

For reviewing agencies: The City of Greenfield requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments.

Distribution: (see below)

- No Comments provided
 Comments noted below
 Comments provided in separate letter

COMMENTS: A mitigation measure should require
payment of TARC regional traffic impact
fees per Item #12 in the MOU
between the City and County,

Return to: Mic Steinmann, Community Services Director
City of Greenfield
599 El Camino Real
Greenfield, CA 93927
msteinmann@ci.greenfield.ca.us

From: Agency Name: Monterey County
RMA - Planning
Contact Person: Bob Schubert
Phone Number: (831) 755-5183

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

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Steve Snodgrass
Special District Member

Graig R. Stephens
Special District Member

Counsel

Leslie J. Girard
General Counsel

Staff

Kate McKenna, AICP
Executive Officer

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

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Salinas, CA 93902

Voice: 831-754-5838
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October 30, 2015

Michael A. Steinmann, Community Services Director
City of Greenfield
599 El Camino Real
Greenfield CA 93927

RE: Tunzi (Apple Row) Subdivision Proposal

Dear Mic:

Thank you for this opportunity to comment on the Draft Initial Study and Subsequent Mitigated Negative Declaration (MND) for the proposed Tunzi/Apple Row Subdivision project. The project includes annexation of about 9.6 acres to the City of Greenfield and development of up to 43 residential lots. The site is within the City's existing designated Sphere of Influence.

Under the California Environmental Quality Act (CEQA), the Local Agency Formation Commission of Monterey County (LAFCO) is a Responsible Agency for this proposal, and will have regulatory authority for future applications for the proposed annexation application. It is in this role that LAFCO is commenting on the EIR.

In order to meet the deadline for commenting on the Draft MND, I am providing the following comments in draft form. This letter is subject to review and authorization at the next regular meeting of the Local Agency Formation Commission on December 7.

I. Conformance to State LAFCO Law and Locally Adopted LAFCO Policies - (Please provide an analysis in the MND).

LAFCO's statutory authority is derived from the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code section 56000, et seq.). Among LAFCO's purposes are: Discouraging urban sprawl, preserving open space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances (section 56301). The Cortese-Knox-Hertzberg Act identifies factors that must be considered, and determinations that must be made, as part of LAFCO's review of annexation proposals.

These provisions of law are the legislative basis for LAFCO's locally adopted Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization ("LAFCO Policies"), most recently updated February 25, 2013, which guide LAFCO's review and consideration of requests for annexation and other boundary changes. Copies of the adopted LAFCO Policies were previously provided to the City's environmental consultants, and are also available on LAFCO's web site: <http://www.monterey.lafco.ca.gov/>

LAFCO will eventually be requested to consider approval of the annexation of the proposal's site, in accordance with the Cortese-Knox-Hertzberg Act and local LAFCO policies. As a CEQA Responsible Agency, LAFCO plans to use the City's environmental document to fulfill CEQA clearance for the annexation, and to

support the evaluation of the proposal's consistency with the applicable LAFCO laws and policies, including adopted "Preservation of Open-Space and Agricultural Lands" and "Housing and Jobs" policies, among others.

LAFCO therefore requests that the Final MND include an analysis of the proposal's conformance to these laws and policies. LAFCO staff can provide samples of similar analyses from other recent proposals. Page 2.0-12 of the current Initial Study's background section includes a "LAFCO Annexation Policy" box that is checked, but does not appear to provide any further consistency information¹. If the MND does not include the requested analysis, it may be necessary for LAFCO to require a supplemental analysis from the City, at the time of the annexation application, before being able to find CEQA review complete.

2. Conformance to the Adopted 2013 Greater Greenfield Area MOA – (Please address the MOA's annexation-related requirements in the current proposal's Final MND).

A) **Agricultural Buffers:** In 2013, to provide for orderly and appropriate future land use development, the City, the County, and LAFCO entered into the Greater Greenfield Area Memorandum of Agreement (MOA). The MOA set forth certain agreements among the parties and also identified several requirements applicable to subsequent annexation-related proposals such as the current proposal.

The Draft MND has integrated the MOA's provisions regarding mitigation for the conversion of agricultural lands to development². However, the MOA also identified requirements specific to agricultural buffers (to reduce potential incompatibility between agricultural and urban land uses), which the current project has not addressed. Page 2.0-20 of the Draft MND states:

- "The proposed project does not include buffers; however, the project site is surrounded by property that was analyzed for conversion to residential use in the Villages IS/MND. The project's site plan is designed to tie into adjacent approved development, with connections for internal roads and infrastructure. Further, due to the size of the project site (approximately 630 feet by 660 feet), the provision of buffers within the site would eliminate the ability to connect to adjacent parcels and make the project site infeasible for development. With respect to the potential for additional impacts related to development of the site without buffers, while some agricultural activity could occur on adjacent sites prior to development, the conversion of those sites from agricultural use were already considered in the IS/MND, as those sites are part of the previous project. Consequently, there would be no new impact."

Page 4 and Exhibit E of the MOA, which was approved in 2013 (i.e. subsequent to the 2008 Villages IS/MND), establish that the "City, County, and LAFCO agree that agricultural buffers will be provided where development of land within the City limits results in residential, public uses, or areas of active public congregation lying within 200 feet of land designated for agricultural use and within the unincorporated area, as explained below." The provision of agricultural buffers, where warranted, is also a component of LAFCO's locally adopted policies (LAFCO Policy "E," Preservation of Open-Space and Agricultural Lands).

Although the agricultural parcels surrounding the Tunzi site were evaluated for development in the 2008 IS/MND, and are part of the City's Sphere of Influence, they are currently in the

¹ The 2008 MND for "The Villages Planned Development and Annexation Project," on which the current Subsequent MND is based, included a detailed analysis of that project's consistency with LAFCO's policies as they existed at that time. However, the currently proposed project is a subset of the much larger overall Villages project, and LAFCO's adopted policies and other relevant background conditions have changed since 2008.

² The current Draft MND states that mitigating conservation easements must be in place prior to issuance of a grading permit for the proposed project. However, establishment of a definite and certain, project-specific mitigation plan for the project's impacts on farmland should also be anticipated as a requirement for LAFCO approval of an annexation proposal, which would occur prior to any City permit approvals.

unincorporated area of the County and will remain so for an unknown period of time. As noted above, the MND states that agricultural activity may occur on these sites [i.e. under existing land use designations]. Therefore, the provision of on-site agricultural buffers is appropriate under both the MOA terms and LAFCO's policies. It should be noted that certain agricultural buffer types such as setbacks and landscaping may be of a temporary, "rolling" character to accommodate agricultural operations on adjacent lands transitioning to development in the longer term.

Please be aware that Exhibit E (Interim Agricultural Buffer Policies) of the MOA provides that, until such time as a countywide buffer program is established, the "City and County agree that an interim [Greenfield-specific] buffer program... will be developed in consultation with the Monterey County Agricultural Commissioner's Office." To LAFCO's knowledge, an interim program has not yet been acted upon.

- B) **Other MOA Provisions:** LAFCO staff notes that Provision #20 of the MOA provides that the "City agrees to work with the Greenfield Fire Protection District to identify and address the impact of future annexations on the district." LAFCO also recommends that the City consult with the County to determine whether other provisions in the MOA related to a future countywide traffic impact fee, truck routes, or other specific topics may trigger requirements applicable to the current proposal.

Thank you again for this opportunity to comment on this proposal. Please continue to keep us informed throughout your process. I would be happy to meet with you and your consultants for more detailed discussions.

Sincerely,



Kate McKenna, AICP
Executive Officer