FINAL
GREATER GREENFIELD AREA
MEMORANDUM OF AGREEMENT

Adopted by Greenfield City Council on May 21, 2013
Adopted by Monterey County Board of Supervisors on June 11, 2013
Adopted by Local Agency Formation Commission of Monterey County on June 24, 2013

Preface

The negotiated terms of the City of Greenfield / County of Monterey / Local Agency Formation Commission of Monterey County Memorandum of Agreement ("MOA") shall be adopted only after public meetings of the Local Agency Formation Commission of Monterey County, the Monterey County Board of Supervisors, and the Greenfield City Council. In the event of a successful legal challenge to any provision of this MOA by a third party, the parties to this agreement agree to meet and confer in an effort to agree upon a successor provision.

This Memorandum of Agreement, by and between the Local Agency Formation Commission of Monterey County ("LAFCO"), the County of Monterey ("County"), and the City of Greenfield ("City"), is to set forth certain agreements between the parties to express their intent to jointly pursue action to assure orderly and appropriate land use development in the area designated herein as the "Greater Greenfield Area." Consisting of a framework of principles of agreement, this MOA serves as a commitment by the City, County, and LAFCO to develop mutually agreeable solutions on issues relevant to changes in the City's boundaries. This MOA also serves to satisfy the requirements imposed on the City by section 11.a of LAFCO's Resolution Making Determinations and Partially Approving a Comprehensive Amendment to Update the Sphere of Influence of the City of Greenfield, approved on March 26, 2007, which requires the City and LAFCO to enter into an agreement prior to any annexation to the City dealing with 10 separate, listed subjects. Specific objectives to be achieved through the implementation of the land use and associated policies included in this MOA are the preservation of certain agricultural land, the provision of future growth areas, and the provision of adequate financing for the services and facilities of benefit to the residents of the "Greater Greenfield Area." The MOA will serve as a baseline by which the City, County, and LAFCO can evaluate future annexation proposals for properties included in the March 2007 Sphere of Influence amendment or in future amendments to the Greenfield Sphere of Influence. It is not the intention of this MOA to retroactively impose the terms of this Agreement on properties included in Greenfield's Sphere of Influence as it existed prior to March 2007 ("the Pre-existing Sphere") and therefore annexations of the very limited number of properties remaining in the Pre-existing Sphere shall not be subject to this agreement.

It is recognized that, with respect to some of the provisions set forth herein, numerous actions must be taken pursuant to State and local laws and regulations before such policies can be implemented. Such actions include, in some instances, the need to comply with the California Environmental Quality Act (CEQA), the need to hold public hearings and/or otherwise seek public input before reaching binding decisions, and the need to obtain approvals from LAFCO. For all such provisions, this MOA shall be understood to constitute tentative policy commitments

that can only become fully binding after all such legal prerequisites have been satisfied. Even so, all parties agree to make a good faith effort to follow and implement the provisions of this MOA subject to the foregoing.

Now, therefore, the parties mutually agree to the following:

Long Term Direction of City Growth

1. As a mechanism for protecting the long-term viability of the prime agricultural land that surrounds the City while allowing the City to plan for future growth and economic development, City, LAFCO and County agree that the future growth directions of the City beyond the Sphere of Influence adopted by LAFCO on March 26, 2007 (see Exhibit A) until 2050 shall not include the following areas (Exhibit B):

   - The area west of Highway 101 and south of Espinosa Road (Exhibit A).
   - The area east of Highway 101 and south of Elm Avenue (excluding the area west of the approximate extension of Third Street). In furtherance of this requirement, the City agrees to remove the "Future Planning Area" on the City's General Plan Land Use Map (Exhibit C) from the area that is south of Elm Avenue and east of the approximate extension of 3rd Street.
   - The area west of Highway 101 and north of Cypress Avenue.
   - The area east of Highway 101 and north of approximate easterly extension of Thorne Road.
   - The area west of 12th Street and between Cypress Avenue and Walnut Avenue.

   The City and County agree that all local taxes collected from City annexations that are not consistent with this MOA shall not accrue to the benefit of the City of Greenfield.

2. Excepting those lands designated in the City's General Plan as Artisan Agricultural Visitor Serving (AAVS), the County supports inclusion of the "Future Study Area," as adopted by LAFCO on March 26, 2007, and as shown on Exhibit A, in the Sphere of Influence and its subsequent annexation(s) per LAFCO policies.

3. County supports the annexation of all lands within the City's Sphere of Influence, as adopted by LAFCO on March 26, 2007 ("SOI"), as shown on Exhibit A, per LAFCO policies.

4. With regard to those lands designated in the City's General Plan as AAVS, the County supports the annexation of the area designated the "Initial AAVS Area" on Exhibit A per LAFCO policies, and will consider supporting the inclusion of the remaining AAVS designated lands in the City's Sphere of Influence (and annexation) under either of the following circumstances:

   a. The City demonstrates the economic viability of the AAVS designation and its success at preserving agricultural uses in the Initial AAVS Area; or

b. The City amends its General Plan to designate the lands for compact and efficient urban development other than AAVS that minimizes the conversion of agricultural lands.

5. City and County agree that development requiring discretionary permits on unincorporated lands within the SOI shall occur only after the annexation of such lands to the City and that the City shall consult with the County in the planning process. City and County also agree that development requiring discretionary permits within the area designated as the "Referral Area," as depicted on Exhibit D, shall only occur after consultation with the City in the planning process and the County therefore agrees that prior to approving any development beyond typical agricultural uses in the Referral Area it will consider the concerns expressed by the City. County acknowledges the special concern of the City relative to the development in the unincorporated areas (a) to the west of Highway 101 and south of Espinosa Road to approximately Underwood Road and (b) to the north of Thorne Road (and west of Highway 101) to the bluff top.

6. City and County agree that the County will not process any development proposals in areas contiguous (immediately adjacent) to the then-existing City boundary that would require either a general plan amendment or a rezoning without first referring the proposal to the City for its consideration and possible annexation to the City. Further, City and County agree that all general plan amendments, or rezoning within the City General Plan Area, shall be referred to the County for review.

7. City and County agree to work cooperatively and expeditiously in any annexation or sphere of influence proceedings that are consistent with this MOA.

8. City and County agree to work together in good faith to facilitate the development of the Yanks project or an alternative project that would allow the County to fulfill the job creation requirements of the EDA Grant associated with the Yanks Project. In the event that the Yanks Project does not proceed to completion, the City agrees to support and provide assistance to the County in its efforts to fulfill the job creation requirements of the EDA Grant associated with the Yanks Project. Such support and assistance may include consideration of the annexation of the Yanks property to the City of Greenfield to facilitate the development of the property.

Agricultural Land Mitigation

9. In respect to Agricultural Land Mitigation, the City agrees to consider the adoption of an agricultural land mitigation program, following a public process, if the County adopts such a program in the future. Upon the County's adoption of such a program, the City will then consult with the County on the appropriateness of applying a similar program to the City. The City shall be required to adopt an agricultural land mitigation program only if the Cities of Gonzales, King City, Salinas and Soledad also adopt such a program.

Until such time as the program has been established, the City will mitigate the loss of agricultural land (defined as land used for agricultural purposes within the last five years preceding annexation and considered Important Farmland per the California Department of Conservation Farmland Mapping and Monitoring Program) on an individual basis to the extent feasible, as determined through the California Environmental Quality Act process. Appropriate mitigation measures include measures that secure the voluntary dedication of easements, payment of a mitigation fee to be used to purchase easements through a mitigation bank, or other equally effective mechanisms that mitigate for the loss of Important Farmland, as described in this paragraph. In the event a mitigation fee is to be charged, such a fee shall be sufficient to acquire a conservation easement(s) on agricultural land of equal or greater agricultural value at a 1:1 ratio. Alternatively, the developer shall obtain a permanent conservation easement on a 1:1 basis per acre converted. The fee or easement shall be provided to a non-profit organization reasonably acceptable to the County. Any fee collected shall be used for the purchase of permanent conservation easements.

City and County agree any funds or conservation easements derived from farmland conversion should be used for mitigation in the "Greater Greenfield Area" (as identified in Exhibit D), rather than in other areas of the County. The acreage in a project or annexation that is dedicated to the City as open space or parkland shall not be subject to this provision.

Permanent conservation easements have been voluntarily offered as part of the approval of the Franscioni annexation (APN 221-011-017) east of Highway 101 between Espinosa Road and Elm Avenue, upon cancellation to be conducted by the City of Greenfield, through the Williamson Act Exchange Program. The easements include a 50 acre easement across the entire eastern boundary of the property (adjacent to the approximate extension of Third Street) and off-site easements currently proposed for APN: 221-011-040 and APN: 137-151-009 or other parcels as determined through a public process and acceptable to the Monterey County Board of Supervisors. The parties agree this offer would provide satisfactory mitigation for the conversion of this agricultural land.

Agricultural Buffers

10. To reduce potential incompatibility between agricultural and urban land uses, 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. "Areas of active public congregation" shall not include industrial uses, which are deemed compatible with agricultural uses. Agricultural buffers shall be provided in accordance with a countywide program adopted by the County and the Cities of the Salinas Valley. Until that program is adopted, buffers shall be provided as described in Exhibit E.

Efficient Urban Development Patterns

11. LAFCO has adopted a policy that requires it to consider whether the City has "included certain goals, policies, and objectives into its General Plan that encourage mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use, and that encourage and provide well-planned, well-ordered and efficient urban development patterns." City and LAFCO agree that the City's General Plan includes the goals, policies, and objectives that LAFCO is required to consider. In addition to the efficient densities set forth in general plan land use designations, these goals, policies, and objectives include the following: Policy 2.1.9, Policy 2.1.14, Policy 2.2.3, Policy 2.2.4, Policy 2.3.3, Policy 2.3.7, Policy 2.3.9, Policy 2.3.10, Program 2.8.A, Program 2.8.C, the Downtown Mixed Use Overlay District, Policy 3.7.3, Policy 3.7.8, Program 3.7.B, and Program 3.7.D

Regional Traffic Needs

12. City and County shall support regional traffic impact fees and/or taxes to mitigate the impact of new development on the regional transportation system to the extent that the fees and/or taxes reflect the overall financing program adopted by TAMC and are consistent with applicable law.

13. City and County agree that County will develop a County-wide Traffic Impact Fee program for the improvement of major County roads in accordance with the County's adopted General Plan. The County fee program will be developed in consultation with TAMC and Monterey County cities. The parties agree in principle that the City will mitigate the impact of City development on County roads, and County will mitigate the impact of County development on City roads.

Truck Routes

14. The City and County agree to mitigate the impact of truck traffic on the City of Greenfield through the development of a truck route system, as shown on Exhibit F. The future implementation of such truck routes is subject to major infrastructure improvements.

Regional Housing Needs

15. City and County agree to support each other's efforts to meet each jurisdiction's Fair Share Housing Allocation as approved by the Association of Monterey Bay Area Governments, and in particular their respective fair shares of affordable housing.

Public Services and Facilities

16. The City's General Plan contains numerous policies to ensure that adequate public services and facilities exist to serve new development and to ensure that new development does not adversely affect the provision of public services and facilities to the existing city. These policies include: Program 2.1.C, Program 2.1.D, Program 2.1.E, Program 2.1.F, Policy 3.2.2, Policy 3.2.3, Policy 3.2.4, Program 3.2.C, Program 3.2.D, Program 3.2.F, and the various Goals, Policies and Programs set forth in the

Growth Management Element (Chapter 4.0). LAFCO acknowledges that the implementation of these policies satisfies its requirements regarding the adequacy of public services and facilities.

The City and the County agree to mitigate storm water impacts from development within their respective jurisdictions. To the extent possible the jurisdictions will require development to utilize best management practices to significantly reduce or eliminate down stream storm water runoff.

City/County Relations

17. City and County commit to the establishment of a City/County Land-Use Planning Committee. The Committee shall be made up of members of the planning staff designated by the management of their respective jurisdictions. The Committee shall meet as needed and not less than quarterly to address land use issues of mutual concern to the City and County.

18. City and County commit to the establishment of a City/County Management Council. The Council shall be made up of the City Manager and the County Administrative Officer and their respective designees. The Council shall meet no less than annually to address issues of mutual concern to the City and County.

Intergovernmental Cooperation

19. City and County agree to invite the cities of Gonzales, Soledad, and King City to participate, individually, in the Land-Use Planning Committee and the Management Council. The Committee and Council shall address land uses issues of mutual concern to the cities and County.

20. The City agrees to work with the Greenfield Fire Protection District to identify and address the impact of future annexations on the district.

Exhibits

21. The following exhibits are incorporated into this MOA.

Exhibit A	Boundary Diagram
Exhibit B	Future Growth Direction Diagram
Exhibit C	Greenfield General Plan Land Use Map
Exhibit D	Referral Area
Exhibit E	Interim Agricultural Buffer Policies
Exhibit F	Greenfield Truck Routes

CITY OF GREENFIELD
A California municipal corporation

By: _____
John Huerta, Jr.,
Mayor

COUNTY OF MONTEREY
A political subdivision of the State of California

By: _____
Fernando Armenta,
Chair of the Board of Supervisors

LOCAL AGENCY FORMATION COMMISSION
OF MONTEREY COUNTY
A regulatory body of the State of California

By: _____
Louis R. Calcagno, Chair

EXHIBIT "A"

Boundary Diagram

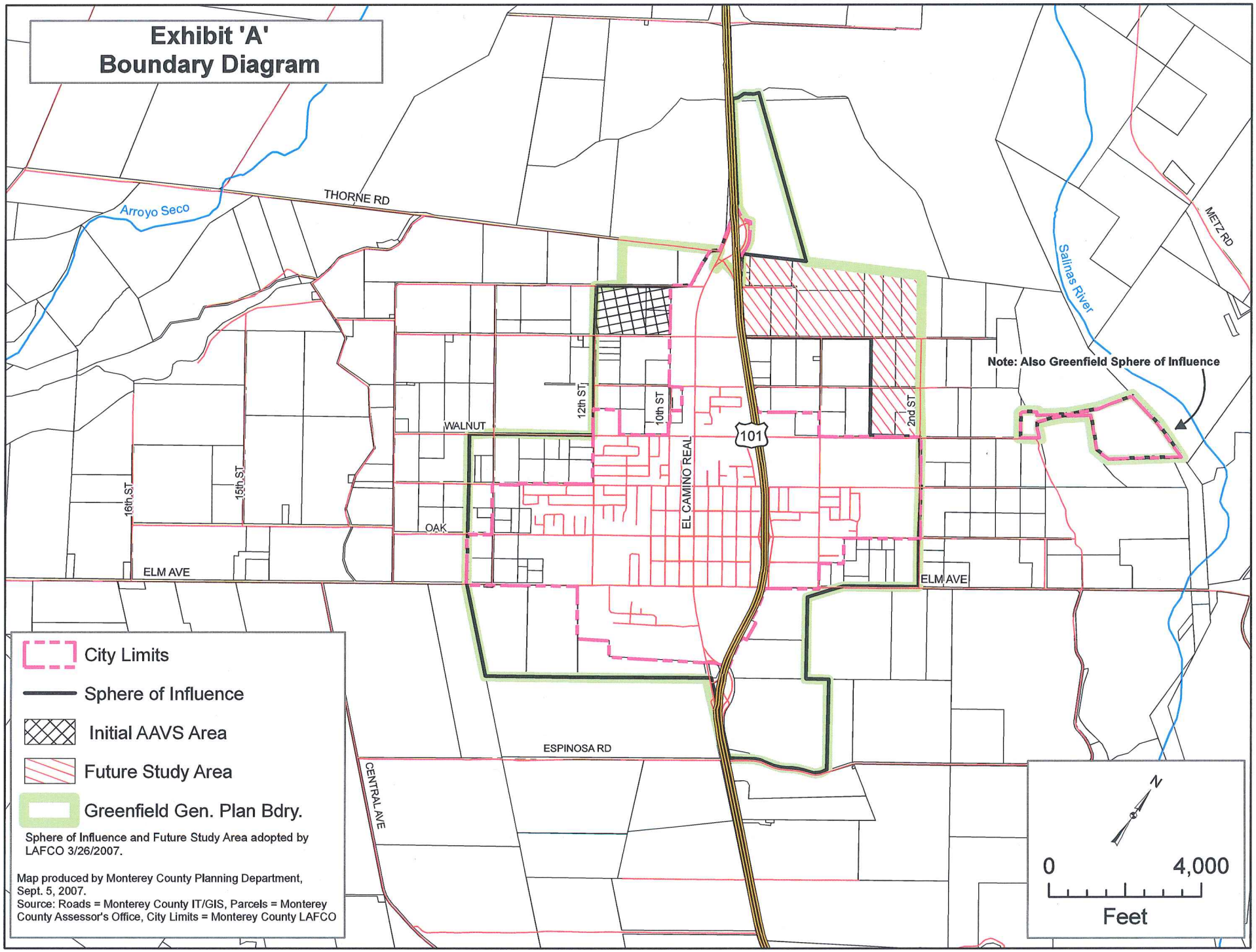
Exhibit 'A'
Boundary Diagram
THORNE RD
Arroyo Seco
Salinas River
METZ RD
Note: Also Greenfield Sphere of Influence
WALNUT
OAK
ELM AVE
ELM AVE
ESPINOSA RD
CENTRAL AVE
EL CAMINO REAL
101
12th ST
10th ST
2nd ST
16th ST
15th ST
City Limits
Sphere of Influence
Initial AAVS Area
Future Study Area
Greenfield Gen. Plan Bdry.
Sphere of Influence and Future Study Area adopted by LAFCO 3/26/2007.
Map produced by Monterey County Planning Department, Sept. 5, 2007.
Source: Roads = Monterey County IT/GIS, Parcels = Monterey County Assessor's Office, City Limits = Monterey County LAFCO
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EXHIBIT "B"

Greenfield Growth Area

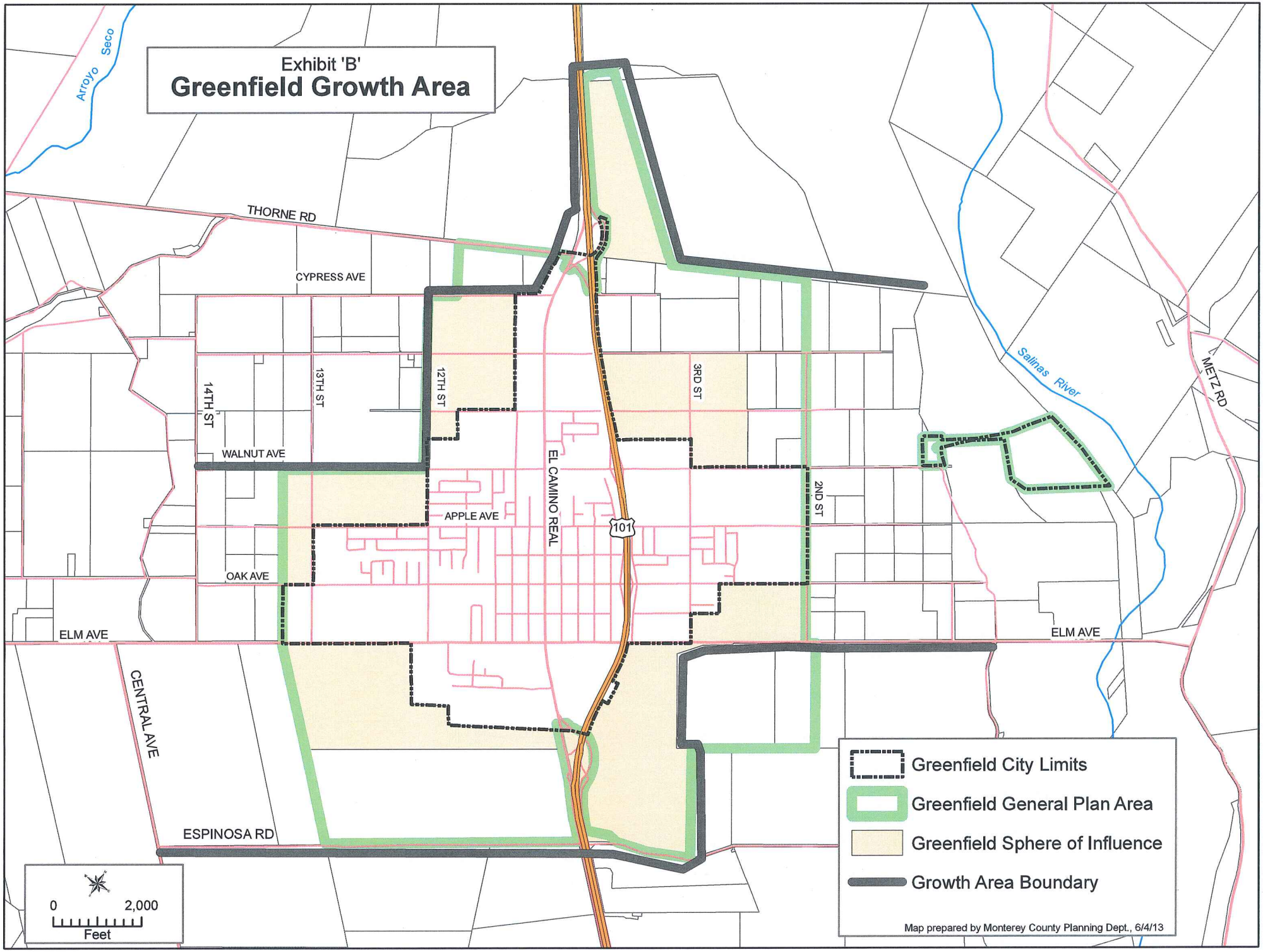
Exhibit 'B'
Greenfield Growth Area
Arroyo Seco
THORNE RD
CYPRESS AVE
14TH ST
13TH ST
12TH ST
3RD ST
2ND ST
WALNUT AVE
APPLE AVE
OAK AVE
ELM AVE
EL CAMINO REAL
101
Salinas River
METZ RD
CENTRAL AVE
ESPINOSA RD
0
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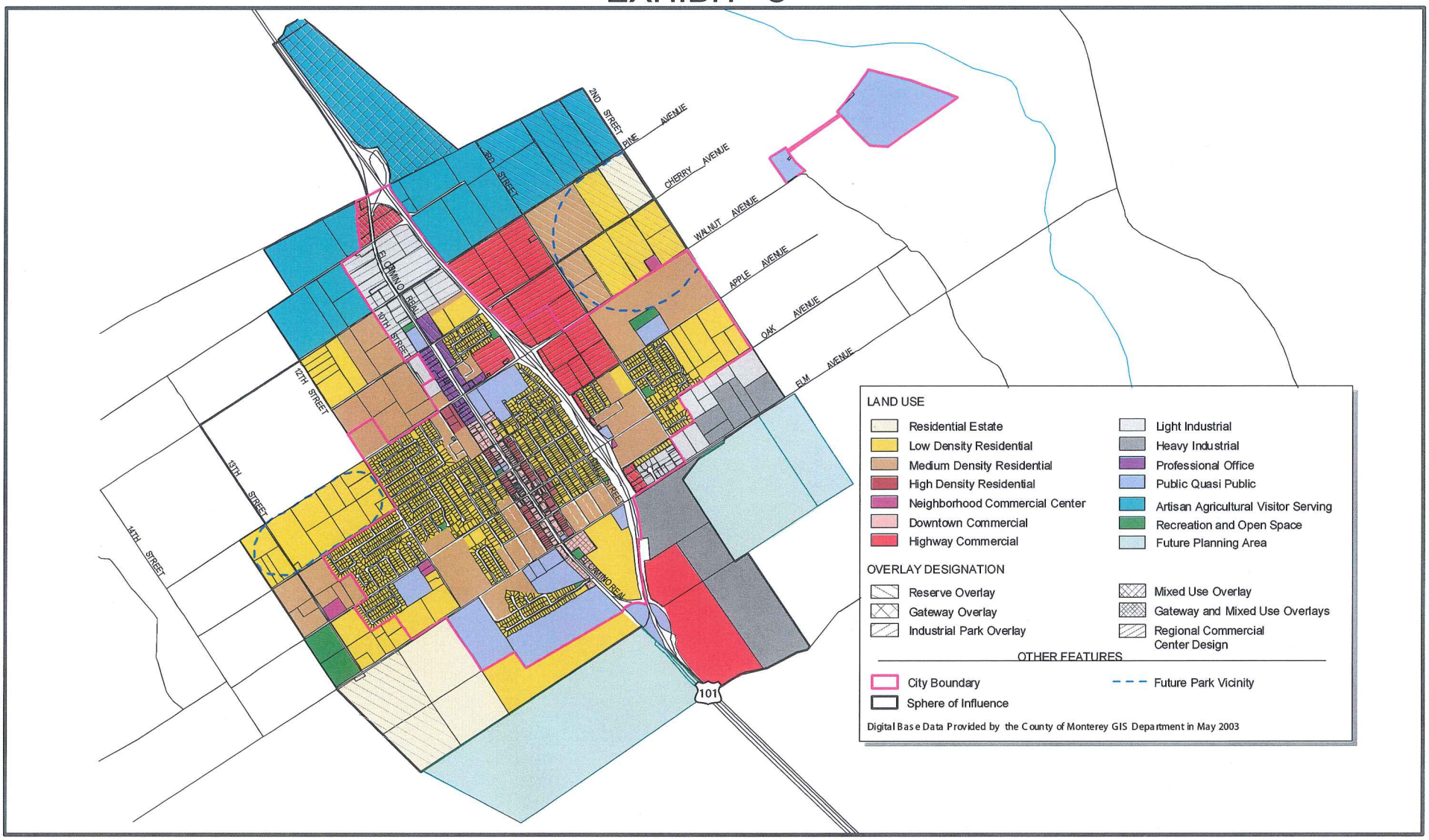
Feet
Greenfield City Limits
Greenfield General Plan Area
Greenfield Sphere of Influence
Growth Area Boundary
Map prepared by Monterey County Planning Dept., 6/4/13

EXHIBIT "C"

Greenfield General Plan

Land Use Map

EXHIBIT "C"



T:\City of Greenfield\Graphic Development\General Plan Amendment Figures\Figure 2-3.ai, August 2006

FIGURE 2-3
AMENDED LAND USE DIAGRAM (REFLECTING CITY-SPONSORED GPA AND SOUTHEND SOI PROJECT)

PMC

EXHIBIT "D"

Referral Area

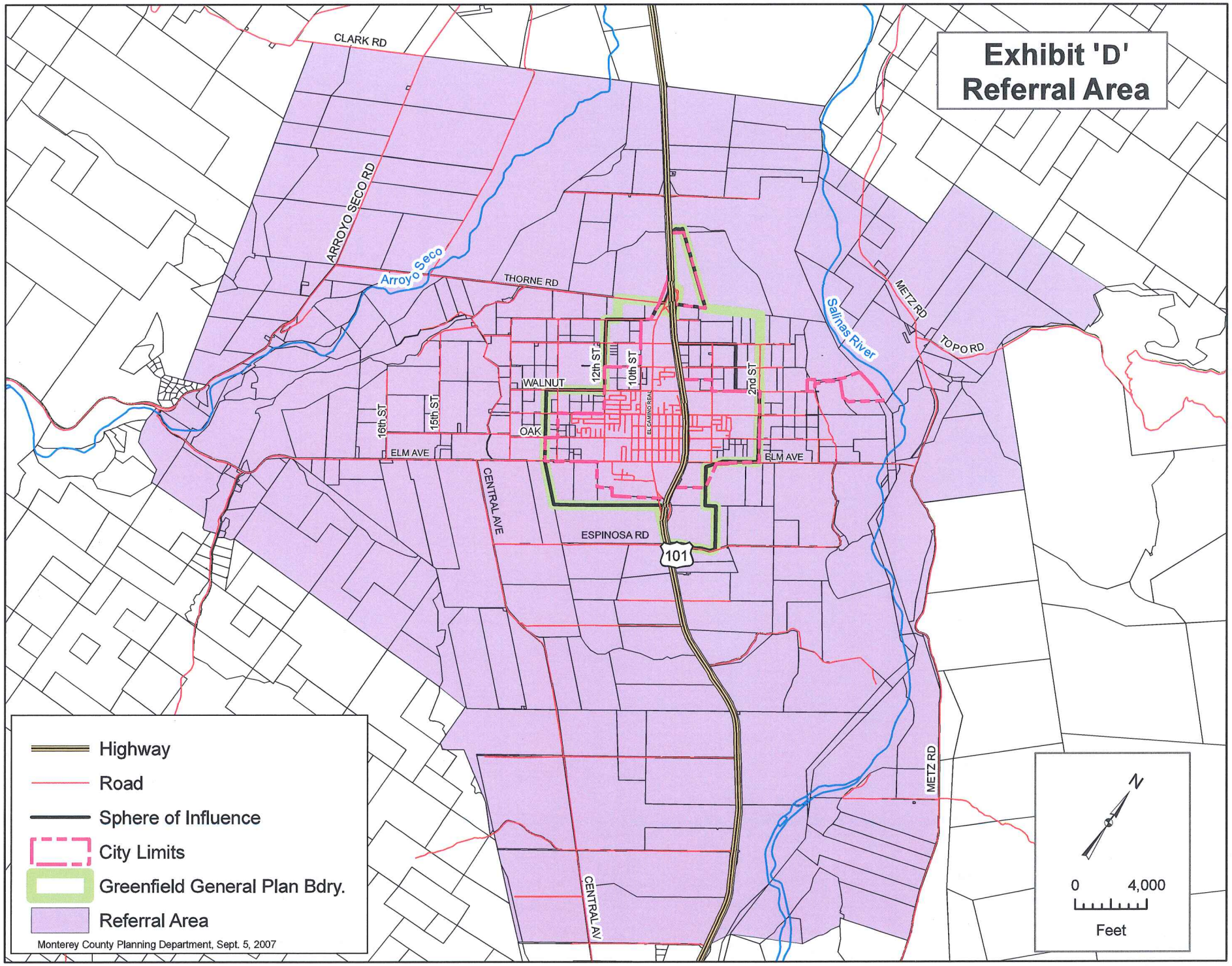


Exhibit 'D'
Referral Area
CLARK RD
ARROYO SECO RD
Arroyo Seco
THORNE RD
Salinas River
METZ RD
TOPO RD
WALNUT
OAK
ELM AVE
ELM AVE
16th ST
15th ST
12th ST
10th ST
2nd ST
EL CAMINO REAL
CENTRAL AVE
ESPINOSA RD
101
METZ RD
CENTRAL AV
Highway
Road
Sphere of Influence
City Limits
Greenfield General Plan Bdry.
Referral Area
Monterey County Planning Department, Sept. 5, 2007
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4,000
Feet

EXHIBIT "E"

Interim Agricultural

Buffer Policies

Exhibit E

Interim Agricultural Buffer Policies

The City's General Plan program 2.6.D shall be used as a model for the residential/agricultural interface resulting from development projects within the City. For the area east of Highway 101, permanent buffers of 200 foot width shall be provided within the city limits and may include road rights-of-way located in the unincorporated area for the above-stated land uses along Elm Avenue, Espinosa Road, and the city's northern edge (excluding the Yanks property frontage). The parties acknowledge that the City's General Plan utilizes the AAVS land use designation to serve as a transitional use between urban areas and intensive agricultural land use, thereby creating an effective agricultural buffer. For the area west of Highway 101, the City will establish permanent 200 foot wide agricultural buffers within the city limits and may include road rights-of-way located in the unincorporated area along Cypress Avenue to the north and Espinosa Road to the south. Permanent buffers shall include a permanent conservation easement. In other areas proposed for urban growth, the urban/agricultural interface will be governed by the City's General Plan Policy 2.1.12, which states that "Where differing land uses abut one another, [the City shall] promote land use compatibility with buffering techniques such as landscaping, setbacks, screening and, where necessary, construction of sound walls." Notwithstanding the use of the term "permanent buffer," in this Exhibit, the parties acknowledge that such buffers can be terminated, subject to written notice to the County and LAFCO, in the event that the land uses on both sides of the buffer are urban uses.

The City and County agree that an interim buffer program for areas in transition from agricultural to urban uses will be developed in consultation with the Monterey County Agricultural Commissioner's office. Interim Buffer width and location shall be determined using the following factors to protect existing agricultural operations:

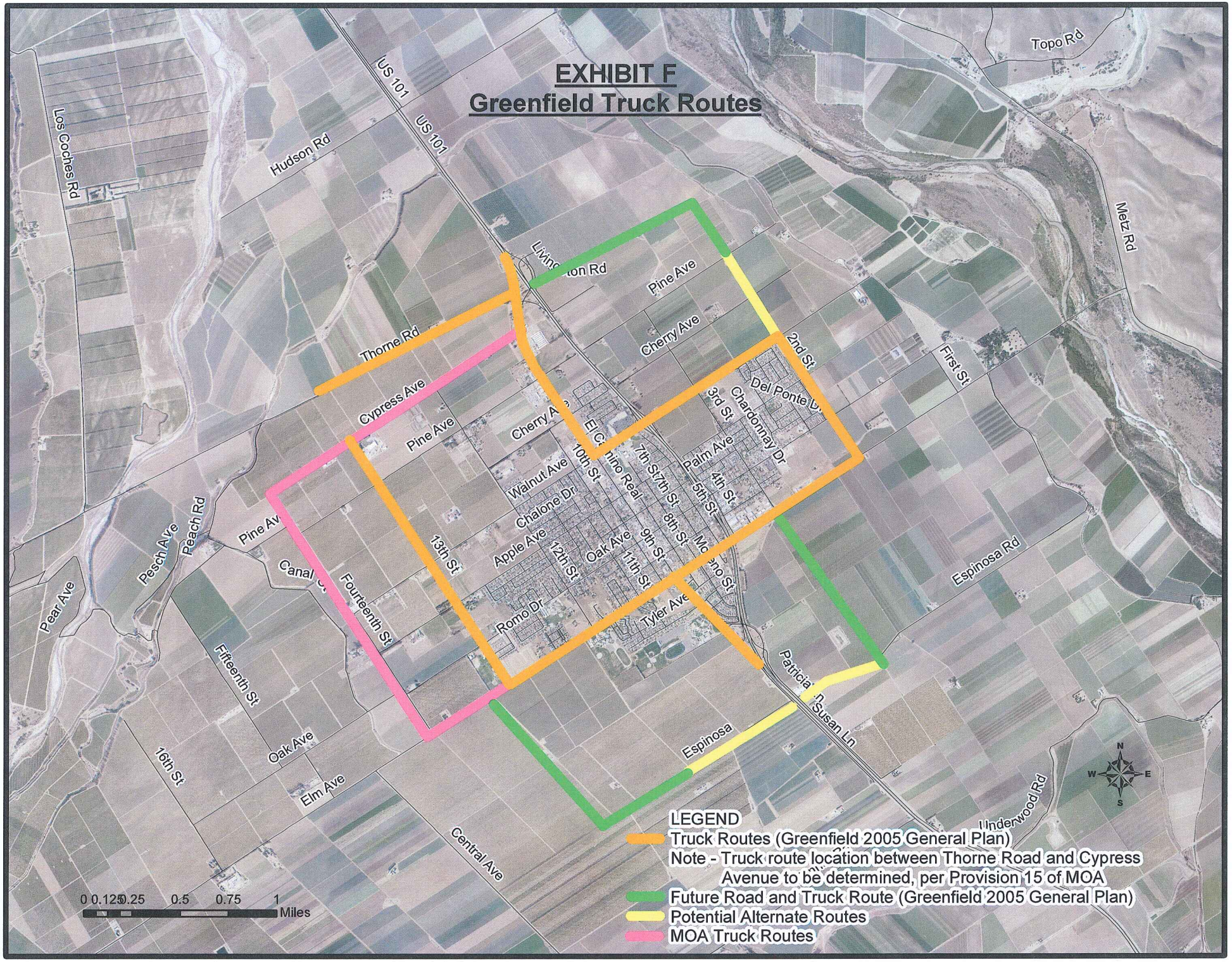
a. The type of non-agricultural use proposed, site conditions and anticipated agricultural practices, weather patterns, crop type, machinery, pesticide use, existence of topographical features, trees and shrubs, and possible development of a landscape berm to separate the non-agricultural use from the existing agricultural use.
b. Drainage, shading, vegetation, and erosion control shall be considered in the establishment of an agricultural buffer area and be made beneficial to the adjacent agricultural use.
c. Buffers shall be designed to comply with applicable state and local laws regulating school buffers, pesticide setbacks, and other controls.
d. Agricultural buffers and/or easements shall be provided on the land designated for the proposed new use and not on the adjacent agricultural land unless by mutual agreement between all abutting landowners.
e. Buffer maintenance will be the responsibility of the underlying fee title owner and shall be enforced by the applicable jurisdiction.

The parties acknowledge that buffers may be eliminated when the agricultural-protection rationale for which the buffer was established no longer exists.

EXHIBIT "F"

Greenfield Truck Routes

EXHIBIT F
Greenfield Truck Routes

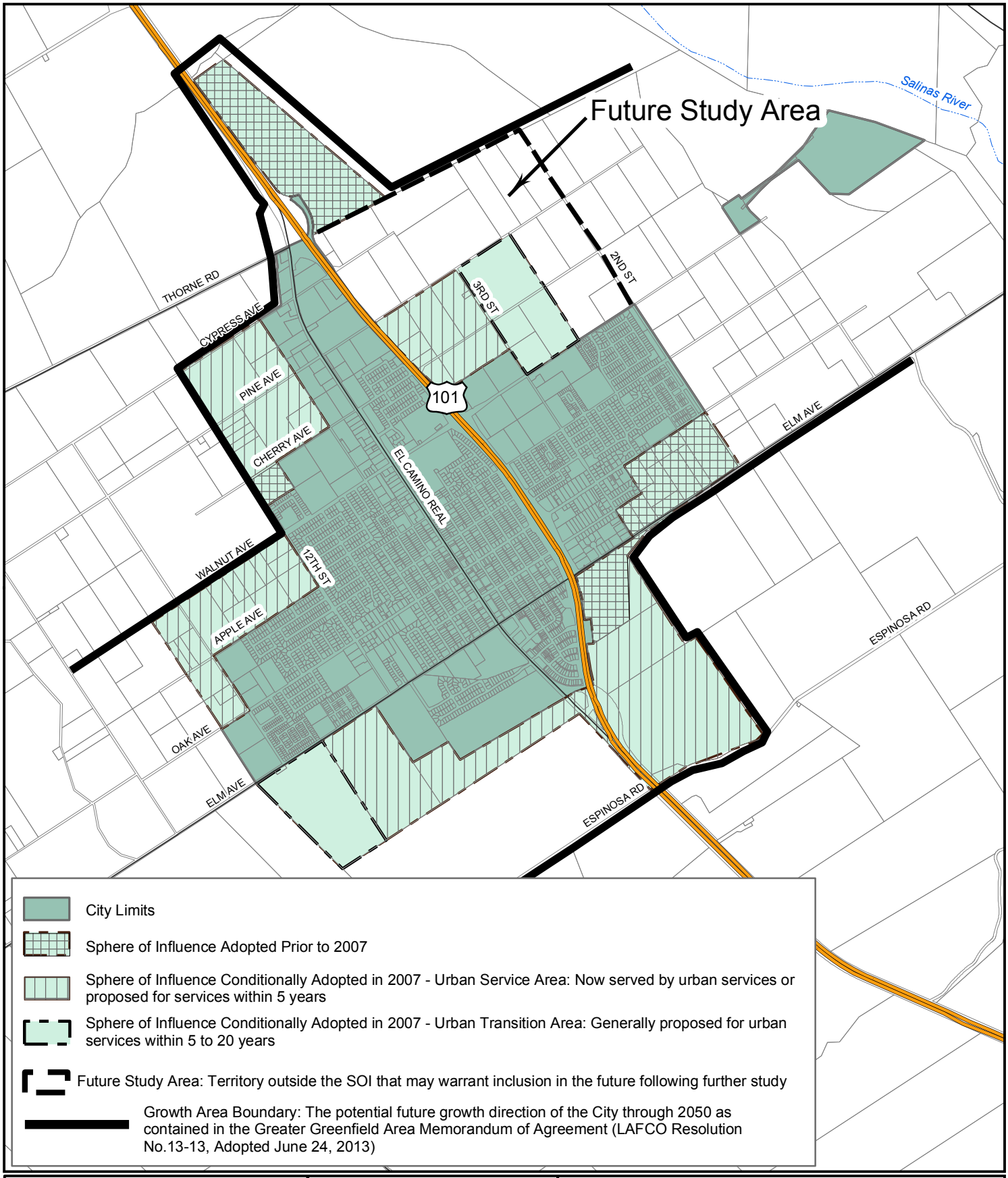


2007 Sphere of Influence Map Illustrating the Approved Growth Area Boundary Shown in Exhibit "B" of the Draft Memorandum of Agreement

LAFCO Resolution No. 13-13

Adopted June 24, 2013

Greenfield Memorandum of Agreement



LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION

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Feet

CITY OF GREENFIELD

Last LAFCO-Approved Change: 12/1/2008
Sphere of Influence Affirmed: 9/27/2010

MOA Growth Boundary Added for Illustrative Purposes: 6/24/2013