AGENDA

PLANNING COMMISSION
REGULAR MEETING
COUNCIL CHAMBERS, 117 FOURTH STREET
GONZALES, CA 93926
TUESDAY, AUGUST 4, 2026
6:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

1. ROLL CALL
Chairperson Tencia Vargas, Chair Pro Tem Alex Ramirez, Commissioner Gloria Velasquez, Commissioner Adrian Paco, and Commissioner Delia Guiterrez.

PUBLIC NOTICE

The public may participate in person or online via zoom at https://us06web.zoom.us/j/85229080916 or call 1 (669) 900-6833 and use Meeting ID: 852 2908 0916. If you wish to make either a general public comment or to comment on a specific agenda item, please use the Raise Hand function. You will be allowed two minutes for your comments.

If you choose not to attend the Planning Commission meeting but wish to make a comment on a specific agenda item, please submit your comment limited to 250 words or less by 12:00p.m. on the day of the meeting to the Development Services Technician/Administrative Analyst at aponce@ci.gonzales.ca.us

2. BUSINESS FROM THE PUBLIC
Business from the Public not on the Agenda; any member of the Public may address the Planning Commission for a period not to exceed two (2) minutes on any subject not on the Agenda. The Planning Commission will listen to all communications but may take no action.

3. CONSENT AGENDA
All matters listed under the Consent Agenda are considered routine by the Planning Commission and will be adopted by one action of the Planning Commission unless any 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.

3.1 Planning Commission- Regular Meeting- January 26, 2026 Minutes
1-26-26 PC Mtg Minutes.pdf

4. REGULAR AGENDA

4.1 Adopt Resolution No. PC2026-01, "A Resolution of the Planning Commission of the City of Gonzales, Extending by two years, the approval of Conditional Use Permit PL2023-02 for the Gonzales Cooler Development Project to August 20, 2028 (Monterey County Assesor Parcel No. 223-032-019)."
4.2 PL2023-02_Extension_Request_Letter
4.3 Gloria Road Aggricultural Cooler Annexation and Use Permit Project_Staff Report (8)

4.4 RES_PC_2023-05
4.5 CUP_2023-02_Original_Permit.pdf
4.6 Approved_Site_Plan_-_Gloria_Cooler (1)
4.7 Approved_Exterior_Elevations_Gloria_Cooler
4.8_RES_PC_2026-01_Extension_of_Gloria_Cooler_Use_Permit (2).pdf

5. BUSINESS FROM PLANNING COMMISSION
Oral Communications

6. BUSINESS FROM COMMUNITY DEVELOPMENT DIRECTOR
Oral Communications

7. ADJOURNMENT

In compliance with the American with 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.

I, Alejandrina Ponce, Development Services Technician/Administrative Analyst with the City of Gonzales, do hereby certify that a copy of the foregoing Planning Commission Meeting Agenda was posted at City Hall, Council Chambers, and on the City's website by Thursday, July 30, 2026, at 5:00 p.m.

Alejandrina Ponce 7/30/2026
Alejandrina Ponce Date

CITY OF GONZALES

AGENDA ITEM

3.1

COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

TO: Chairperson Tencia Vargas and Planning Commission

DATE: August 4, 2026

FROM: Taven Kinison Brown, Community Development Director

THROUGH: Carmen Gil, City Manager

SUBJECT: Planning Commission- Regular Meeting- January 26, 2026 Minutes

ATTACHMENTS:
1-26-26 PC Mtg Minutes.pdf

MINUTES

GONZALES PLANNING COMMISSION
REGULAR MEETING
MONDAY, JANUARY 26, 2026
6:00 P.M.

CALL TO ORDER

The meeting was called to order at 6:01 PM by Chair Tencia Vargas.

PLEDGE OF ALLEGIANCE

The flag salute was recited by all present.

1. ROLL CALL

Attendee Name	Title	Status
Tencia Vargas	Chairperson	Present
Alex Ramirez	Chair Pro Tem	Present
Adrian Paco	Commissioner	Present
Gloria Velasquez	Commissioner	Present
Delia Gutierrez	Commissioner	Present

STAFF PRESENT

Community Development Director Taven Kinson Brown and Development Services Technician/Administrative Analyst Alejandrina Ponce.

PUBLIC NOTICE

This meeting is being conducted in accordance 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 http://us06web.zoom.us/j/89576370933 or call 1-669-900-6833 and use Meeting ID: 895 7637 0933. 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 two minutes to make 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

Chairperson Vargas asks if any comments were received prior to the meeting. In regard to the Puente Del Monte project, Community Development Director Kinison Brown confirmed that a few written correspondences were received from the Department of Toxic Substances, Caltrans and the California Native Heritage Commission and lastly from the California Highway Patrol. The letters are going to be put on record.

BUSINESS FROM THE PUBLIC

2. Business from the Public is 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.

   There was none.

CONSENT AGENDA

3. Approve the Planning Commission -Regular Meeting – November 24, 2025, Minutes

RESULT:	**APPROVED**
MOVER:	Chair Pro Tem Alex Ramirez
SECONDER:	Commissioner Adrian Paco
AYES:	Gloria Velasquez, Adrian Paco, Tencia Vargas, Alex Ramirez, Delia Gutierrez,

REGULAR AGENDA

4. Puente Del Monte Environmental Impact Report (EIR) Scoping Meeting

   Staff Report: Community Development Director Kinison Brown introduced Troy Lawson, consultant, from EMC Development and Brent Slama and the presence of representatives from Puente del Monte property owners, Geoff Scott. Also, owners of properties, farmers and farmers from the community and the school district. He mentioned that Terry Wisler from EMC Development was going to be via Zoom for any questions.

   Mr. Lawson presented the environmental impact report to the public and provided input to get feedback from the Planning Commission.

   Puente del Monte Specific plan was proposed by Jackson Family Investments; the land is located on 501 acres adjacent to the City of Gonzales. The project area includes a single-family residence, agricultural maintenance facilities, agricultural land with vineyards and is surrounded by rural areas to the north, south, east and west. An application has been submitted to the city for annexation, pre-zoning approvals, and plan adoption. The project includes:

   - 2,492 homes from high to low density covering 311.4 acres
   - 6.6 acres are destined for mixed use
   - Light industrial business park development will cover 8.5 acres
   - 61.6 acres of agricultural buffers
   - 54.6 acres of parks and trails
   - 21.2 acres of public facilities (including 2 elementary schools)
   - 43.8 acres of circulation improvements

   With this housing development, the city population will increase approximately by 8,971 people and will include about 307 employment opportunities. Existing buildings will be demolished and there is currently an undetermined period for this start date. Environmental topics to be analyzed include agricultural resources, air quality, biological resources, cultural and tribal resources, energy, geology

.

and soils, gas emissions, hazardous materials, solid waste, noise, water quality, and transportation and traffic will be assessed. There will be a public review period draft prepared to follow.

Chairperson Vargas opened the public hearing at 6:12 pm

Public Comment:

Mr. Vic Clavidi from 31950 Gloria Rd., across from this project commented on the runoff water from this project from the vineyards and flooding situations. Garbage from traffic. Issues with fire and police and the distance they have to travel to arrive at this new proposed city and the distance it will take them to get there. Sewage and water to supply the project. There is better potential land for this project. Too premature for this project.

Mr. Todd Guzick, longtime resident has lived at Iverson Road for 40 years, the only house on that road and his concern about the infrastructure for the project, is not there. Asked when the project will start.

Community Development Director Kinison Brown answered that not tomorrow or any time soon yet, summarizing Mr. Guzick's concern.

Mr. Daniel Alvarez from the NorCal Carpenter's Union asked when the project will start, his concern on how many people commute to the bay area and to consider hiring responsible contractors that pay good wages and benefits.

Mr. Joey Adame, Superintendent for the Gonzales Unified School District gave his comment on how happy he is with this project, as the city is very limited on available housing and is looking forward to collaborating with the team and supporting this future project.

Mr. Geoff Scott with Jackson Family Investments gave a background on the projects he has been working on in the city and putting this plan together to support the infrastructure for the growth of the city. He is available for any questions to support the city.

Chairperson Vargas closed public hearing at 6:20 pm

Commission Discussion:

Commissioner Gutierrez mentioned that jobs and infrastructure (fire and police) need to be considered for easy access to this new housing development.

Commissioner Paco, concerns about who will pay for the ramps and if they will be able to handle the amount of movement coming in.

Commissioner Velasquez commented on her concern about the stages of building this housing development and the fire and police department accessibility.

Chair Pro Tem Ramirez asked if this was preliminary and if there was going to be further discussion. Also, about who will be covering the expenses to expand the law enforcement and fire departments in the City and all the new expansion to the new development.

Community Development Kinison Brown confirmed that this is a session to throw out ideas and do their homework assignments. This topic will have drafts and different points and/or public forums for workshops.

Chairperson Vargas commented on the mixed land that will be used for homes, schools, concern about traffic by community members and the water issue. She finds it good to revisit how the development and work will be done.

Commission Action:

None

Staff Recommended Action:

Community Development Director Kinison Brown commented that even with no action, the next step is to work on the study assignments on what the EIR (Environmental Impacts) will look like and consider all points of safety along with the infrastructure. The idea is to not overburden the current population and give a brief explanation of all points that must be considered on the project.

Mr. Slama confirmed that all comments mentioned by Community Development Kinison Brown are going to be reviewed and that was the purpose of this meeting and all impacts to be considered of the project.

Community Development Director Kinison Brown summarized the comments from the public mentioned above to ensure all points were gathered. Also summarize the comments by the Planning Commissioners, also from above.

Mr. Lawson affirms that all comments by Community Development Director Kinison Brown summary was accurate and confirm that this meeting comments were homework. Water, traffic, and infrastructure were the main keys to review. Also thanked the Planning Commission.

Chairperson Vargas asked when the period will end to submit comments from the public.

Commununity Development Director Kinison Brown confirmed that it's a 30-day period, sometime in and then 45-day period for public comment. Which will be Feb. 7

Chair Pro Tem Ramirez commented on what grade level there will be schools at the new development. Mr. Lawson stated that for now there is a plan for two elementary schools, but it's up to the developer. Mr. Geoff Scott commented that the plan was submitted a while ago but that he will review more and come back with a specific plan to review at the next meeting for a workshop.

Commissioner Paco asked Community Development Director Kinison Brown on the letters received, and if these will be forwarded to the Planning Commissioner and it was confirmed that these would be sent to the Commissioners via email.

Commissioner Gutierrez inquired about if this Development would be constructed at the same time as Vista Lucia. Community Development Director Kinison Brown confirmed that Vista Lucia will start first as this project started and is moving way ahead and they don't depend upon each other.

BUSINESS FROM PLANNING COMMISSION

5. Oral Communications
   None

BUSINESS FROM COMMUNITY DEVELOPMENT DIRECTOR

6. Oral Communications

Community Development Director Kinison Brown reminded the Planning Commission about the meeting next Monday for the visit of this meeting and the new sign along 101 freeway. And how the sign will have major advertising of local businesses and what the City of Gonzales offers to attract drivers passing through. Add space will be available.
Commissioner Velasquez suggested having another sign on the north side of the freeway.
Chair Pro Tem mentioned the removal of trees that block the sign.

ADJOURNMENT

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Commissioner Gloria Velasquez
SECONDER:	Commissioner Alex Ramirez
AYES:	Tencia Vargas, Adrian Paco, Alex Ramirez, Delia Gutierrez, Gloria Velasquez
ABSENT:	None

The meeting was adjourned at 6:52 P.M.

ATTEST:

Alejandrina Ponce, Development Services Technician/ Administrative Analyst

Tencia Vargas, Chairperson

CITY OF GONZALES

AGENDA ITEM

4.1

COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

TO: Chairperson Tencia Vargas and Planning Commission

DATE: August 4, 2026

FROM: Taven M. Kinison Brown, Community Development Director

THROUGH: Carmen Gil, City Manager

SUBJECT: Adopt Resolution No. PC2026-01, "A Resolution of the Planning Commission of the City of Gonzales, Extending by two years, the approval of Conditional Use Permit PL2023-02 for the Gonzales Cooler Development Project to August 20, 2028 (Monterey County Assesor Parcel No. 223-032-019)."

RECOMMENDATION

It is recommended that the Planning Commission take the following actions:

- Receive the staff report;
- Open the public hearing;
- Close the public hearing; and
- Adopt Resolution No. PC 2026-01, A Resolution of the Planning Commission of the City of Gonzales, extending by two years, the approval of the Gonzales Cooler Development Project to August 20, 2028. (Monterey County Assessor Parcel No. 223-032-019).

PROJECT DESCRIPTION

The Planning Commission's actions will extend by two years the approval of Conditional Use Permit PL2023-02, to construct and operate a fresh vegetable food processing and cooling facility consisting of a 313,800± square foot building and ancillary uses on a project site of 44.8± acres located at 31958 Gloria Road.

BACKGROUND

The Gloria Road Cooler Project (aka: the Gonzales Cooler Development Project or Rianda Family Partnership Cooler Project) was approved by the City, April 24, 2023, and became amicable on August 20, 2024, when 44.8± acres were incorporated into city limits to enable the project. As PG&E can presently only commit to serving a portion of the power necessary to run such a new facility, the applicants had to sideline construction and operation plans until sufficient power can be guaranteed. The City and project proponents want to preserve the earlier entitlement authorizations to date and have returned now to the City to extend those actions. Please refer to the attached documents:

- Extension Request from Peartree+Belli Architects, representing the Rianda Family Partnership.
- The April 24, 2023 staff report to the Planning Commission.
- Planning Commission Resolution PC 2023-05.
- Conditional Use Permit PL2023-02
- Approved Site Plan – Gloria Cooler
- Approved Exterior Elevations - Gloria Cooler

THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA) requires that the lead agency (the City of Gonzales) consider the environmental effects of a proposed project prior to approval. The full project was previously reviewed for compliance with CEQA, and no environmental issues were determined to be significant & unavoidable. A Mitigated Negative Declaration was filed, and the project was conditioned with mitigation measures. As of the writing of this staff report, no environmental or vicinity / contextual matters have changed that would warrant a new review under CEQA. An extension of time is generally considered an administrative activity that is "not a project" as the extension does not authorize any new development, nor does it result in physical changes to the environment.

REVIEW AND ANALYSIS

The Project and the environmental context have remained unchanged since approval in 2023/2024. The City and applicant remain hopeful that PG&E will continue with their wattage capital improvement of increased electricity service to the City, reconductoring (increasing) the service line to the city from Soledad in May of 2027.

CONCLUSION

The Gloria Road Agricultural Cooler 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 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 re-approval of the project.

ATTACHMENTS:

4.2 PL2023-02_Extension_Request_Letter
4.3 Gloria Road Aggricultural Cooler Annexation and Use Permit Project_Staff Report (8)
4.4 RES_PC_2023-05
4.5 CUP_2023-02_Original_Permit.pdf
4.6 Approved_Site_Plan_-_Gloria_Cooler (1)
4.7 Approved_Exterior_Elevations_Gloria_Cooler
4.8_RES_PC_2026-01_Extension_of_Gloria_Cooler_Use_Permit (2).pdf

Peartree+Belli
ARCHITECTS

235 Monterey Street, Suite B, Salinas, California 93901 | 831.424.4620 | peartreebelli.com

June 11, 2026

Mr. Taven M. Kinison Brown, Community Development Director
City of Gonzales
147 4th Street
P.O. Box 647
Gonzales, CA 93926

Regarding: Extension Request for PL2023-02

Dear Mr. Kinison Brown,

This correspondence is to request an extension of 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 31985 Gloria Road (Monterey County Assessor Parcel Number 223-032-019."

This proposed development relies on the local utility (Pacific Gas & Electric, aka PG&E) providing sufficient electricity for the approved use. In processing applications for connection of power to the subject site, PG&E informed the design team that it did not have sufficient capacity to serve the project, and issued the attached "Will Serve Partial Electric Load" letter. Unfortunately, the partial load PG&E offered is not sufficient for any beneficial planned operations that would justify the investment in construction.

After the partial will-serve letter was provided, PG&E informed the design team that a planned reconductoring project was in development, which would increase capacity in the area and remove the limits imposed, making it possible for the project to proceed. Correspondence with PG&E indicated that this work was targeted to be complete at some point in 2025. Unfortunately, the latest reports we have been provided by PG&E are that this upgrade is now scheduled for completion in May, 2027.

Peartree+Belli

ARCHITECTS

Since the Applicant cannot operate the facility in any capacity approved under PL2023-02 until PG&E can provide sufficient power, we are forced to request a two-year extension of the approved use permit, from its current expiration of August 20, 2026, through August 20, 2028.

We appreciate all that the City of Gonzales has done to facilitate the development of this project, and hope to secure the aforementioned extension so that we can re-examine it once PG&E can guarantee sufficient electrical power.

Please don't hesitate to reach out to me with any questions.

Sincerely,

David Peartree, AIA

Enclosure: Will Serve Partial Electric Load Letter, dated 09/28/23

Pacific Gas and Electric Company

We can accommodate a limited amount of your total requested load. Please read for more information.

September 28, 2023

31958 GLORIA ROAD
GONZALES, CA
Notification: 124942193, PM 35458182

Dear Rianda Family Partnership,

We know how important your project is and we are pleased to inform you that we can serve a limited amount of your total requested load now. This is an interim solution while capacity upgrades on PM 35449877 [Distribution mainline reconductoring] are performed in order to safely accommodate your full load. Please note, the scope of the project cannot materially change from what was approved through the Design and Planning analysis.

We anticipate the upgrades to be completed by the end of 2025. Please note this timing is based on available resources and work that has already been scheduled. Timing may also be affected by emergency work.

Interim solution for your project
Scenario 1: While the capacity upgrades are being performed, we can accommodate a limited amount of static load. Currently, there is sufficient capacity to connect 550 kVA of the total requested 9,400 kVA load.

Additional safety requirements and liability
Given the risk introduced to our system by accommodating this limited load, there may be additional physical assurance and/or costs that will be your direct responsibility. The physical assurances and associated costs are an estimate and will be trued up during the design process. The final costs will be reflected in the Distribution and Service Extension contract.

- New 600A interrupter load side of New Tie In Point Riser (Unit Cost ~ 120,000 dollars)
  OR
- Customer switchgear relay settings since they are applying for a primary service meter (Cost ~ TBD)

Once the limited load is connected, if you violate the load limit, you will be responsible for costs of damages to PG&E-owned and customer-owned facilities that may occur. Violating the load limit can result in reliability and safety issues for your neighboring PG&E customers and may result in de-energization of your property. If damages or de-energization occur, power cannot be restored until restoration work is complete and associated costs are paid in full.

The design, contract and construction of your project can proceed to serve the approved limited load in the near term and in preparation to serve total requested load once capacity upgrades are completed.

For more information
Although some costs may be your direct responsibility, the cost of capacity upgrades is usually built into PG&E rates and not charged directly to the applicant. They are determined by project and will be in accordance with the rates and rules filed with and approved by the California Public Utility Commission (CPUC). To learn more, visit **pge.com/tariffs** and **pge.com/greenbook**.

If you would like to proceed with securing limited load and agree to the liability or if you have any questions, please contact me at m3gm@pge.com.

To learn more about the life cycle of a typical project, including PG&E and customer responsibilities, please visit the Customer Journey Map at **yourproject-pge.com**.

Thank you for your patience as we work to complete our capacity upgrades.

Sincerely,

Your PG&E Representative

Mike Greenberg

COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: April 24, 2023

TO: Honorable Jose Rios and Planning Commission

FROM: Taven Kinison Brown, Community Development Director

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 (OHSA)'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 basis 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 CO_2e per year per service population. This would require that the project emissions of 1,960.4 MT CO_2e per year be reduced by 1,678.60 MT CO_2e per year to 281.80 MT CO_2e 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. _X_ 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. _X_ Yes ___No ___ N/A

> **Explain:** See above.

Strong fiscal policies allow us to provide appropriate infrastructure for:

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

~~1. Resolution No. PC 2023-02~~

~~2. Resolution No. PC 2023-03~~
~~3. Resolution No. PC 2023-04~~
~~4. Resolution No. PC 2023-05~~
~~5. Resolution No. PC 2023-06~~
6. ~~Applicant Offer of Ag Mitigation Map~~
7. Exceprt from Willdan Sphere of Influence Fiscal Impact Analysis

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: Velasquez, Mancera, Morales, Paco, Vargas

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

Gloria Velas

Gloria Velasquez, Chair

ATTEST:

Villegas

Mary Villegas, Deputy City Clerk

City of Gonzales

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-feet 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-ways 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 choses 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, contactors, 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: _____ _____

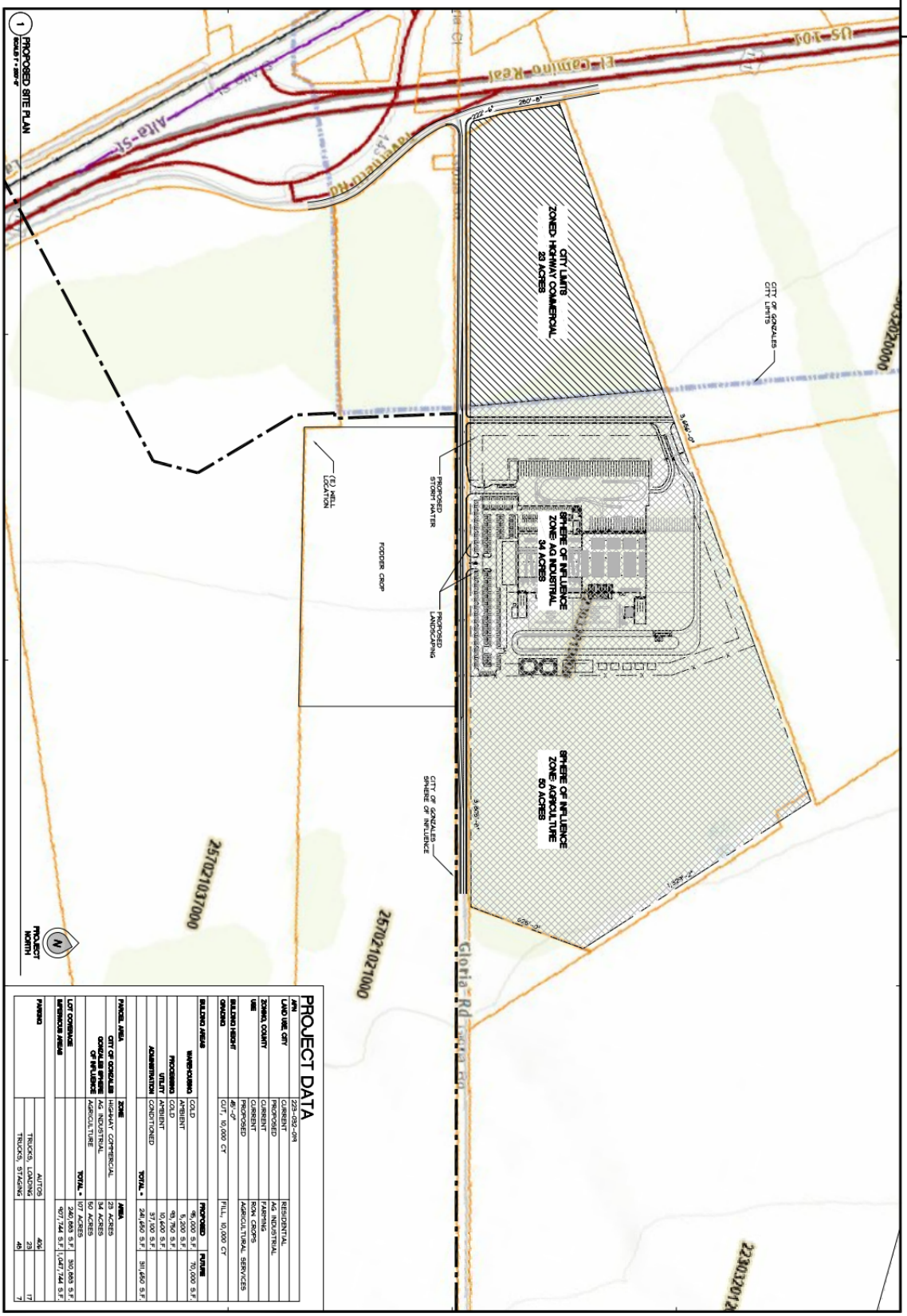
Taven Kinison Brown
Community Development Director

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~~



PROJECT DATA

APN	224-052-09	
LAND USE, CITY	CURRENT	RESIDENTIAL
	PROPOSED	AG INDUSTRIAL
ZONING, COUNTY	CURRENT	FARMING
USE	CURRENT	RON CROPS
	PROPOSED	AGRICULTURAL SERVICES
BUILDING HEIGHT	48'-0"	
GRADING	CUT, 10,000 CY	FILL, 10,000 CY

BUILDING AREAS		PROPOSED	FUTURE
WAREHOUSING	COLD	90,000 S.F.	70,000 S.F.
	AMBIENT	5,000 S.F.	
PROCESSING	COLD	49,760 S.F.	
	AMBIENT	10,400 S.F.	
UTILITY		37,100 S.F.	
ADMINISTRATION	CONDITIONED	246,650 S.F.	311,650 S.F.
	TOTAL *		

PARCEL AREA	ZONE	AREA
CITY OF GONZALES	HIGHWAY COMMERCIAL	23 ACRES
GONZALES SPHERE OF INFLUENCE	AG INDUSTRIAL	34 ACRES
	AGRICULTURE	150 ACRES
	TOTAL *	207 ACRES

LOT COVERAGE			
BUILDING AREAS		246,650 S.F.	160,893 S.F.
PARKING		160,744 S.F.	1,047,744 S.F.
	AUTOS		406
	TRUCKS, LOADING		23
	TRUCKS, STAGING		46
			7

PROPOSED SITE PLAN

GONZALES COOLER DEVELOPMENT FOR:

RIANDA FAMILY PARTNERSHIP

39958 GLORIA ROAD
GONZALES, CA 93926

BELLI ARCHITECTURAL GROUP 831 . 424 . 4620
235 MONTEREY STREET, SUITE B, SALINAS, CA 93901
BELLIAG.COM

REVISIONS	DATE	BY	DESCRIPTION

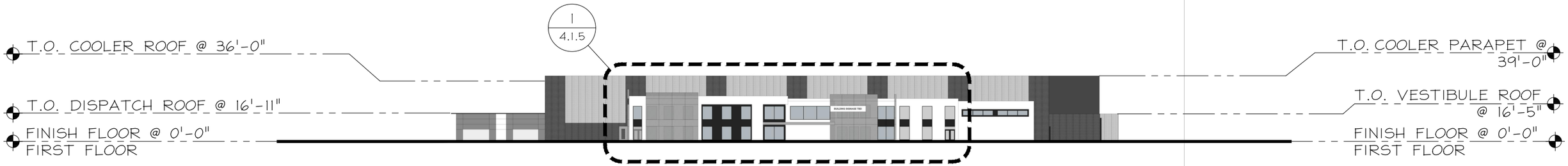
NOT FOR CONSTRUCTION

JOB	22001
DRAWN	GJ/TM
SCALE	AS NOTED
DATE	04/26/22
SHEET	
OF SHEETS	

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION, OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT, AND VISUAL CONTACT WITH THEM CONSTITUTES PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

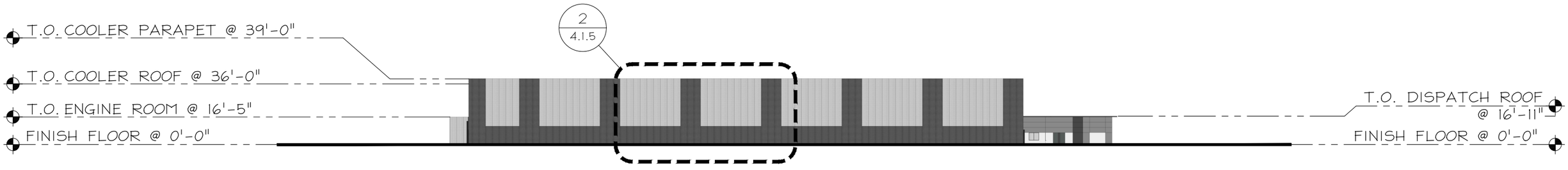
Agenda Item

4.7



1 EXTERIOR ELEVATION - NORTH

SCALE: 1" = 60'-0"



2 EXTERIOR ELEVATION - SOUTH

SCALE: 1" = 60'-0"

Peartree+Belli
ARCHITECTS

FIGURE 4.1.3

EXTERIOR ELEVATIONS



1 EXTERIOR ELEVATION - WEST

SCALE: 1" = 60'-0"



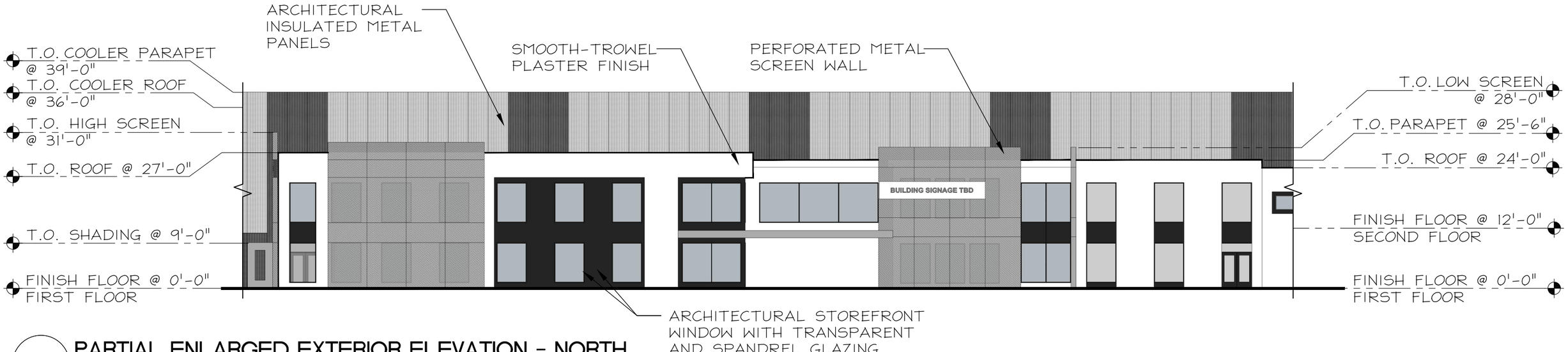
2 EXTERIOR ELEVATION - EAST

SCALE: 1" = 60'-0"

Peartree+Belli
ARCHITECTS

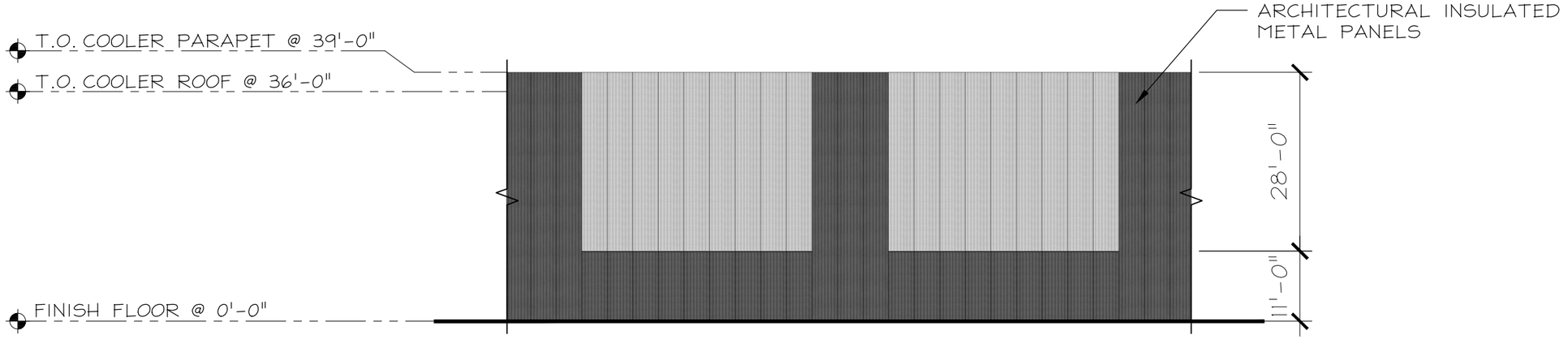
FIGURE 4.1.4

EXTERIOR ELEVATIONS



1 PARTIAL ENLARGED EXTERIOR ELEVATION - NORTH

SCALE: 1" = 20'-0"



2 PARTIAL ENLARGED EXTERIOR ELEVATION - SOUTH

SCALE: 1" = 20'-0"

Peartree+Belli
ARCHITECTS

FIGURE 4.1.5

PARTIAL ENLARGED EXTERIOR ELEVATIONS

Agenda Item

4.8

RESOLUTION NO. PC 2026-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GONZALES, EXTENDING BY TWO YEARS, THE APPROVAL OF CONDITIONAL USE PERMIT PL2023-02 FOR THE GONZALES COOLER DEVELOPMENT PROJECT TO AUGUST 20, 2028 (MONTEREY COUNTY ASSESSOR PARCEL NO. 223-032-019).

WHEREAS, the Gloria Road Cooler Project (aka: the Gonzales Cooler Development Project or Rianda Family Partnership Cooler Project) was approved by the City, April 24, 2023, (CUP PL2023-02) and became operative on August 20, 2024, when 44.8± acres were incorporated into city limits to enable the project; and

WHEREAS, Pacific Gas and Electric (PG&E) can presently only commit to serving a portion of the power necessary to run such a new facility, the applicants have had to sideline construction and operation plans until sufficient power can be guaranteed; and

WHEREAS, the City and project proponents want to preserve the earlier entitlement authorizations to date and have returned now to the City to extend those actions; and

WHEREAS, the California Environmental Quality Act (CEQA) requires that the lead agency (the City of Gonzales) consider the environmental effects of a proposed project prior to approval; and

WHEREAS, the full project was previously reviewed for compliance with CEQA, and no environmental issues were determined to be significant & unavoidable. A Mitigated Negative Declaration was filed, and the project was conditioned with mitigation measures; and

WHEREAS, no environmental or vicinity / contextual matters have changed since approval in 2023/2024 that would warrant a new review under CEQA. An extension of time is generally considered an administrative activity that is **"not a project"** as the extension does not authorize any new development, nor does it result in physical changes to the environment; and

WHEREAS, the City and applicant remain hopeful that PG&E will continue with their planned capital improvement of increased electricity service to the city, reconductoring (increasing) the service line to the city from Soledad in May of 2027; and

WHEREAS, the Gloria Road Cooler 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; and

WHEREAS, by allowing for the 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.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission hereby:

- Extends by two years (to August 20, 2028), the approval of **Conditional Use Permit PL2023-02**, to construct and operate a fresh vegetable food processing and cooling facility consisting of a 313,800± square foot building and ancillary uses on a project site of 44.8± acres located at 31958 Gloria Road.

- Modifies condition of approval #4 Time Limits to now read:
  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. (Per City Council action on 7/20/2026 through Resolution #PC2026-01, Use Permit PL2023-02 has been extended to August 2028.)

PASSED AND ADOPTED by the Planning Commission of the City of Gonzales at a regular meeting duly noticed and held on the 4th of August 2026, by the following vote:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

_____

Tencia Vargas, Chair

ATTEST:

_____

Mary Villegas, Deputy City Clerk