

3.1 Agricultural Land Buffering

General Plan Policy 8.1.3.1 states:

Agriculturally zoned lands including Williamson Act Contract properties shall be buffered from increases in density on adjacent lands by requiring a minimum of 10 acres for any parcel created adjacent to such lands. Those parcels used to buffer agriculturally zoned lands shall have the same width to length ratio of other parcels.

Because of the adjacent agriculturally zoned lands (Attachment B), five acre parcels are not permitted to be created on APN 087-290-42 pursuant to Policy 8.1.3.1.

4.0 GENERAL PLAN POLICY CONSISTENCY

As stated in the PA07-0081 follow-up letter (Attachment F), staff determined that General Plan Policy 8.1.3.1 would require any parcels created on APN 087-290-42 to be a minimum of 10 acres because of the adjacent agriculturally zoned lands. As such, the proposal would be inconsistent with the General Plan. In response to staff's findings, the applicant's attorney submitted Attachment G outlining why he believes the proposal is consistent with General Plan Policy 8.1.3.1.

Staff believes it is important to note the difference between an increase in density and incompatible uses as they relate to Policy 8.1.3.1. An industrial use is currently permitted on APN 087-290-42 as the parcel has an Industrial General Plan land use designation. Further, under Policy 8.1.3.1, such a use would not result in an increase in density or incompatible use adjacent to agriculturally zoned lands because a rural industrial use would not include the addition of residences. However, the proposed project would result in both an increase in density (four primary residences and four second-units) as well as an incompatible use (residential versus agriculture). Although an industrial land use would be a more intensive use, such rural industrial use is considered compatible with agriculture.

5.0 PROJECT AND AGENCY REVIEW

Staff held a pre-application review meeting with the applicant on November 8, 2007. The issue outlined above was identified by staff to be resolved prior to formal application submittal.

The Agricultural Commissioner reviewed the proposed project and concurs with Planning staff's determination that it is inconsistent with Policy 8.1.3.1 (Attachment H).

6.0 PROCESSING

This conceptual review is meant to allow for early Commission input about this project. The applicant would like early feedback from the Planning Commission on the agricultural land buffering issue. Specifically, staff and the applicant would like the following question answered by the Planning Commission:

- Does the Planning Commission agree with staff's determination of the General Plan Policy 8.1.3.1 issue outlined above and the need for adjacent parcel sizes to be a minimum of 10 acres for the project to proceed?

Staff is of the opinion that an amendment to Policy 8.1.3.1 would be required to reduce the minimum allowable residential parcel size from 10 to five acres.

Both staff and the applicant feel that Planning Commission direction concerning these issues is critical in determining whether or not the project may proceed as envisioned by the applicant. Once direction has been given, the applicant should have the necessary information to proceed accordingly.

ATTACHMENTS:

- A. Vicinity Map
- B. Zoning Map
- C. General Plan Land Use Map
- D. Assessor's Parcel Map
- E. Site Plan
- F. Pre-Application Meeting Follow-Up Letter, November 9, 2007
- G. Applicant's Conceptual Review Request Letter, December 6, 2007
- H. Agricultural Commissioner Memorandum, February 6, 2008