

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT



MEMORANDUM

Date: July 24, 2009

To: Planning Commissioners

From: Alana Knaster

Subject: Monterey County Zoning Ordinance Title 21 Handout

Attached is a copy of the Zoning Ordinance Title 21 handout regarding "Agricultural Uses". Please review for the upcoming hearing next week.

Thank you

AK/ca

MONTEREY COUNTY ZONING ORDINANCE - TITLE 21

21.66.030 – AGRICULTURAL USES**21.66.030 STANDARDS FOR AGRICULTURAL USES.**

A. Purpose: The purpose of this Section is to provide development standards which will support the preservation of prime agricultural soils and to protect productive farmland not on prime soils.

B. Applicability: The regulations of this Section are applicable in all zoning districts where agricultural uses are allowed.

C. Regulations:

1. Conversion of uncultivated land to cropland shall not be permitted on slopes over 25%.

2. A Use Permit shall be required for development of new or expanded agricultural operations on uncultivated slopes of 15%-25% in the North County Area Plan, Central Salinas Valley Area Plan and Cachagua Area Plan areas.

D. Reserved

E. Agricultural Management Plan Requirement

1. An Agricultural Management Plan shall be required for the development of new or expanded agricultural uses pursuant to Section 21.66.030(C)(2).

2. The plan, if required, shall be prepared by a consultant selected by the applicant from the County list of Agricultural Viability Report Consultants, at the applicant's expense.

3. The Agricultural Management Plan, if required, shall contain, at a minimum, the following elements:

a. location map (1" = 2000");

b. scale site plan showing the entire parcel, and proposed and existing structures (including accessory and agricultural structures and residences), roads, fences, contours, wells, water lines, septic tanks and leach lines;

c. scale plan showing the entire parcel, and existing land uses, areas presently under and proposed for cultivation, areas of vegetation type, areas to be cleared, and areas to be graded for the development;

d. soils analysis, discussing soils conditions (including erosion potential and erosion control) and their relationship to appropriate agricultural management on the parcel;

e. water availability and demand, and the relationship to appropriate agricultural management on the parcel;

f. map delineating areas which are suitable for agricultural production, based on soils, water, and other conditions as deemed appropriate by the consultant in the absence of an agricultural viability report;

g. description and analysis of existing and proposed agricultural activities on the parcel, including types of crops and acres under cultivation, geographic distribution of crops over the parcel, rotation of crops, and related agricultural activities, including agricultural goods and equipment storage, packing and processing;

h. erosion control plan element;

i. hydrologic report element;

j. description of recommended agricultural management techniques for the parcel and proposed development or development alternatives to reduce erosion, conserve water, protect water quality, and minimize impacts to plant and animal habitats.

4. The plan shall be reviewed by the Soil Conservation Service, County Agricultural Commissioner, and any other agencies or departments appropriate for the specific project. After comments have been received, the Director of Planning and Building Inspection may require that the plan be revised to include additional information or assessment as deemed necessary by the reviewing agencies. A third party review may also be required at applicants expense. All departmental review, report revisions, and third party review must be complete before the plan may be approved by the Director of Planning and Building Inspection.

5. The plan shall be required, submitted, and approved by the Director of Planning and Building Inspection prior to the application being determined complete.

F. General Development Standards

1. Subdivision of parcels located in "F" (Farmlands), "PG" (Permanent Grazing) or "RG" (Rural Grazing), or any land under Williamson Act contract, shall only be permitted when such subdivision does not adversely affect the land's long-term agricultural viability. Each subdivided parcel must be capable of remaining a viable agricultural unit, as determined through the agricultural viability report prepared for the project.

2. New development adjacent to agricultural areas shall be required to establish a well-defined buffer zone within the area to be developed. The area to be utilized as a buffer shall be placed in an easement, required as a condition of project approval. Requirements for the easement are as follows:

a. The easement width shall be sufficient to protect agriculture from impacts of new residential or other incompatible development and to mitigate against the effects of agricultural operations on the proposed uses. For development adjacent to "F", "PG" or "RG" zoning districts, the easement shall be a width of 200 feet, or wider where necessary to mitigate adverse impacts between agricultural and adjacent land uses. In all other zoning districts, the easement may be reduced to a width of not less than 50 feet.

b. The easement shall extend the full length of the boundaries between the property to be developed and adjacent agricultural lands. Permanent roads which have been established by a dedicated road easement, or which have been paved, or which are a public road, may serve as part of this easement.

c. Land within the easement may not be used for recreational areas as part of housing projects or public facilities. Minor storage structures or sheds associated with the residential uses may be permitted within the easement area. Specific permitted and prohibited uses shall be stipulated in the easement document.

3. Agricultural support services such as coolers, cold storage, loading docks, and commercial farm equipment shops may be in "F" (Farmlands), "RG" (Rural Grazing) or "PG" (Permanent Grazing) districts subject to a Use Permit provided that:

a. The land on which the support facilities are proposed is not suitable for cultivation because of irregular terrain or inadequate soil quality, or other physical constraints which limit agricultural productivity; and

b. The proposed support facilities are a necessary accessory to the cultivation, harvesting, or processing of crops raised by the applicant on the same property where the support facilities are proposed; and

c. The maintenance and operation of the proposed support facilities will not impair the ability to produce crops on either the remainder of the subject property or neighboring properties; and

d. The agricultural support facilities are in connection with the cultivation, harvesting, processing, or storage of crops grown on lands in close proximity to the subject property, especially when the maximum amount of prime farmland for production would be preserved, expanded, or enhanced.

e. The land on which the support facilities are constructed shall not be subdivided from the remainder of the subject property.

f. Agricultural support facilities shall be compatible with land uses on neighboring properties.

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