

Proposed Revisions – Stanislaus County Buffer and Setback Guidelines

October 3, 2011 – Agricultural Advisory Board

Issues with existing guidelines:

- Guidelines apply to all non-agricultural uses including low people intensive A-2 (General Agriculture) zoning district Tier One and Tier Two uses (such as nut hulling, shelling, dehydrating, grain warehouses, and agricultural processing facilities).
- The benefit of the vegetative screen in filtering spray drift is questionable.
 - Majority of approved alternatives allow for a reduction in the required vegetative screening.
- Guidelines do not provide an exemption for new use adjoining or surrounded by non-agricultural uses.
- Requirement for Agricultural Advisory Board (AAB) to support all requests for an alternative buffer in order for the Planning Commission to approve the alternative conflicts with the role of the Planning Commission.
- The need to present alternatives to the AAB causes timing issues with application processing, since the AAB meets only once per month.

Proposed revisions:

- Exempt low people intensive Tier One and Tier Two uses which do not serve the general public; however, conditions of approval consistent with guidelines may still be required as part of the project approval. The decision making body shall have the ultimate authority to determine if a use is 'low people intensive'.
- Focus on the use of setbacks, 150- and 300-foot (for people intensive outdoor uses), and eliminate the vegetative screening requirements.
- Allow for permitted non-agricultural uses adjoining or surrounding a project site, which are of a permanent nature and not likely to be returned to agriculture, to be located within a buffer area.
 - Consistent with general alternative supported by AAB on November 2, 2009.
 - Examples: legal non-conforming uses (such as a general store established in the '50's, school, etc...) or homesite parcel.
- Eliminate the need for required fencing to be solid and only require fencing when new uses establish the potential for increased trespassing onto adjacent agricultural lands.
- Expansion on a project site where existing development will not allow a buffer as required for new uses may be permitted if the expansion does not intensify on-site activities or an alternative standard is approved.
- Alternative standards are to be referred to the Agricultural Commissioner prior to consideration by the Planning Commission. The Planning Commission shall consider the Agricultural Commissioner's referral response in making a determination on the proposed alternative.
 - A finding that the proposed alternative will provide equal or greater protection to surrounding agricultural uses is still required.