

July 12, 2010

MEMO TO: Ag Advisory Board

FROM: Department of Planning and Community Development

SUBJECT: USE PERMIT APPLICATION NO. 2010-04 - SIKH TEMPLE - ALTERNATIVE TO THE AGRICULTURAL BUFFER AND SETBACK GUIDELINES

The Stanislaus County Department of Planning and Community Development has received an application to expand an existing Sikh Temple by adding a 15,000 square foot multi-purpose building, a 2,400 square foot storage building, a house for visiting priests a car port, a 750 square foot storage closet, a 5,000 square foot library, and additional parking. The Sikh Temple is located on an 11.25-acre parcel and was originally approved in 1990. The applicant has proposed an alternative to the Agricultural Buffer standards.

Stanislaus County Buffer & Setback Guidelines Requirements

Buffer Design Standards for New Non-Agricultural Uses:

- All projects shall incorporate a minimum 150-foot wide buffer. Projects which propose people intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300-foot wide buffer. All buffers shall incorporate a solid wall and vegetative screen consistent with the following standards:

Fencing: A 6-foot high solid wall of uniform construction shall be installed along any portion of a buffer where the project site and the adjoining agricultural operation share a common parcel line

Vegetative Screen: (minimum standards)

- Two staggered rows of trees and shrubs characterized by evergreen foliage extending from the base of the plant to the crown. Fast growing plants with a short life span shall be discouraged
- Trees and shrubs should be vigorous, drought tolerant and at least 6-feet in height at the time of installation
- Plants shall have 50% to 70% porosity (i.e., approximately 50% to 75% of the plant is air space)
- Plant height shall vary in order to capture drift within 4-feet of ground application
- A mature height of 15-feet or more shall be required for each tree
- To ensure adequate coverage, two staggered rows shall be located 5-feet apart and consist of minimum 5 gallon plants at least 6-feet tall planted 10-feet on center. Alternative spacing between rows may be authorized to accommodate the plant species.

Permitted uses within a buffer area shall include: public roadways, utilities, drainage facilities, landscaping, parking lots and similar low human intensity uses. Walking and bike trails shall be allowed within buffers provided they are designed without rest areas.

Buffer and Setback Design Standards for Expanding Non-Agricultural Uses:

- Where existing development on a project site will allow, accommodation of a buffer as required for new non-agricultural uses shall be provided

- Where existing development on a project site will not allow a buffer as required for new nonagricultural uses, fencing and vegetative screening as required for new non-agricultural uses shall be provided within the area available
- A minimum building setback of 150-feet, measured from the property line of any adjoining property located in the A-2 zoning district, shall be required for any addition to an existing building or any new building associated with the expansion of a non-agricultural use

Applicant's Proposal

- The applicant is proposing the following buffers along the property lines:

North/East: The property is separated by Burlington Northern and Santa Fe Railroad and Santa Fe Avenue. The right-of-way is approximately 150' to neighboring property north of Santa Fe Avenue. No trees are proposed in this area. The only building proposed the new library. There is an existing 6' high chain link fence along the entire perimeter of the site

South: TID Lateral No. 1 and Hatch Road separates the properties to the south. The applicant will plant a combination of a row of chinese pistachio, grape myrtle, among other trees in addition to existing trees along this property line. Most of the existing vegetation will remain, with addition to trees near the house. The setbacks along the south will be over 150' to the nearest building.

West: There is an existing 5 acre orchard to the west. The applicant is proposing a buffer to consist of the existing chain link fence and natural vegetation. Small canopy shade trees, such as mayten tree and evergreen pear are proposed closest to the church and the multi-purpose building, 150 feet from the western property line.

Areas of Concern

- **Vegetative Screening:** Two staggered rows of trees and shrubs characterized by evergreen foliage are required because of their "filtering" characteristics to avoid spray drift conflicts.
Trees found near the multi-purpose building on the west side are proposed small canopy shade trees, notably: Mayten Trees and Evergreen Pear.
In some areas on the southern property line, there may only be one row of trees along Hatch Road.
There are no shrubs or trees proposed on the northeastern boarder of the property (adjacent to the railroad tracks) near the proposed library.
Most of the tree species proposed are urban-type tree species which does not meet the buffer standards.
Agricultural fencing consists of a six-foot high chain link fence. There is no solid fencing proposed. However in September of 2008, the Agricultural Advisory Board supported a buffer alternative applicable to all non-agricultural uses in the A-2 zoning district allowing for non-solid fencing to be utilized; provided that the fencing is 6-feet in height and designed to prevent trespassing.
Vegetative screening on the western property does not meet the buffer standards.