



Chapter

8

AGRICULTURE

A place where all citizens enjoy opportunities to thrive in a safe, healthy, and productive community.
- The Tuolumne County Vision

Introduction

The Agriculture Element acknowledges the importance of agricultural production in and to Tuolumne County and establishes policies and programs to promote the stability and productivity of the County's agricultural lands and industries. This Element is intended to provide clear guidelines for decisions in agricultural areas. It is also intended to express policies that promote and protect the current and future needs of the agricultural industry.

If new technology is developed for the agricultural industry which is not consistent with the policies and implementation programs contained herein, the County shall consider amendments to this Element consistent with the commitment to encourage the maintenance of a healthy agricultural sector of the County's economy.

Purpose
Support existing and encourage the growth of additional agricultural industries and related tourism opportunities by recognizing the value and diversity of agricultural operations in Tuolumne County.

Overarching Vision

OAV1. Promote development in Tuolumne County that reflects the values and vision of the community and implements the latest legal, statutory, scientific, and technical changes and advances.

OAV2. Achieve, enable and preserve maximum flexibility within the constraints of state and federal law and an ever-evolving legal, cultural and environmental landscape.

OAV3. Recognize that the County has a unique role to collaborate with special districts/stakeholders within the County to promote the delivery of efficient and cost effective public services.



GOAL 8A:

Avoid the conversion of agricultural lands except on property determined to be infill areas.

POLICIES & IMPLEMENTATION PROGRAMS

Policy 8.A.1: Avoid the conversion of agricultural lands from the Agricultural General Plan land use designation and compatible zonings.

Implementation Program

8.A.a - Encourage the protection of agricultural lands through programs such as the voluntary purchase of development rights. This could be accomplished by establishing a conservation easement on the land. The easement could take the form of a deed restriction or be placed in a trust for a specific period of time or in perpetuity.

Policy 8.A.2: Exempt the following agricultural lands from Policies 8.A.1, 8.A.3 and 8.A.4:

- Areas of land designated Agricultural that are less than 160 acres in size and are surrounded by land designated other than Agricultural or Public that is managed for open space uses. These areas may contain more than one parcel and ownership of the parcels may be by different owners.
- Parcels that meet all of the following criteria: (1) the parcel is less than 80 acres in area; (2) the parcel is located within 500 feet of a public water main; and (3) the parcel is situated adjacent to land designated High Density Residential (HDR), Medium Density Residential (MDR), Low Density Residential (LDR), Mixed Use (MU), Neighborhood Commercial (NC), General Commercial (GC) or Heavy Commercial (HC) by the General Plan land use diagrams.

These agricultural lands may be converted from Agricultural to an appropriate land use designation as determined by the Board of Supervisors.

Policy 8.A.3: Grant exceptions to Policy 8.A.1 regarding conversion of agricultural land only where the locational relationship of the land, together with the use proposed, would provide a public benefit of such magnitude as to justify the exception.

Implementation Programs

8.A.b - Grant exceptions to the policies and implementation programs regarding conversion of agricultural land contained in this Element only when such exception is approved by the Board of Supervisors.

8.A.c - Utilize the Agricultural Rating System matrix only to evaluate applications proposing exceptions to Policy 8.A.1 and Policy 8.A.2.

- High-value Agricultural Lands are those parcels which receive a score of 175 or higher as determined by the Agricultural Rating System Matrix.
- Agricultural Lands of Local Importance are those parcels which receive a score of at least 125 but not more than 174 as determined by the Agricultural Rating System Matrix.
- Agricultural Lands of Limited Importance are those parcels which receive a score of 124 or lower as determined by the Agricultural Rating System Matrix.



8.A.d - Establish a new procedure that includes the following requirements for evaluating development on lands with an Agricultural land use designation and/or on land identified by the latest NRCS soils data as containing potential Important Farmland:

If land designated Agricultural (according to the General Plan land use diagram in the General Plan Update) is proposed for non-agricultural development and qualifies as High-Value Agricultural Land, as defined below, and/or if land is proposed for non-agricultural development that is identified by the most recent NRCS soils data as containing soils that could be classified as Important Farmland (i.e., Prime Farmland, Unique Farmland, or Farmland of Statewide Importance), as defined below, the County shall require the applicant to purchase agricultural conservation easements at a 1:1 ratio (acres preserved : acres converted) commensurate with the type of land that is being converted. Mitigation shall be required at a 1:1 ratio regardless of whether the land is High-Value Agricultural Land or Important Farmland [Prime Farmland, Unique Farmland, or Farmland of Statewide Importance]. Proof of the purchase shall be provided to the County prior to issuance of grading permits. The County shall determine whether land qualifies as High-Value Agricultural Land or Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as follows:

1. For any proposed non-agricultural development on land designated Agricultural (according to the land use diagram in the General Plan Update), the County shall require, prior to issuing a completeness letter, the submittal to and approval by the Tuolumne County planning staff of the Tuolumne County Agricultural Rating System Matrix to determine whether the land proposed for development qualifies as High-Value Agricultural Land. If the results of the Tuolumne County Agricultural Rating System Matrix provided in Exhibit 3.2-1 of the Recirculated Draft EIR indicate that the land proposed for development does not qualify as High-Value Agricultural Land, the County shall continue to step 2. If the results of the Tuolumne County Agricultural Rating System Matrix indicate that the land proposed for development does qualify as High-Value Agricultural Land, the County shall require the purchase of conservation easements as described above.

2. For any proposed non-agricultural development on land identified by the most recent NRCS soils data as containing soils that could be classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, the County shall require the purchase of conservation easements as described above. The applicant may elect to prepare a Land Evaluation Site Assessment to determine if or how much of the land proposed for development would actually qualify as Important Farmland (based on factors other than soil type) and to more accurately determine the specific type of Important Farmland (i.e. Prime Farmland, Unique Farmland, or Farmland of Statewide Importance) that would require purchase of conservation easements.

If a piece of land qualifies as both High-Value Agricultural Land and Important Farmland, compensatory mitigation will not be required for both farmland types.

Policy 8.A.4: Development proposed adjacent to land designated Agricultural by the General Plan land use diagrams shall provide a buffer from the agricultural land. The buffer shall be 200 feet in width and located on the development site. No residential or non-agricultural buildings may be erected in the buffer area as long as the adjacent land remains designated Agricultural. The buffer may be reduced in width by the Board of Supervisors after considering the recommendation of the Agricultural Advisory Committee if such a reduction is determined appropriate based upon the topography, vegetation, roads or other physical features of the buffer area or other factors



considered by the Committee. If the General Plan land use designation of the adjacent land is amended in the future to a designation other than Agricultural, the need for the buffer area will be eliminated and the land use restrictions imposed pursuant to this Policy will cease at that time.

GOAL 8B: Stabilize agricultural use outside identified communities.

POLICIES & IMPLEMENTATION PROGRAMS

Policy 8.B.1: Limit intrusion of urban development into agricultural areas.

Implementation Program

8.B.a - Make one of the following findings before approving expansion of identified community boundaries established on the General Plan land use diagrams:

- (a) the proposed development would not result in reduced productivity or increased costs of an agricultural operation;
- (b) the proposed development would not contribute to the deterioration of the rural setting, agricultural landscape, and operation practices of the adjacent agricultural areas; or
- (c) the community's need for the development in the proposed location is so important as to justify an exception to the policies and implementation programs contained within this Element.

Policy 8.B.2: Protect and encourage productive use of valuable agricultural lands and areas that provide buffers between identified communities.

Policy 8.B.3: Reduce economic pressure for conversion of agricultural land.

Implementation Program

8.B.b - Allow uses accessory or complementary to agricultural operations as permitted or conditional uses in order to make agricultural operations more profitable and reduce pressure to convert agricultural land.

Policy 8.B.4: Limit the intrusion of growth-inducing public services, such as public sewer systems and potable public water, into agricultural areas.

Implementation Program

8.B.c - Establish development standards to provide County staff with discretion to deny development that proposes to introduce growth-inducing public services like public sewer systems and potable public water into agricultural areas.

Policy 8.B.5: Encourage development of non-agricultural lands before development of land designated Agricultural by the General Plan land use diagrams.



Policy 8.B.6: Refer applications for discretionary land use entitlements submitted to the Community Resources Agency proposing development of parcels that are zoned AE (AE-37, AE-80 or AE-160), are at least 37 gross acres in area and are located adjacent to land designated for agricultural use to the Agricultural Advisory Committee for review and recommendation regardless of the General Plan land use designation of the parcel to allow an opportunity to comment on impacts to adjacent agricultural land.

GOAL 8C: Minimize conflicts between agricultural and non-agricultural uses.

POLICIES & IMPLEMENTATION PROGRAMS

Policy 8.C.1: Allow agriculturalists to manage their operations in an efficient, economic manner while minimizing conflict with non-agricultural uses.

Implementation Programs

8.C.a - Apply the provisions of the "Right to Farm" Ordinance (Tuolumne County Ordinance Code, Chapter 5.20) to minimize conflict and resolve disputes between agricultural operations and nearby non-agricultural land uses.

8.C.b - Minimize impacts to existing agricultural operations or use and resolve potential conflicts between agricultural operations and new development through conditions of approval made a part of such new development.

8.C.c - Require that maintenance of preexisting common fence lines be the joint responsibility of the existing agricultural use and adjacent new development through conditions of approval made a part of such new development.

Policy 8.C.2: Establish a buffer between agricultural land uses and residential/non-agricultural land uses. It shall be the obligation of the party seeking the land use change to ensure that a sufficient buffer is established between the parcels. The buffer shall favor protection of the agricultural land.

Implementation Program

8.C.d - Implement the standards for buffer zones between new non-agricultural development and land designated for agricultural use established in Policy 8.A.4.

Policy 8.C.3: Recognize that agricultural labor housing is important to agricultural operations in the County.

Implementation Programs

8.C.e – Amend the Zoning Ordinance to allow recreational vehicles to be used as agricultural labor housing to the extent allowed by health and safety regulations.

8.C.f - Adopt a policy regarding agricultural labor housing on land under Williamson Act contract. The policy should specify conditions under which agricultural labor housing is considered necessary to an agricultural operation.



GOAL 8D:

Manage agriculturally-related industrial and commercial uses in agricultural areas to facilitate local agricultural production.

POLICIES & IMPLEMENTATION PROGRAMS

Policy 8.D.1: Facilitate local agricultural production, by allowing the following agricultural support services, where appropriate within agricultural areas: (a) those facilities which supply an agricultural need such as: farm supply, feed sales, agricultural product storage, or feed yards; (b) those facilities that benefit agriculture by processing or packaging agricultural products such as: slaughtering facilities, packing sheds, canneries, wineries or sawmills; (c) those facilities that benefit agriculture by converting agricultural by-products to other uses such as: livestock feed yards or alternative energy power generation, utilizing agricultural by-products; and, (d) those facilities that process rock, aggregate gravel, or minerals.

Implementation Program

8.D.a- Amend the Uniform Zoning Ordinance, Title 17 of the Tuolumne County Ordinance Code, to allow agricultural support services as permitted or conditional uses on land zoned for agriculture.

Policy 8.D.2: Allow agricultural support services located in agricultural areas on land designated for agricultural uses.

Implementation Program

8.D.b - Require agricultural support services allowed on land designated for Agriculture to conserve the rural setting, agricultural landscape and operational practices of the adjacent agricultural areas through conditions attached to development permits and other approvals for such agricultural support services.

Policy 8.D.3: Recognize that it is the express intent of this Goal to not conflict with or supersede any conditions set forth under state laws, County ordinances, or resolutions adopted pursuant to the California Land Conservation Act (Williamson Act) of 1965, as amended. Where conflicts exist between development regulations and Williamson Act contracts, the more restrictive requirements will prevail.

GOAL 8E:

Encourage the development of agritourism enterprises in Tuolumne County.

POLICIES & IMPLEMENTATION PROGRAMS

Policy 8.E.1: Encourage agritourism activities that complement local agricultural production and promote tourism.

Implementation Programs

8.E.a - Allow events on agricultural land that expose the public to agricultural issues and activities.



8.E.b - Continue to allow recreational uses, such as hiking, biking, hunting, fishing and children’s camps, on agricultural land where such uses are compatible with on-site agricultural enterprises.

Policy 8.E.2: Allow agritourism activities on land zoned for agriculture (A or AE) or land that is subject to the Williamson Act land conservation program when such activities are accessory to the primary agricultural use of the land.

Implementation Programs

8.E.c - Amend the Uniform Zoning Ordinance, Title 17 of the Tuolumne County Ordinance Code, to allow agritourism activities as permitted or conditional uses on land zoned for agriculture when such uses are accessory to the agricultural use of the land.

8.E.d - Amend Resolution 106-04 to allow agritourism activities as compatible or conditional uses on land in the Williamson Act land conservation program when such activities are consistent with the Williamson Act.

Policy 8.E.3: Modify County regulations as necessary to facilitate the development and growth of the agritourism industry. Specifically, amend the Uniform Zoning Ordinance, Title 17 of the Tuolumne County Ordinance Code, to:

- allow farm stays, bed and breakfasts, guest ranches and similar opportunities for people to experience a rural lifestyle on agricultural lands.
- provide for weddings, festivals, parties, and other types of public gatherings on land zoned for agriculture when such events are educational or accessory to the agricultural use of the land.
- provide for agritourism activities and events as permitted or conditional uses on nonagricultural land to promote agricultural products grown in the County.

Policy 8.E.4: Work with the Tuolumne County Economic Development Authority and other organizations to identify ways to increase the marketing of Tuolumne County through agritourism activities.

GOAL 8F: Expand and improve infrastructure used by agriculture.

POLICIES & IMPLEMENTATION PROGRAMS

Policy 8.F.1: Support the development of infrastructure specific to agriculture.

Implementation Programs

8.F.a - Support and facilitate development of cost effective water sources, storage and conveyance systems for agricultural use.

8.F.b - Support installation of agriculture friendly utilities to benefit agricultural production and agritourism.

8.F.c - Assist utility providers to plan for and install utilities in such a way as to minimize impacts to agriculture and enhance crop production and agritourism.

8.F.d - When prioritizing road improvement projects, consider the value of roads for transportation of agricultural commodities.



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