



Community and Economic Development Planning Division

Norman L. Allinder, AICP
Director *NWA*

- 2037 W. Cleveland Avenue
- Mail Stop G
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc_planning@madera-county.com

PLANNING COMMISSION DATE: November 4, 2014

AGENDA ITEM: #3

CZ	#2014-009	Rezoning of Lands Proposed for Inclusion in Agricultural Preserve and Farmland Security Zone Programs for 2015
APN	050-050-022	Applicant/Owner: W.R. Wibbenhorst
	050-071-028	
	050-071-007	
CEQA	EXEMPT	Section 15317

REQUEST:

This application requests the rezoning of lands currently proposed for inclusion in Madera County Farmland Security Zone program for 2015 (contracts with Madera County under the provisions of the Williamson Act) from ARF (Agricultural Rural Foothills) District to ARE-40 (Agricultural Rural Exclusive-40 Acre) District.

LOCATION:

The project site is located on the north and south sides of Road 400, approximately 2.8 miles west of its intersection with Red Top Mountain Road (17452 Road 400), Madera.

ENVIRONMENTAL ASSESSMENT:

Under the provisions of the California Environmental Quality Act (CEQA), Section 15317 and the Madera County Environmental Guidelines, the County has determined that this project will not have a significant effect on the environment and is exempt from CEQA.



RECOMMENDATION: Recommend approval of Rezone (CZ #2014-009).

GENERAL PLAN DESIGNATION (Exhibit A):

SITE: AE (Agricultural Exclusive) Designation

SURROUNDING: AE (Agricultural Exclusive)

ZONING (Exhibit B):

SITE: ARF (Agricultural Rural Foothills) District
ARE-40 (Agricultural Rural Exclusive-40 Acre) District

SURROUNDING: ARE-40 (Agricultural Rural Exclusive-40 Acre) District

PROPOSED ZONING: ARE-40 (Agricultural Rural Exclusive-40 Acre) District

LAND USE:

SITE: Agricultural

SURROUNDING: Agricultural

SIZE OF PROPERTY: 314.2 acres

ACCESS: Access is taken from an un-named roadway which has access to Road 400.

PROJECT DESCRIPTION:

A total of nine parcels have been identified for inclusion in the Agricultural Preserve/Farmland Security Zone (Williamson Act) program for the 2015 year. Three of the properties (in one ownership) need to be rezoned as a condition of approval of the contracts.

ANALYSIS:

The Williamson Act Program is a voluntary program in which the owners of agricultural property enter into contracts with the County which restrict contracted land to an agricultural or open space use for at least 9 years for the Ag Preserve Program and 18 years for the Farmland Security Zone Program in accordance with the implementation of Senate Bill 1265 by the Board of Supervisors. The contract lengths will return to 10 years for Williamson Act and 20 years for Farmland Security Zone on January 1, 2015 when the Senate Bill sunsets. Because the contracts for both programs self-renew annually, all active contracts, including the proposed new contracts, will be subject to the contract term change when it occurs in 2015.

The program encourages farmland and agricultural preservation in the County while providing economic relief through tax deductions to local farmers and ranchers. The rules and procedures adopted by the Board of Supervisors for Agricultural Preserves/Farmland Security Zones (Williamson Act) require that properties entering the preserve/zone be zoned for agricultural use. All parcels within an agricultural preserve/farmland security zone shall be zoned or rezoned either Agricultural Rural Exclusive (ARE) – 40 Acre District or Agricultural Exclusive (AEX) – 40 Acre District if the parcels are designated for agricultural or open space use on the County's General Plan. All parcels within a preserve shall be zoned or rezoned to the Agricultural Rural Exclusive (ARE) – 160 acre district if the parcels are not designated for agricultural or open space use on the County's General Plan.

Ag Preserve Rezoning

A total of five applications (nine parcels) to enter into Williamson Act contracts (one is a Farmland Security Zone application) were initially received by the Planning Department. In reviewing the 2015 Ag Preserve/Farmland Security Zone Program applications, the Planning Division determined that two of the requests would require a rezoning to comply with the zoning and minimum parcel size requirements noted above. One rezoning application (three parcels) were received by the deadline outlined on the 2015 Agricultural Preserve/Farmland Security Zone calendar. Table I summarizes the rezonings which are necessary for inclusion in the Agricultural Preserve/Farmland Security Zone Program.

**Table I
Ag Preserve Rezoning Summary**

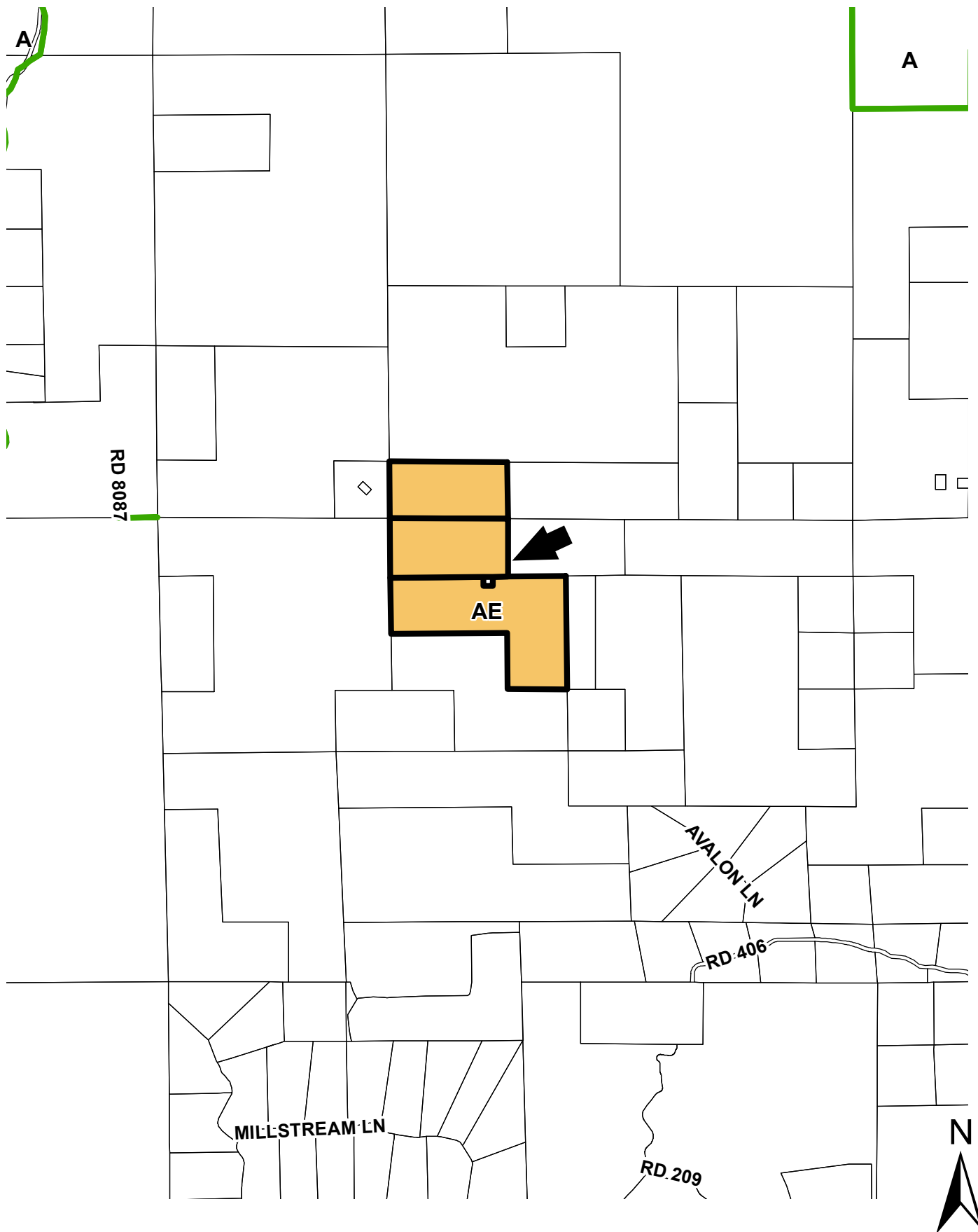
PROJECT	APPLICANT	PARCEL #	SIZE (acres)	EXISTING ZONE	PROPOSED ZONE
CZ 2014-009	Wibbenhorst	050-050-022 050-071-028 050-071-007	314.2	ARF/ARE-40	ARE-40

RECOMMENDATION:

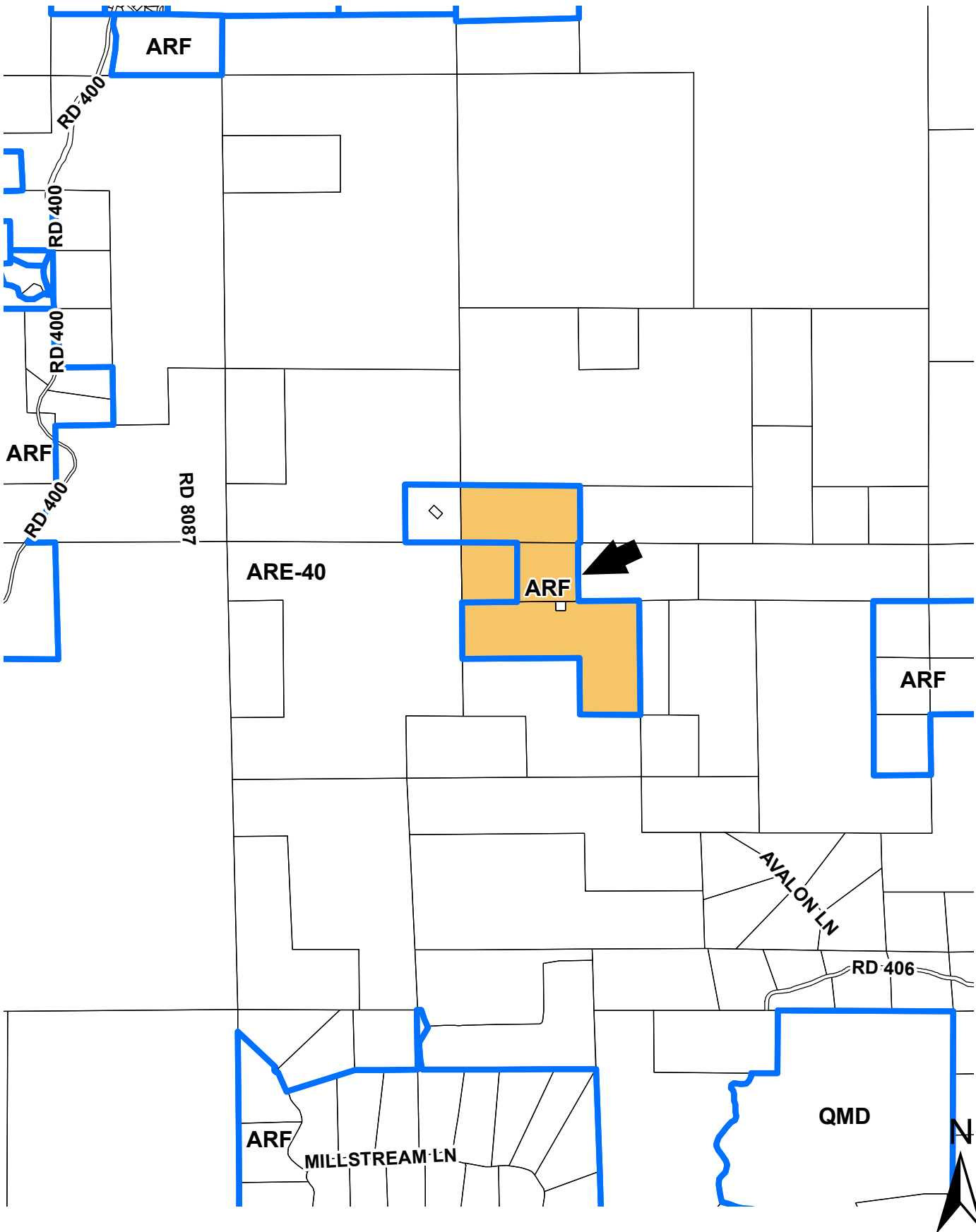
The analysis contained in this report supports approval of the rezonings from ARF (Agricultural Rural Foothills) and District to ARE-40 (Agricultural Rural Exclusive-40 Acre) District as identified in Table I of this report.

ATTACHMENTS:

1. EXHIBIT A, General Plan Map
2. EXHIBIT B, Zoning Map



GENERAL PLAN MAP



ZONING MAP