

FROM THE PLANNING COMMISSION MINUTES OF JANUARY 8, 2009

9. REZONE/WILLIAMSON ACT CONTRACT

Z08-0014/WAC08-0004 submitted by JAMES and JANET COX (Agent: Charlie Peters) to rezone from Estate Residential Ten-Acre (RE-10) to Agricultural Preserve (AP) and to create a new agricultural preserve. The property, identified by Assessor's Parcel Number 093-180-07, consisting of 22.645 acres, is located on the east side of Gopher Hole Road, approximately 0.2 miles north of the intersection with Bucks Bar Road, in the **Somerset area**, Supervisorial District II. (Categorical Exemption pursuant to Section 15317 of the CEQA Guidelines)**

Aaron Mount presented the item to the Commission with a recommendation of approval to the Board of Supervisors.

Commissioner Heflin informed the Commission that he had heard this item and had recommended approval when he was a member of the Agricultural Commission. County Counsel Paula Frantz suggested that he recuse himself from this item since he had acted on it while on the Agricultural Commission.

Commissioner Mathews asked for clarification on how the 200 foot agricultural setback is applied and what the process is for administrative relief.

Bill Stephans, Agricultural Commissioner, informed the Commission that the Board had directed them to analyze surrounding parcels and recommend setbacks for each one. They are currently in the process of doing that for this project. He also stated that the administrative relief process does include the ability to bypass the hearing process.

The applicant was not present.

No further discussion was presented.

Motion: Commissioner MacCready moved, seconded by Commissioner Mathews, and carried by a 4-0 vote (Heflin abstaining), to recommend the Board of Supervisors take the following action: 1. Certify that the project is Categorically Exempt from CEQA pursuant to Section 15317; and 2. Approve Zone Change application Z08-0014 and Williamson Act Contract application WAC08-0004 based on the findings presented.