



AGRICULTURAL COMMISSION

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Greg Boeger, Chair – Agricultural Processing Industry
Lloyd Walker, Vice-chair – Other Agricultural Interests
Chuck Bacchi – Livestock Industry
Bill Draper, Forestry /Related Industries
Tom Heflin – Fruit and Nut Farming Industry
David Pratt – Fruit and Nut Farming Industry
Gary Ward, Livestock Industry

handed out at mtg
PC 12/11/08
#10

MEMORANDUM

DATE: July 17, 2008

TO: Aaron Mount, Development Services/Planning

FROM: Greg Boeger, Chair *GB*

SUBJECT: Z 08-0020 – FULP TPZ CANCELLATION/REZONING (RANDOLPH G. FULP)

During the Agricultural Commission's regularly scheduled meeting held on July 9, 2008, the following discussion and motion occurred regarding Z 08-0020 – Fulp TPZ Cancellation/Rezoning (Randolph Gordon Fulp): A request for an immediate rezone of a Five Acre (TPZ) Timberland Production Zone parcel to RE-5 (Estate Residential Five-Acre).

The property, identified by Assessor's Parcel Number 098-160-44, consists of 5.31 acres, and is located on the south side of Pleasant Valley Road approximately ¼ mile east of the intersection with Oak Hill Road, in the Oak Hill area. (District 3)

Staff reported on the site visit. The property has a Land Use Designation of Medium Density Residential (MDR), is surrounded by One-Acre Residential (RIA) and Estate Residential Five-Acre (RE-5) zoned parcels, and is in the Oak Hill Rural Center. Included in the application to immediately cancel the TPZ and rezone APN 098-160-44, is a letter from Registered Professional Forester, Bill Draper, dated April 21, 2008. Mr. Draper states in his letter that the property does not currently have a viable Christmas Tree operation, nor would the property be able to sustain a commercial Christmas Tree farm due to the limited acreage.

The property is located in a residential area and is accessed by a narrow private road.

Bill Draper recused himself from hearing this item and immediately sat in the audience.

Pierre Rivas stated that this property would be the first rollout/cancellation of TPZ property in the county since the program first started.

Randolph Fulp explained that his father previously owned the property. When the TPZ first went into effect, there was an A, B, & C list for the timber industries. To his recollection, the smaller parcels or Christmas Farms were on the B or C lists.

Bill Draper, as a member of the public, reported that he had visited the property several months ago. At one time it could have been a viable Christmas Tree farm but as it has not been worked for several years, and due to the location and size, in his opinion as a Registered Professional Forester, it is not, and could not be, a viable economical operation.

It was moved by Mr. Pratt and seconded by Mr. Bacchi to recommend APPROVAL of Randolph Fulp's request to immediately rezone APN 098-160-44, a five-acre Timberland Production Zone (TPZ) parcel to an Estate Residential Five-Acre (RE-5) parcel as all the required findings (1) through (3) of Public Resources Code Section 4621.2 can be found:

- 1) The conversion would be in the public interest.***
- 2) The conversion would not have a substantial and unmitigated adverse effect upon the continued timber-growing use or open-space use of other land zoned as timberland preserve and situated within one mile of the exterior boundary of the land upon which immediate rezoning is proposed;***
- 3) The soils, slopes, and watershed conditions would be suitable for the uses proposed if the conversion were approved.***

Additionally, General Plan Policy 8.3.1.3 requires the Agricultural Commission to assess lands to determine their suitability for timber production. Through staff's analysis, this parcel is not suitable for timber production and does not meet the following criteria, required to be used to determine the suitability of timber production lands:

- A) Lands designated Natural Resource (NR) on the General Plan land use map or lands zoned Timber Production Zone (TPZ);***
- C) Lands used for commercial forestry/timber production;***
- D) Lands that possess other features that make them suitable for timber production;***
and
- E) Low development densities in vicinity.***

Furthermore, the surrounding parcels have a General Plan Land Use Designation of Low Density Residential (LDR) and Medium Density Residential (MDR) and the five acre TPZ parcel does not meet the minimum 40 acre requirement for lands that are located below 3,000 feet.

Motion Passed.

AYES: Walker, Bacchi, Pratt, Boeger

NOES: None

RECUSED: Draper

ABSENT: Heflin, Ward

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

GB:na

cc: Randolph Fulp