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Legislation Details (With Text)

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On agenda: 7/17/2007 **Final action:**

Title: Hearing to consider adoption of Resolution 194-2007 establishing Agricultural Preserve 308 (Williamson Act Contract WAC06-0007) on property consisting of 25 acres and identified as APNs 084-200-13, -17 and 084-220-13; adoption of Ordinance 4735 rezoning said property from Estate Residential Five acre (RE-5) to Agriculture Preserve (AP) in the Camino area; and administrative relief for properties surrounding said parcels; Applicants: Robert, Margot and Steven Scharpf. (Cont'd 4/17/07, Item 28)

Sponsors:

Indexes:

Code sections:

Attachments: 1. WAC06-0007 Z06-0032 Findings.pdf, 2. WAC06-0007 Z06-0032 Minutes 121406.pdf, 3. WAC06-0007 Staff Report.pdf, 4. Scharpf.pdf, 5. WAC06-0007 Continuance Letter.pdf, 6. Setback exhibit.pdf, 7. Letter from Joe Keating.pdf, 8. Ag Setback Memo Dated January 16 2007.pdf, 9. Resolution rcvd 2-26-07 (Setbacks).pdf, 10. Resolution AGAdminRelief 041007.pdf, 11. Resolution AGAdminRelief Exhibit A 041007.pdf, 12. Interoffice memo from W. Stephans 7-16-07.pdf, 13. Letter from Joe and Brian Keating 7-16-07.pdf, 14. Letter from Kathleen Adam.pdf

Date	Ver.	Action By	Action	Result
7/17/2007	7	Board Of Supervisors	Approved	Pass
4/17/2007	6	Board Of Supervisors	Adopted	Pass
4/10/2007	5	Board Of Supervisors	Continued	Pass
2/27/2007	4	Board Of Supervisors	Continued	Pass
1/30/2007	2	Board Of Supervisors	Continued	Pass
1/30/2007	2	Board Of Supervisors	Continued	Pass
1/9/2007	1	Board Of Supervisors	Continued	Pass

Hearing to consider adoption of Resolution **194-2007** establishing Agricultural Preserve 308 (Williamson Act Contract WAC06-0007) on property consisting of 25 acres and identified as APNs 084-200-13, -17 and 084-220-13; adoption of Ordinance **4735** rezoning said property from Estate Residential Five acre (RE-5) to Agriculture Preserve (AP) in the Camino area; and administrative relief for properties surrounding said parcels; Applicants: Robert, Margot and Steven Scharpf. (Cont'd 4/17/07, Item 28)

BACKGROUND:

Staff has followed Board direction to revise the Administrative Relief from Agricultural Setbacks in order to address the pending Williamson Act Contract (WAC). On January 9, 2007, a WAC was brought to your Board for consideration. It was continued to January 30, 2007, when a number of surrounding property owners expressed concern due to the 200-foot setback that would be imposed

on them as a result of approving the WAC. The same concerns were expressed during a hearing before the Planning Commission.

In part, as a result of those concerns, your Board continued the item to July 17, 2007, to provide staff adequate time to revise the administrative relief process. Revisions were made and a revised Board Resolution and setback process was approved by the Board on April 10, 2007. The revised guidelines provide a mechanism to consider relief from the 200-foot setback at the time the rezone application is considered by the Planning Commission and Board of Supervisors. Section B.4 provides that when a WAC is being processed that staff of the Agricultural Department and Planning Services evaluate any relief from the 200-foot setbacks and make the determination a part of the recommendation to the decision makers.

The purpose of the hearing on July 17, 2007, is to consider the recommendations of staff for relief on surrounding properties as well as approve the rezone (WAC06-0007 and Z06-0032). The Agricultural Department staff have been contacting the 12 adjacent property owners in order to obtain permission to enter their property and determine if relief from the setback is justified. The surrounding owners will not be charged for this analysis. Due to the irregular shape of the three parcels going into WAC, numerous surrounding properties are potentially affected by the rezone. An aerial photograph has been prepared showing the three WAC parcels, all abutting parcels, and the 200-foot setback superimposed over the area. Staff will provide recommendations for any setback relief on the adjacent parcels during the hearing conducted on July 17.

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