

**APPENDIX VII - A
STANISLAUS COUNTY
BUFFER AND SETBACK GUIDELINES**

Stanislaus County Buffer and Setback Guidelines

Purpose and Intent:

The purpose of these guidelines is to protect the long-term health of local agriculture by minimizing conflicts resulting from normal agricultural practices as a consequence of new or expanding uses approved in or adjacent to the A-2 (General Agriculture) zoning district.

The intent of these guidelines is to establish standards for the development and maintenance of buffers and setbacks designed to physically avoid conflicts between agricultural and non-agricultural uses.

Applicability:

These guidelines shall apply to all new or expanding uses approved by discretionary permit¹ in the A-2 zoning district or on a parcel adjoining the A-2 zoning district. Uses located within a Local Agency Formation Commission (LAFCO) adopted Sphere of Influence (SOI) for an incorporated city shall be subject to these guidelines if the project site is located within 300 feet of any production agriculture operation, as defined by the Stanislaus County General Plan Agricultural Element, or the outer boundary of the SOI at the time of approval.

Low people intensive Tier One and Tier Two Uses (such as nut hulling, shelling, dehydrating, grain warehousing, and agricultural processing facilities) which do not serve the general public shall not be subject to compliance with these guidelines; however, conditions of approval consistent with these guidelines may be required as part of the project approval. The decision making body shall have the ultimate authority to determine if a use is “low people intensive”.

Buffer and setback requirements established by these guidelines shall be located on the parcel for which a discretionary permit is sought and shall protect the maximum amount of adjoining farmable land.

Buffer Design Standards for New Uses:

- 1) All projects shall incorporate a minimum 150 foot wide buffer setback. Projects which propose people intensive outdoor activities, such as athletic fields, shall incorporate a minimum 300 foot wide buffer setback.
 - a. Permitted uses within a buffer area shall include:
 - i. Public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low people intensive uses. Walking and bike trails shall be allowed within buffers setback areas provided they are designed without rest areas.

¹ For purposes of these guidelines discretionary permit shall mean any general plan amendment, community plan amendment, rezone, tentative map, parcel map, use permit (excluding single-family dwellings in the A-2 zoning district), or variance processed by the County Planning & Community Development Department.

- ii. Permitted non-agricultural uses adjoining or surrounding a project site (including but not limited to legal non-conforming uses and homesites) which are of a permanent nature and not likely to be returned to agriculture.
 - b. Landscaping within a buffer setback area shall be designed to exclude turf areas which could induce activities and add to overall maintenance costs and water usage.
- 2) A six foot high fence of uniform construction shall be installed along the perimeter of the developed area of the use to prevent trespassing onto adjacent agricultural lands. Fencing shall not be required for uses which do not directly establish the potential for increased trespassing onto adjacent agricultural lands.

Buffer and Setback Design Standards for Expanding Uses:

- Where existing development on a project site will allow, accommodation of a buffer as required for new uses shall be provided.
- Where existing development on a project site will not allow a buffer as required for new uses, the expansion may be permitted only if it does not intensify on-site activities or an alternative buffer and setback design standard is approved for the expansion.

Buffer and Setback Maintenance

- Projects subject to these guidelines shall be conditioned to require the property owner(s) be responsible for all aspects of on-going maintenance of buffers and setback areas. The property owner(s) shall be responsible for maintaining landscape plants in a healthy and attractive condition.
- A landowners association or other appropriate entity shall be required to maintain buffers to control litter, fire hazards, pests, and other maintenance problems when a project consists of multiple parcels which may be held, or have the potential to be held, under separate ownership.
- The property owner, landowners association, or responsible entity shall be responsible for maintaining landscape plants in a healthy and attractive condition. Dead or dying plants shall be replaced with materials of equal size and similar variety within 30-days of weather permitting.
- When buffers are required as part of a specific plan, the County may require dedication of buffer areas and formation of service district to insure long-term up keep and maintenance of the buffer.

Agricultural Transition:

- The Board of Supervisors may authorize the abandonment and reuse of buffer areas if agricultural uses on all adjacent parcels within a 150-foot radius of the project site have permanently ceased.

Alternative Buffer and Setback Design Standards:

- Any alternative buffer and setback design standards proposed by a project applicant shall be referred to the Stanislaus County Agricultural Commissioner as part of the planning review process prior to consideration by the Stanislaus County Planning Commission. The Planning Commission shall consider the Agricultural Commissioner's referral response in making a determination on the proposed alternative. In no case shall the required standards be reduced, unless the proposed alternative is found to provide equal or greater protection to surrounding agricultural uses.