

City modifies definition of ‘agricultural land’

Mike Hodgson, Arroyo Grande Times Press Recorder, 6-4-10

An ordinance clarifying agricultural conversions and mitigation requirements received final approval from the Arroyo Grande City Council last week.

The council voted 3-1, with Councilman Chuck Fellows dissenting, to approve the ordinance first discussed at the May 11 meeting.

Under the amendment to Municipal Code Title 16, mitigation is no longer required for the loss of prime agricultural soils if the land being developed for other uses is not zoned for agriculture, even if it is being farmed.

The changes also provide the City Council with more discretion in determining what mitigation is appropriate when agriculturally zoned land is converted to another use.

“When I ran (for council), I made a promise to protect prime agricultural land, and that would mean prime soils,” Fellows said May 11. “My vote is ‘no.’”

As when the ordinance was introduced, Fellows was the sole opposition in the final approval last week.

“I voted against adoption (of the ordinance) as written with no mitigation for the loss of 2 1/2 acres of agricultural land,” he said.

Fellows was referring to land off East Cherry Avenue at Traffic Way that has been farmed for decades and contains prime soils but was rezoned for commercial use more than 50 years ago.

Because the land is zoned commercial, no mitigation will be required for the loss of the prime soils when the parcel is developed.

The rest of the council generally agreed no mitigation should be required for converting land not zoned for agricultural use.

“People purchase property with the intent to use it in a manner consistent with the zoning,” said Councilman Jim Guthrie. “This is very narrow-based mitigation, and it’s unfair to the property owner if it’s required.”

Mayor Tony Ferrara agreed: “I think you have to step back and take a common-sense view, and the fairness issue looms large.”

But some expressed reservations about giving the council more discretion to decide what constitutes mitigation for the loss of agricultural land, which must be done at a 2-to-1 ratio.

Under the changes, the council could decide to accept other forms of mitigation, such as a road to serve other agricultural operations or funds to help preserve agricultural operations.

But Ferrara supported giving the council more discretion.

“I think I would like the flexibility to take money or land,” he said.