

Attachment 5 Options for Agricultural Home Size Limitations

AG-1.a *Limit Residential Building Size.* Limit residential development on agriculturally zoned property to reflect dwelling sizes typically accessory to agricultural production uses, while considering the need for landowner family housing. Limitations for residential development on a parcel shall be based upon the following criteria:

Option 1

- i. The total floor area of all dwelling units and non-agricultural accessory structures on a parcel shall not exceed an aggregate of 6,000 square feet; and
- ii. The total floor area for any single dwelling unit on a parcel shall not exceed 3,000 square feet;
- iii. Agricultural worker housing, up to 540 square feet of garage space for each dwelling unit, agricultural accessory structures, and up to a total of 500 square feet of office space used as a home occupation in connection with the agricultural operation on the property shall be excluded from the above residential floor area limits.
- iv. Residential development shall not be allowed to diminish current or future agricultural use of the property or convert it to primarily residential use.
- vi. Single dwelling units in excess of 3,000 square feet of floor area, but not more than 6,000 square feet of floor area, may be allowed if there is evidence of a bona fide commercial agricultural production operation on the property. In making this determination, the County may require an Agricultural Production and Stewardship Plan demonstrating that: (1) the long term agricultural use of the property will be preserved; (2) agricultural infrastructure, such as fencing, processing facilities, marketing mechanisms, agricultural worker housing or agricultural land leasing opportunities have been established or will be enhanced; agricultural uses proposed in connection with the residence are appropriate to the site and; (3) sound land stewardship, such as Marin Organic Certification, riparian habitat restoration, water recharge projects, and erosion control measures, have been implemented or will be enacted. Dedication or sale of perpetual agricultural conservation easements may be voluntarily offered to ensure continued agricultural production.

The square footage limitations noted in the above criteria represent *potential* maximum dwelling unit sizes and do not establish a mandatory entitlement or guaranteed right to development.

Option 2

- i. The total floor area for all dwelling units and accessory structures not used as the primary place of residence by the property owner(s), family members, and agricultural employees who are directly engaged in the production of agricultural commodities for commercial purposes shall not exceed 2,500 square feet unless affirmative findings are made consistent with the criteria set out in items (iii) and (iv) below, in addition to other applicable findings. Total floor area for these dwelling units shall not exceed 6,000 square feet.
- ii. The primary place of residence of the property owner(s), family members or lessee who are directly engaged in the production of agricultural commodities for commercial purposes on the property, buildings and structures accessory to such residences, and agricultural worker housing shall be excluded from the above floor area limits.
- iii. Residential development shall not be allowed to diminish current or future agricultural use of the property or convert it to primarily residential use.
- iv. Dwellings subject to criteria (i), above, that are in excess of 2,500 square feet of floor area, but not more than 6,000 square feet of floor area may be allowed if there is evidence of a bona fide commercial agricultural production on the property. In making this determination, the County may require an Agricultural Production and Stewardship Plan demonstrating that: (1) the long term agricultural use of the property will be preserved; (2) agricultural infrastructure, such as fencing, processing facilities, marketing mechanisms, agricultural worker housing or agricultural land leasing opportunities have been established or will be enhanced; agricultural uses proposed in connection with the residence are appropriate to the site; and, (3) sound land stewardship, such as Marin Organic Certification, riparian habitat restoration, water recharge projects, and erosion control measures, have been implemented or will be enacted. Dedication or sale of perpetual agricultural conservation easements may be voluntarily offered to ensure continued agricultural production.

The square footage limitations noted in the above criteria represent *potential* maximum dwelling unit sizes and do not establish a mandatory entitlement or guaranteed right to development.

Option 3

Amend the Development Code to establish limits for residential development on parcels subject to a Williamson Act or Farmland Security Contract according to the following criteria. For the purpose of applying these criteria, all contiguous parcels subject to the same Williamson Act Contract or Farmland Security Contract shall be considered a single development site.

- i. Up to three existing or new dwelling units per parcel(s) may be allowed subject to the standards set out below. These standards do not apply to agricultural worker housing as defined by State and County law.
 - a. The property is being used for the production of an agricultural commodity for commercial purposes.
 - b. The three dwelling units shall be either the primary place of residence for the owner(s) or family members of the parcel(s), the residence of a ranch manager for the parcel(s), or the residence of a person(s) employed in commercial agriculture.
 - c. The dwelling units comply with the density requirements of the Countywide Plan and the zoning district.
 - d. The total floor area for up to three dwelling units on a parcel(s) shall not exceed 6,000 square feet.
 - e. The total floor area for any single dwelling unit on a parcel shall not exceed 4,000 square feet.
 - f. The dwelling units comply with the County standards for clustering of non-agricultural buildings on agriculturally zoned lands.
 - g. Existing dwelling units not previously authorized by the County may be legalized within a prescribed time period by an amnesty program establishing minimum requirements for public health and safety.
 - h. New dwelling units may be exempt from Design Review if the total building area (habitable area in addition to garage and non-agricultural accessory structures) does not exceed 3,500 square feet and complies with the development standards of the governing zoning district. The Design Review exemption shall also be contingent upon the property owner(s) demonstrating that the project complies with the County's Single Family Residential Design Guidelines and policies and standards for Stream Conservation Areas, wetlands, visually prominent ridgelines, and protection of special status species.

An agricultural production and stewardship plan may be required to demonstrate that the property is being used for agricultural commodities for commercial purposes.
- ii. Agricultural worker housing may be permitted in addition to the dwelling units described in Item (i) above. An Agricultural Production and Stewardship Plan may be required prior to the approval of agricultural worker housing if the Community Development Agency determines it necessary to demonstrate the need for such housing.

Option 4

Convene a working group to prepare criteria and/or standards for the purpose of establishing limitations on the size of residential development on agriculturally zoned lands. Such limitations shall be considered for adoption through a future update of the Marin County Development Code.