



Yolo County Farm Bureau

street: 69 W Kentucky Avenue, Woodland CA 95695
mail to: P O Box 1556, Woodland CA 95776
530.662.6316 O * 530.662.8611 F
www.yolofarmbureau.org

PRESIDENT
Nancy Lea
VICE PRESIDENT
Joe F. Martinez
2nd VICE PRESIDENT
Garrett Driver
SECRETARY/TREASURER
Denise Sagara

October 10, 2017

Submitted to the Board on Nov. 7, 2017

Yolo County Board of Supervisors
ATTN: Duane Chamberlain, Chair
625 Court Street
Woodland, CA 95695

Re: Update of Ag Commercial zoning regulations and Williamson Act Guidelines.

Dear Chairman Chamberlain and Members of the Board of Supervisors

Yolo County Farm Bureau appreciates this opportunity to comment on the staff proposals for amendment to the Ag Commercial Zoning regulations and the Williamson Act Guidelines. First, we appreciate the extended time within which we have been able to examine the proposed changes, obtain comment from members, and discuss at committee and board levels. We also appreciate the obvious careful thought that planning staff and the members of the Yolo County Planning Commission have invested in this approximately 2 year project. We commend their recent efforts because we see substantial positive change in both the zoning regulations and the Guidelines.

We start our discussion by focusing on the two Strategic Plan Goals that staff believes are enhanced by these changes: Sustainable Environment and Flourishing Agriculture. These goals are very closely related. The majority of Yolo County's land area is in agriculture, thus, agriculture creates and supports the environment: agriculture provides income for farmers and ranchers, employment, urban and rural, both before and after "farmgate" values, a tax base for public purposes, recreational opportunities, habitat, open space and view sheds. Thus, it is logical that the County would ensure that agriculture is flourishing in order to sustain the environment that we all depend on and enjoy. Yolo County Farm Bureau is committed to both goals also: however, we ask you to understand that agriculture can only flourish if those who do it are able to stay in business. Thus, every effort must be taken at the county level to understand the implications on agriculture of its decisions. You who are privileged to serve as members of our Board of Supervisors must bear in mind that Yolo County agriculture, in all of its many forms, is the driving economic engine that must be protected, and loading on it additional risk and limitations unrelated to its core mission of raising food and fiber is counter productive.

First, we appreciate the closing of what we deemed to be a huge loophole: eliminating language that had appeared in Section 8-2.303 and 8.2.307 as follows in this sentence after the comma: " This Use Type includes commercial uses incidental to the agricultural or horticultural operations of the area that preserve the rural lifestyle and stimulate the agricultural economy, including some tourism related uses that may be the primary use of a particular property." This language allowed an incompatible use to be injected into an agricultural area, negatively impacting the ability of surrounding and neighboring farms and ranches to operate. This deletion is a major step forward.

Re: The modification to the Definition of Agri-tourism (Sec. 8-2.307): we do have concerns with the introduced language "Agri-tourism also includes uses that benefit from locating in a quiet, sparsely-populated, agricultural or natural environment, which may not be directly tied to or incidental to, on-site agricultural operations, but nevertheless enhance the agricultural economy in the region." Two sentences later, the definition specifically includes "event centers". Arguably, this is an open door to allowing an incompatible and inconsistent use in an agricultural area. The goal of "enhancing the agricultural economy in the region" is both vague and subjective, and certainly should not be viewed as more important than the reality of damaging and/or impairing viability of adjacent or neighboring farming/ranching operations. We recognize that on large parcels with minimal traffic/pesticide etc. issues, such a use may be appropriate. However, it is our hope that Yolo County understands the incompatibility issues between agriculture and essentially urban uses and will resolve conflicts in support of the former, and thus support the County's strategic goals.

We also note positively the new requirement that a large special event facility located on Williamson Act Lands or in an ag preserve must be incidental to an ag operation and found to comply with the Williamson Act – or it must have exited the WA program (Sec 8-2.306(k)(11)). However, Yolo County Farm Bureau continues its concern as to the impacts of an incompatible activity on the surrounding Ag Preserve: the "Preserve" itself must be protected, not just the contracted parcel. The incompatible use should not be allowed so long as other surrounding lands are still under contract and in Preserve status. Otherwise, the issue discussed above, the injection of incompatible uses into an Ag Preserve, will still happen – but will happen up to ten years later.

We appreciate the attention given to Spray Buffers, and the recognition that they are properly on the land of the applicant for the non ag use, and not imposed on the farming operation. Please realize that crops change, pesticides change, modes of application change, and regulations always get more restrictive on the farming operation. YCFB takes the position that deference be given to those pesticide regulations in all situations, as advised by the Yolo County Ag Commissioner, and the maximum 500 foot buffer be required unless the parties reach other agreement.

We anticipate that we will receive additional input and comments from our members as the date of the hearing approaches and staff reports may develop more specificity. Please be advised that we may file additional comments. Again, thank you for your focus on these issues that are very important to the existence of flourishing, sustainable agriculture in an increasingly urban county.

Very truly yours,



Nancy Lea
President



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Nancy Lea
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2nd VICE PRESIDENT
Garrett Driver
SECRETARY/TREASURER
Denise Sagara

July 13, 2017

Yolo County Planning Commission
292 W Beamer Street
Woodland, CA 95695

Dear Chair and Members:

Yolo County Farm Bureau would like to express its appreciation for ongoing staff and Commission efforts that have been devoted to cleaning up both the Zoning regulations and the Williamson Act Guidelines. I would like to apprise you that we have sent out a questionnaire to our ag members asking for their input on the proposed zoning changes and Williamson Act guidelines: results are coming in now so I cannot give you a summary of the survey response. I regret that the timing did not work out so we would have that information for you at this hearing.

However, our Board has ongoing concerns some of which are summarized as follows:

First, I turn my attention to concerns that we have with reference to the Agri-Tourism Zoning changes. Some of this discussion impacts the Williamson Act guidelines, also.

In 2014 the Ag Preserve Zoning provisions were repealed and no Ag Preserve rules or guidelines were adopted. The current proposed Williamson Act rules merely conform to the changes to the modifications to the Ag Intensive and Ag Extensive Zones in 2014. With the adoption of the proposed rules, there will no longer be any stricter land use requirement for hospitality enterprises on contracted land than other non-contracted in an Agricultural Preserve if the zoning regulations don't reinstate the requirement that all compatible uses, including B&Bs and party venues, be incidental and appurtenant to a commercial ag use. The predominant use of Williamson Act land must be devoted to commercial ag production. This is the exact reason for the adoption of the principles of compatibility. The proposed guidelines appear to allow a hospitality enterprise to be the primary use of contracted land.

A reading of the Williamson Act itself, set out in Government Code sections 51200-51257, basically outlines Williamson Act protection for agriculture, open space and natural areas. These are three discrete categories. "Compatible Use" as defined therein includes these three categories, but it is obvious that the classifications do not cross over into each other. Logically, a recreational use such as an "off-road" vehicle course or a campground "open space" cannot be deemed compatible with a neighboring conventionally farmed orchard whereas it may be very compatible with rangeland or publically owned property. Likewise, a conventionally farmed row-crop field, with pesticides and controlled irrigation, may be incompatible with a game preserve.

8-2.307- Definitions: We do not believe that Agri-Tourism should include the following definition: "Agri-tourism also includes uses that benefit from locating in a quiet, sparsely populated, agricultural or natural environment, which may not be directly tied to, or incidental to, on-site agricultural operations, but

nevertheless enhance the agricultural economy in the region. . . .Agri-tourism uses include, but are not limited to . . . lodging (including bed and breakfasts . . .) and event centers that accommodate weddings , music . . ."

These uses are not compatible with nearby agriculture. A statement that they "enhance" the regional ag economy does not mean they are compatible with adjacent conventional or organic agriculture.

The issue is that Section 105(b) of the Williamson Act Guidelines states that Williamson Act compatible uses are the same as permitted or conditionally permitted uses in the Ag Intensive and Ag Extensive Zones . . . except as otherwise precluded in such ordinance or these Guidelines."

We believe that there should be specific Guideline or Ordinance clarification that these uses are not permitted on contracted lands or on formerly contracted land surrounded by an Ag Preserve. It is clear that Ag Preserve properties must be devoted to a commercial ag enterprise: these uses are definitely not commercial ag enterprises, and thus there should be clarification that the uses are not permitted on Williamson Act contracted properties or properties that come out of contract, but are still situated in an Ag preserve.

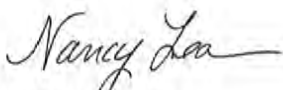
Our concern is that the best way to ensure compatibility with agriculture existent in an Ag Preserve or on a Williamson Act contracted parcel is to require that it be "incidental" to an ag operation also existent thereon. We would argue this is the most protective position to take with reference to Rural Recreation and Lodges other than those intended to be located on land that is in the Williamson Act solely by virtue of its natural unique qualities (See, Gov C section 51201 (o)): to the extent these uses may be on land that is within the Williamson Act or surrounded by Ag Preserve agriculture it is also appropriate.

We note that there have been some accommodations: Large Event Centers and Large Bed and Breakfasts must be incidental to an ag operation, or the use will not be allowed until after the property comes out of contract. However, this language does not go far enough: the property, although at last out of contract, will still be in an Ag Preserve unless its neighbors are also out of contract. We believe that the prohibition of the use must continue so long as the surrounding property is in an Ag Preserve.

We appreciate the careful drafting of the "spray buffer" language for event centers, bed and breakfasts and your inclusion of the Ag Commissioner's office in that determination.

We appreciate your attempt to define "special event" so it does not bar the large family reunion, wedding, charitable or political event our members have been known to gratuitously host for their families or charities or political causes they value. I note that if my family reunion, currently held annually on a family ranch in Glenn County, were held on our Yolo County ranch, we would host over 200 people.

Thank you.



Nancy Lea
President



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June 6, 2017

Yolo County Planning Commissioners
292 W Beamer Street
Woodland, CA 95695

Yolo County Farm Bureau appreciates the opportunity to provide the Planning Commission with these comments on the adoption of Williamson Act guidelines, and appreciates the Commission's continuing engagement on this issue. Yolo County has an incredibly vibrant agricultural landscape and economy, and the County has long shown a commitment to its farmers and ranchers through its measured and progressive land use policies through the protection of agricultural lands. In addition to its general plan and zoning ordinances, the County has been a strong partner with its farmers and ranchers through its implementation of the Williamson Act, and we believe that the Williamson Act guidelines are the County's direct interface with the contracted lands which protect agricultural land.

On contracted lands, approved uses must be compatible with agriculture on both the contracted parcel and adjacent contracted lands within the relevant agricultural preserve. We believe that such uses should be incidental to agricultural uses as the first measure of compatibility, and should not impair the surrounding fabric of agriculture within the area. Of particular recent concern are newly-approved uses which are guest-intensive, bringing large numbers of people to a landscape in a manner which causes direct conflict with agriculture. While some level of so-called "agri-tourism"-type uses add value to the agricultural economy, the appropriate scale of such use is highly context-specific and is dependent upon project location and other factors. Prime examples of impacts which must be contained include traffic and safety within the area of a project, as well as new constraints to existing agricultural operations, including spray buffers and the like.

With respect to event centers in particular, it is a difficult call to make. We think the County's Williamson Act guidelines should certainly provide for a compatibility determination for a certain number "of right" events on a parcel, which are infrequent, small in number, and therefore unlikely to present chronic conflict with surrounding agriculture. We also think it is obvious that large event centers cross a line towards a land use that is nearly commercial in nature, and should require a use permit and a process of public review. With respect to an intermediate size of event center – when the number and size of events being held are no longer occasional and tend towards large crowds – review for Williamson Act compatibility should be informed by event frequency, guest counts, parcel size, and project location. With respect to that intermediate size, the compatibility determination should be a matter of individualized analysis.

We hope this is helpful to the Commission in its deliberations on the draft Williamson Act guidelines. We look forward to engaging with you as the matter is brought before you again.

Sincerely,

Nancy Lea
President