

Supervisors take first look at zoning code update

By Anne Ternus-Bellamy

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WOODLAND — Yolo County supervisors appeared to put the brakes on Tuesday on an ambitious plan by county staff to update the zoning code by early fall.

The draft 350-page zoning code update has been in the works for three years, with county staff garnering input from advisory committees, planning commissioners and others. But supervisors, who will have the final say on any changes, took their first look at the update on Tuesday.

And after a nearly three-hour workshop covered just two major issues, one supervisor questioned staff's plan to have the update adopted on Oct 8.

"I have significant issues with the time frame," said Supervisor Don Saylor of Davis. "This is a workshop for us and currently we've gone through two of the topics. I think the board may have some influence on these outcomes (but) there's been no time for the board to participate in a three-year process."

Eric Parfrey, principal planner with the Department of Planning and Public Works, said there is a reason for the ambitious schedule.

"We are under a little bit of a time constraint," he told supervisors, explaining that the state already has given conditional approval to the county's housing element but the housing element is tied to the zoning code update.

He added that nothing in the update is set in stone and "everything is still subject to modification by the board."

"We can continue to make changes, even major changes, to the zoning code," he said.

Long in the making

Efforts to overhaul the code began in 2010, shortly after the 2030 General Plan was approved. According to county staff, the code was last comprehensively revised 25 years ago but has been incrementally rewritten and updated since then, resulting in "a mixture of current up-to-date regulations and byzantine zoning text with references to outdated uses that are no longer relevant to current land use and development issues."

That has left county staff sometimes struggling to interpret existing code to determine whether specific uses are allowed or not.

“Part of our goal,” said David Morrison, assistant director of planning and public works, “is to try to make the zoning code easier for people to understand, so the average lay person can understand it and also so staff can more easily (implement it).”

Updating the code, staff has also said, will ensure that “more benign uses are allowed or permitted without the need for unnecessary staff and Planning Commission review.”

“The intent is to focus limited staff resources on those uses that may require closer scrutiny because of potential impacts on neighbors and/or the environment.”

And while the draft contains many updates to the zoning code, there were seven that staff deemed most significant and brought to the board’s attention on Tuesday.

These, Parfrey said, “are among the more controversial issues and we want to get direct feedback from board members.”

Of the seven, just two — minimum parcel sizes in the proposed agricultural intensive zone and regulation of new homes on agriculturally zoned land — were the subject of discussion on Tuesday, but at the board’s request, staff will return next month for additional review of the update.

Previously, they had set a time frame that included supervisors revisiting the update on Sept. 24 during a public hearing, to be followed by adoption Oct. 8 and adoption of the updated housing element on Oct. 22.

Whether that time frame will remain the goal was unclear on Tuesday.

Among the significant — and possibly controversial — issues included in the draft are parcel and home sizes on agricultural land, as well as clustered agricultural housing, regulation of special events, changes to the wind energy ordinance, modification of the airport overlay zone and creation of planned development zones for Willowbank and El Macero.

Ag districts

Tuesday’s discussion focused on zoning updates in agricultural districts that Parfrey described as “very, very significant change.”

The update would change how agricultural zones are categorized and the minimum parcel sizes for those zones.

According to staff, the General Plan did not address what the minimum parcel size should be for agricultural parcels but did direct staff to remove Williamson Act status as a basis for zoning.

The Williamson Act provides tax benefits to landowners who agree to preserve their land as farmland for nine years. Currently, the county has two primary agricultural zones based on whether a parcel is under a Williamson Act contract or not.

The new zones would focus on where the parcels are located and how they are used. Agricultural Intensive zones would include the farming that generally occurs on the valley floor in cultivated fields, orchards or vineyards, while Agricultural Extensive zones would be larger dry land or livestock grazing operations such as those found in the Dunnigan Hills and Capay Hills.

The current minimum parcel sizes range from 20 acres in general agricultural parcels to 320 acres for range land. Under the revised zoning code, the minimum parcel size for vineyards and orchards would increase from 20 acres to 40, while the minimum parcel sizes for cultivated and irrigated land would be 80 acres and for dry-land farming 160 acres.

County staff said the thresholds were based on consultations with the county agricultural commissioner, the UC Cooperative Extension, UC Davis and the Farm Bureau.

“The primary question put to them,” staff reported, “was what is the minimum amount of acreage needed for a farm to be sustainable?”

“In other words, how small could a farm be and still financially support a family without relying on outside (non-farm) income? There was fairly broad consensus among the groups consulted that for orchards and vineyards, 40 acres would be sufficient. For irrigated field crops such as tomatoes, alfalfa, or rice, it would be a minimum of 50-60 acres. For dry-land farming such as winter wheat, the minimum should be 160 acres. And for rangeland grazing, the minimum feasible size would be 10,000 acres.”

Organic farms

But Saylor questioned whether 40 or more acres was an appropriate minimum size in all cases, noting that for organic farmers, 20 acres or less might be viable since so many organic farms currently do fine on smaller parcels.

“Minimum parcel size is a tool for ag preservation,” Saylor said. “But any tool can be overused or misused. I think there are parcels that are smaller than the ones we’re talking about that are viable.”

At Saylor's request, Morrison agreed to look into further breakdown of agricultural zoning to account for organic farming. Also added to the to-do list: revisiting a proposal in the draft update to require use permits for any new homes being constructed on ag parcels smaller than 20 acres — a proposal that seemed to garner little support from the board.

Meanwhile, Supervisors Jim Provenza of Davis and Mike McGowan of West Sacramento echoed Saylor's call for more time and discussion on all of the elements of the zoning code update. The board meets again on Tuesday, Sept. 10.

The full zoning code update draft and related materials are available at <http://www.yolocounty.org/Index.aspx?page=2424>.

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