

Yolo County Parks & Open Space Master Plan
Background Policy Review

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1. INTRODUCTION

This appendix provides a review of several Yolo County policy-related documents, which contribute substantively to the policy background for the Yolo County Parks & Open Space Master Plan project. While portions of these documents are summarized or excerpted in the body of the plan, this appendix is intended to present relevant material in additional detail and context.

This appendix is derived, in part, from (and updated from) a more extensive “Technical Memorandum,” prepared by the master plan consultant team in September 2004, as part of a variety of background studies. The review addresses two elements of the County’s existing General Plan, the resources management plan for lower Cache Creek, an “historical” 1968 Recreation Element which is no longer in effect, and selected ordinance provisions of the Yolo County Code.

2. YOLO COUNTY GENERAL PLAN – TWO PARKS-RELATED ELEMENTS

The Parks and Open Space Master Plan is intended to be generally consistent with the Yolo County General Plan. However, during the time that the Master Plan has been under development, the County has also been conducting a comprehensive update of its General Plan. Based on this General Plan update work, extensive revisions are anticipated in the General Plan, particularly in the Land Use, Circulation, Noise, Conservation, and Safety Elements.

Three of the existing elements of the County General Plan – the Housing Element, Agricultural Element, and the Open Space and Recreation Element – were adopted in 2002. While some conforming changes in these elements may be necessary, these more recent General Plan elements may not require as much updating as some of the other, older elements, which date back to 1983. Because the existing Agricultural Element and the Open Space and Recreation Element provide important relevant policy background for the Parks and Open Space Master Plan, they are reviewed and summarized below.

2.1 General Plan Agricultural Element (2002)

“Agriculture” or “Agricultural Resources” is not one of the seven mandatory elements for General Plans under the California Government Code and the related General Plan Guidelines; State law and the guidelines, however, offer counties and cities considerable flexibility to adopt optional elements that the jurisdiction judges to be important to its community. The fact that Yolo County has an adopted Agricultural Element is in itself a statement of the importance County decision makers attach to agriculture in the County.

Agricultural Element – “Introduction and Vision Statement” Chapter

The “Introduction and Vision” chapter establishes the importance of the County’s agricultural heritage, the County’s long-term commitment to preserving agricultural lands, and the support for the local agricultural industry in the face of changing

market factors and the pressures of urban growth. The chapter acknowledges that changes in the form and types of agriculture in the County are inevitable, and it supports traditional agricultural land preservation as well as new innovations.

“Yolo County prides itself in the manner in which it has preserved its agricultural heritage. Throughout the second half of the twentieth century, while other California counties were succumbing to the pressures of urban growth, Yolo County took deliberate steps to avoid a similar fate. Yolo County was among the first counties in California to place importance on agricultural lands preservation and enacted some of the earliest ordinances limiting use of agricultural lands, creating minimum parcel sizes and implementing the Williamson Act. The presence of the University of California, Davis, with its focus on agriculture and community of persons knowledgeable of agricultural issues, has aided in this effort.

“Geography has also played a part. The County’s distance from the Bay Area and the direction of growth in Sacramento County have helped insulate it from the strongest of these forces. These circumstances are changing, however, with significant growth pressure now extending along the I-80 corridor from the Bay Area through and beyond Yolo County. The Bay Area has nearly exhausted it[s] options for growth. Impediments to growth from Sacramento County have also been reduced with the development of better access, the incorporation of the City of West Sacramento and expansion by the City of Sacramento into the Natomas Basin. In addition, much of eastern Yolo County is located just a few miles from a prominent transportation hub at Sacramento International Airport.

“Although past practices have served the County well, changing times require additional innovation. A need exists for new policies and initiatives capable of sustaining Yolo County agriculture in the twenty-first century. The County must be ever more proactive, providing incentives and support for the continuation of agriculture. An economically sensible and sustainable program must be identified if agriculture is to resist market forces to convert land to other uses....”

“History has taught that there must be economically sensible reasons for land to remain in agriculture. Where such reasons were not present, market forces have inevitably displaced agriculture with higher value non-agricultural uses. Although direct public investment may preserve relatively small portions of the agricultural landscape, most investment must come from the private sector. To encourage this continued investment, Yolo County must maintain flexibility to respond to changing market forces.”

Agricultural Element – “Agriculture in Yolo County” Chapter

This chapter presents an overview of Yolo County’s agricultural history, soils and water resources, crop patterns, agricultural infrastructure, agricultural economics, and future trends. Additional information on these topics is also available in the companion Agricultural Element Background Report. Among the information provided is a comment on the “values” of agricultural land uses, which go beyond revenue and taxes to include other values, such as flood control, groundwater recharge, wildlife habitat, and open space.

Agricultural Element – “Agricultural Issues” Chapter

This chapter provides a summary of a variety of issues affecting agricultural land use and practices in Yolo County. Eighteen “agricultural issues” are addressed:

- Long-Term Regional Growth Pressures: Attitudes and Trends in Adjoining Counties;
- Expanding Urban Areas Around Cities: Overview of City Attitudes and Policies Toward Agriculture;

- Recreation and Agricultural Compatibility;
- Williamson Act Role;
- Zoning/Minimum Agricultural Parcel Sizes;
- Role of Small Farms;
- Provision for Agricultural Worker Housing;
- Antiquated Subdivisions;
- Conservation Easements and Land Acquisition by Public Agencies;
- The Role of Land Trusts;
- Agricultural Lands Conversion Ordinance;
- Nuisance Factors;
- Agricultural Buffers;
- Economic Development and Sustainability;
- Agriculturally-Related Industrial Development;
- Biotechnology and Agriculture;
- “Safe Harbor” Provisions for Adjoining Habitat; and
- Other Agricultural Preservation Programs.

“Recreation and Agricultural Compatibility.” This section, which mainly addresses various aspects of agri-tourism, is particularly germane to the Parks and Open Space Master Plan. In this discussion, the entrepreneurial and financial benefits of “working” vacations, winery tasting rooms, farm trails, and direct marketing of produce are balanced against the limitations and potentially undesirable effects of agri-tourism, such as increased traffic on rural roads, trespassing, vandalism, and unintentional spread of agricultural pests and disease. The Element recognizes the need to establish policies that “ensure land use compatibility while providing opportunities for recreation, tourism and associated support services in appropriate locations.”

Conservation Easements and Land Acquisition by Public Agencies. The Element generally supports the use of “purchase of agricultural conservation easements,” as described by the American Farmland Trust. These programs pay property owners to keep land available for agricultural use, help to prevent non-agricultural development, and maintain lower property value to reduce development potential. The Agricultural Element provides for the county to use an agricultural easement program and encourages acquisition of agricultural conservation easements by state and federal agencies and private non-profit organizations. The Agricultural Element also establishes a policy framework for requiring compensation for agricultural land conversion in the form of farmland conservation easements, deed restrictions, or other mechanism.

The Role of Land Trusts. This section of the Agricultural Element discusses the role of the Yolo Land Trust, a private, nonprofit corporation that assists in the permanent

preservation of agricultural and open space lands. The “stated purpose and function” of the Yolo Land Trust is to:

- “Acquire land or conservation easements on land of agricultural, habitat, historical, recreational, educational, scenic, ecological, or other environmental value within and surrounding Yolo County in a manner designed to assist in the preservation of such land for the benefit of the public.
- “Provide education and disseminate information concerning the values and benefits of land conservation.
- To encourage the benefits of sound land use planning for Yolo County.”

Agricultural Lands Conversion Ordinance. This section describes provisions in the County zoning code, including requirements for agricultural mitigation for zone changes from an agricultural zoning classification to a non-agricultural classification. The application of such mitigation provisions to new parks and open space areas could be a consideration in future parkland acquisition.

Nuisance Factors. The Agricultural Element includes policies intended to ensure the compatibility of land uses adjacent to agricultural operations, so that agricultural productivity is not adversely affected. Yolo County adopted a “Right to Farm” ordinance in 1991 to protect agricultural operations from nuisance claims. The discussion in this section is directed mainly toward potential sources of conflicts between agriculture and residential uses. “Potential sources of conflict include noise from agricultural operations (including farm equipment and crop dusting), drift of agricultural chemicals, restrictions on application of agricultural chemicals due to nearby residences, dust, odors, and vandalism of farms. Nearby residents may resent the intrusion of farm operations, and farmers may resent limitations imposed on their operations by encroaching development.”

Agricultural Buffers. The Agricultural Element supports the use of “appropriate buffers” between new, non-agricultural urban uses and agricultural lands. The Element supports a zoning standard to require a 300-foot buffer on the non-agricultural property; the standard could be adjusted “to address unusual circumstances” (also, see Agricultural Policy AP-22 below).

“Safe Harbor” Provisions for Adjoining Habitat. The Agricultural Element calls for use of “safe harbor” provisions for agricultural lands involved in habitat enhancement programs. This section explains the program as follows:

“Under the federal Safe Harbor Program, farmers can enter into an agreement with the U.S. Fish and Wildlife Service to carry out and maintain specific habitat enhancements on portions of their property for a defined period of time. With such an agreement in place, should this habitat enhancement result in listed species moving on to the property, the farmer is not subject to any additional restrictions under the federal Endangered Species Act for species covered by the agreement. The property owner is free to remove the habitat enhancement after the agreement has expired, since the normal restrictions of the Endangered Species Act only apply to the baseline conditions at such time as the safe harbor agreement was initiated.”

Agricultural Element – “Goals, Objectives, and Policies” Chapter

Chapter 4 in the Agricultural Element is a collection of statements that Excerpts pertaining to recreation are presented below, in the form of Agricultural (A) goals (G), objectives (O), policies (P), and implementing measures (I).

The Element explains that a “goal” is a “general expression of community values which sets a direction or ideal future end, condition, or state. An “objective” is a statement that “represents a specific end condition which is viewed as an intermediate step toward attainment of a goal.” A “policy,” according to the document, “is a specific statement to be used in guiding decision making, based on ... [the] goals and objectives.” “Implementation measures are actions, strategies and directives which carry out ... [the] policies.” These definitions, however, do not prevent considerable overlap and similarity among the goals, objectives, policies, and implementation measures in this Element.

“Goals:

- “AG-1: Conserve and preserve agricultural lands in Yolo County, especially areas currently farmed or having prime agricultural soils and outside existing planned communities and city limits.
- “AG-2: Conserve, protect and improve soil and water resources that support a variety of crops and products.
- “AG-3: Ensure the compatibility of land uses adjacent to agricultural operations, so that agricultural productivity is not substantially affected.
- “AG-4: Support and promote a healthy and competitive agricultural community and economy.
- “AG-5: Create sites for agricultural industry in order to meet demand for agricultural suppliers, laboratory research, field research, seed research, food processing and other related activities.
- “AG-6: Provide opportunities for recreation, tourism and associated support services in appropriate locations.
- “AG-7: Educate the public about the importance of agriculture in Yolo County.

“Objectives:

- “AO-1: Recognition of agriculture as the most important industry in Yolo County. (AG-4)
- “AO-2: Maintenance of agricultural zoning containing minimum parcel sizes capable of sustaining agriculture in areas designated for agriculture while also recognizing the need to accommodate smaller more intensively farmed parcels of land. (AG-1)
- “AO-3: Facilitate establishment of specialty farming areas that grow higher value crops. (AG-1)
- “AO-4: Utilization of the Williamson Act, conservation easements, an Agricultural Lands Conversion Ordinance and similar tools to preserve agricultural lands. (AG-1)
- “AO-5: Maintenance of Urban Boundaries and similar mechanisms to direct urban growth and protect agricultural lands. (AG-1)
- “AO-6: Retention of agricultural lands within and adjacent to Rural Unincorporated Communities in agriculture in order to prevent premature conversion. (AG-1)
- “AO-7: Protection of groundwater recharge areas from incompatible development or use. (AG-2)

- “AO-8: Prudent use of groundwater and surface water resources. (AG-2)
- “AO-9: Enhancement and protection of an affordable and reliable agricultural water supply. (AG-2)
- “AO-10: Utilization of adequate buffers to protect agricultural producers. (AG-3)
- “AO-11: Recognition of “safe harbor” provisions for agricultural lands involved in habitat enhancement programs administered by the U.S. Fish and Wildlife Service and California Department of Fish and Game. (AG-3)
- “AO-12: Limited residential use of land in agricultural areas. (AG-3)
- “AO-13: Establishment of a unique identity for Yolo County agricultural products. (AG-4)
- “AO-14: Provision of adequate public infrastructure and services to support the agricultural community, including the ability to continue to move agricultural equipment along and across public roads. (AG-4)
- “AO-15: Support marketplace initiated conversion from lower to higher value added crops and agricultural commodities. (AG-4)
- “AO-16: Maintenance and creation of new markets for traditional as well as higher value added crops and agricultural commodities. (AG-4)
- “AO-17: Creation of site(s) suitable for agricultural industrial park(s). (AG-5)
- “AO-18: Reuse of agricultural infrastructure that is no longer needed due to changing markets and a changing economy. (AG-5)
- “AO-19: Accommodation of agricultural tourism and education without adverse impacts to agriculture. (AG-6)
- “AO-20: Provision for full public participation during development of County plans, policies and ordinances affecting agricultural lands. (AG-7)
- “AO-21: Encouragement of ongoing public education programs by such organizations as U.C. Cooperative Extension, Farm Bureau, Natural Resource Conservation Service, Yolo County Resource Conservation District, other industry-related organizations and the public schools. (AG-7)

“Agricultural Policies ...

- “AP-1: Land uses in areas designated for agricultural use shall be limited to those directly related to agricultural production or support of agriculture.
- “AP-2: The County shall utilize an Agricultural Conservation Easement Program to help protect and preserve agricultural lands, as defined in this Element. This program shall require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conversion of agricultural land to nonagricultural use. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation. This may include the use of a variable standard that requires a commitment to preserve fewer acres if the land to be preserved is threatened by development and a greater number of acres to be preserved if the land to be preserved is removed from development pressures.
- “AP-3: Yolo County shall encourage acquisition of agricultural conservation easements by local, State and federal agencies and private non-profit organizations to protect agriculture.
- “AP-4: Yolo County shall encourage the placement of agricultural conservation easements on land most threatened by development, i.e., those located in close proximity to cities and unincorporated communities.

- “AP-5: Yolo County shall actively maintain the Williamson Act Land Conservation (Agricultural Preserve) program.
- “AP-6: Yolo County shall actively promote and maintain the Farmland Security Zone (FSZ) program.
- “AP-7: Upon receiving a request for an agricultural preserve contract and/or the Farmland Security Zone (FSZ) program for a property, Yolo County shall apply A-P (Agricultural Preserve) zoning. Yolo County may apply A-P zoning to other lands that the County finds are critically situated relative to existing agricultural preserves or properties in the FSZ program. When considering a request for a change in zoning to another agricultural zone, Yolo County may continue to apply A-P zoning to lands that the County finds are critically situated relative to existing agricultural preserves or properties in the FSZ program. The County may find that the continued application of A-P zoning to noncontract land is necessary to protect the land in the interest of public safety and convenience. It shall be clearly demonstrated that a change in zoning from A-P to another agricultural zone will promote agriculture.
- “AP-8: New residential or suburban subdivisions shall be prohibited in areas designated for agricultural use. The division of land in an area designated for agricultural use for the sole purpose of residential subdivision development shall be prohibited.
- “AP-9: The County shall utilize its zoning powers to discourage the use of “antiquated subdivisions” for nonagricultural use. The County shall review areas proximate to incorporated cities and areas previously subdivided (antiquated subdivisions) for consideration as specialty farming areas. Areas identified for this purpose shall have water and soil characteristics capable of sustaining specialty-farming operations.
- “AP-10: New or expanded commercial and industrial uses shall be prohibited in areas designated for agricultural use, except as allowed by ordinance and as provided in Policy AP-1.
- “AP-11: Existing legal nonagricultural uses and agricultural-related uses shall be allowed to continue, or to be replaced in case of catastrophic demise or disuse, in accordance with Zoning Ordinance provisions.
- “AP-12: Agricultural lands shall be protected from urban encroachment by limiting the extension of urban service facilities and infrastructure, particularly sewers.
- “AP-13: Yolo County shall promote high value and intensive agricultural farming practices on good agricultural soils. Yolo County shall encourage and cooperate with appropriate agencies to conserve, study, and improve soils. Prime soils and other productive agricultural land should be preserved wherever feasible outside Urban Boundaries.
- “AP-14: Yolo County shall promote research, development and use of high technology agricultural practices, agricultural biotechnology, sustainable agriculture, agri-tourism, water conservation practices and non-traditional agricultural operations in order to expand and improve opportunities for those engaged in agriculture.
- “AP-15: The role of smaller farms growing specialty products, such as organically produced fruits and vegetables, shall be recognized and promoted in Yolo County. A unique zoning designation, or designations, may be applied to specialty farming areas that recognizes the needs of smaller farms, specialty farms, and part-time farmers.
- “AP-16: Zoning for small farms shall recognize the potential role such farms may play in education and agricultural tourism and should provide for the inclusion of such activities while discouraging use of small farms as homesites, subject to a conditional use permit.

- “AP-17: Yolo County shall consider identification of areas suitable for biotechnology-related agriculture that support the County’s role as a leader in the biotechnology field.
- “AP-18: Yolo County shall encourage the siting of agricultural industry within the Urban Boundaries of unincorporated communities.
- “AP-19: Yolo County shall allow the siting of agricultural industry in the Agricultural land use designation when the following criteria are substantially met:
- The use is directly related and supportive of agriculture; and
 - Lack of suitable alternative locations in Yolo County prevent the use from locating within an area not designated for agricultural use; and
 - The site is not located in a contracted agricultural preserve or Farmland Security Zone; and
 - The use will not diminish or prevent agricultural use on adjoining agricultural lands; and
 - The use can be developed without significant reduction in cultivation and harvesting of agricultural products indigenous to the area.
- “AP-20: One or more agricultural industrial parks shall be encouraged and permitted in Yolo County if the following conditions are substantially satisfied:
- Market demand for such a park is shown through expressed interest from potential users, through interest from private developers, and/or analytical means;
 - The park can be located where the capability to develop adequate infrastructure, including electrical power and natural gas, and adequate access to transportation exists;
 - Industrial user types in the park would not interfere with other agricultural and open space activities in the vicinity;
 - The park site would not be subject to unmitigated flooding hazard;
 - The park site would comply with Policy AP-20;
 - The Capay Valley west of Esparto is to be avoided because of its remoteness and limited amount of available land.
- “AP-21: Commercial, non-agricultural industry, schools and urban-density residential uses shall be directed away from agricultural lands and located in existing areas zoned for commercial, industrial, and residential uses.
- “AP-22: With the exception of individual residences appurtenant to active farming operations, where new urban (non-agricultural) development is approved adjacent to agricultural lands, it shall be set back a minimum of 150 feet. A setback of 300 feet shall be required for urban uses that adjoin agricultural preserves or active orchards, except where the adjacent property owner agrees in writing that the 300-foot buffer is not needed. In no case shall the buffer be reduced to less than 100 feet.
- “AP-23: Areas identified by the County as significantly contributing to groundwater recharge shall be protected from uses and activities that would reduce their utility for groundwater recharge or would threaten the quality of the underlying groundwater resource.
- “AP-24: Where small parcels of land presently exist in agricultural areas with suitable soils, the establishment of small-scale agriculture uses, specialty crops, organic farming, specialized animal facilities and agricultural research operations shall be encouraged.

- “AP-25: The County shall support on-going agricultural education programs aimed at informing the general public about agriculture.
- “AP-26: The County shall work closely with the Natural Resources Conservation Service, U.C. Cooperative Extension, the Farm Bureau and similar organizations to ensure maximum awareness of actions that may affect agriculture. These efforts shall include encouragement of the inclusion of an agricultural issues curriculum in the public schools.
- “AP-27: Farmers shall be encouraged to participate in programs that reduce soil erosion and increase soil productivity.
- “AP-28: The County shall ensure that public roadways and drainage facilities do not adversely impact agricultural lands and shall engage the agricultural community when proposing significant modifications to such facilities.
- “AP-29: The County shall work to ensure that water resources are enhanced and preserved for agriculture, both in quantity and quality, to avoid the loss of agriculture due to competition for water with other forms of development.
- “AP-30: The County shall work proactively with other regional and watershed based groups on water resource issues to protect and preserve Yolo County’s agricultural water supply.
- “AP-31: When new sources of water supply become available to Yolo County, agriculture shall be given first priority for their use.
- “AP-32: Agriculture shall be actively protected from competing land uses that may threaten agricultural water supply.
- “AP-33: The County shall encourage use of the federal Safe Harbor Program and similar efforts to protect farmers involved in habitat enhancement programs whenever feasible.
- “AP-34: When designated habitat areas are created adjacent to existing farming operations, buffers shall be established within the habitat area(s) that area sufficient in depth to allow ongoing farming practices to continue on adjacent agricultural lands, including the application of agricultural pesticides and herbicides.
- “AP-35: Yolo County shall continue to promote agriculture as the primary land use in the portion of Yolo County that lies within the Primary Zone of the Sacramento-San Joaquin Delta, as designated by the Delta Protection Commission.
- “AP-36: Farm labor housing shall be located within areas determined suitable for agricultural support services. To minimize the conversion of agricultural lands to other uses, all dwellings in agricultural areas shall be encouraged to locate on lands unsuitable for agricultural use and in “clustered” configurations or mobile or modular dwellings. Secondary dwellings may be subject to approval of a conditional use permit.
- “AP-37: In recognition of the importance of the agricultural economic base of Yolo County, cities in Yolo County shall be strongly encouraged to share in the responsibility for providing adequate sites to accommodate farm labor housing.
- “AP-38: Commercial surface mining operations may be permitted in agricultural areas, including contracted agricultural preserves, with approval of a mining permit, reclamation plan and financial assurances, when they are located within the Off-Channel Mining Plan area, and/or when determined to be necessary in an agricultural area, as provided by ordinance.
- “AP-39: The County shall support the adoption of right-to-farm ordinances by Yolo County cities.

“Agricultural Implementation Measures

...

“AI-1: Maintain Zoning Ordinance regulations and standards that are consistent with policies for preservation of agricultural lands and soil and water resources, including the Williamson Act and the Farmland Security Zone programs.

Lead Agency: Planning and Public Works Department
Timing: Ongoing
Funding: General Fund

“AI-2 Establish required setback or buffer areas by recorded easement or other instrument, subject to the approval of County Counsel and the Director of the Planning and Public Works Department. A method and mechanism for guaranteeing the maintenance of setback or buffer areas in a safe and orderly manner shall also be established at the time of development approval. Options include creating a homeowners association or dedication of the buffer area to a non-profit organization or public entity.

Lead Agency: Planning and Public Works Department
Timing: Ongoing
Funding Source: Filing fees paid by project proponents for initial establishment; endowment established by project proponents for maintenance.

“AI-3: Maintain and modify necessary ordinances to implement the Agricultural Conservation Easement Program, including provision for a mechanism that recognizes the variability of land value.

Lead Agencies: Planning and Public Works Department, County Counsel
Timing: Within two years and ongoing
Funding Source: General Fund

“AI-4: Support the Williamson Act and advocate its continuation and improvement.

Lead Agency: Board of Supervisors, Planning and Public Works Department
Timing: Ongoing
Funding: General Fund

“AI-5: Support the maintenance of a Right to Farm Ordinance.

Lead Agency: Board of Supervisors, Planning and Public Works Department
Timing: Ongoing
Funding: General Fund

“AI-6: Communicate County General Plan policy and direction concerning extension of services by service providers. Utilize Sections 65401 and 65402 of the Government Code (General Plan consistency findings) to ensure actions consistent with the General Plan.

Lead Agency: Planning and Public Works Department
Timing: Every five years
Funding: General Fund

“AI-7: Support efforts by the private sector to introduce high technology agricultural practices, sustainable agriculture, agri-tourism and non-traditional agricultural operations.

Lead Agency: Board of Supervisors and Planning and Public Works Department
Timing: Ongoing
Funding: General Fund, Transient Occupancy Tax

- “AI-8: Periodically review and amend the County Zoning Ordinance to provide specific provisions for agricultural tourism.
- Lead Agency: Planning and Public Works Department, Board of Supervisors
Timing: Within two years
Funding: General Fund
- “AI-9: Study potential sites for agricultural industrial parks in Yolo County taking into consideration access, transportation corridors and services, including access to electrical power and natural gas. Establish development guidelines and site-specific criteria for agricultural industrial parks.
- Lead Agency: Economic Development Coordinator
Timing: Within two years of Plan adoption
Funding Source: General Fund or CDBG Technical Assistance Grant
- “AI-10: Review available means to expedite processing for a prospective agricultural industrial park. Adopt necessary ordinance to modify practices and procedures.
- Lead Agency: Planning and Public Works Department, Board of Supervisors and Economic Development Coordinator
Timing: Within one year of Plan adoption
Funding: General Fund
- “AI-11: Once approved, participate in promoting the agricultural industrial park and help seek new users.
- Lead Agency: Economic Development Coordinator
Timing: Ongoing
Funding Source: Industrial Park Developer/Owner, General Fund or CDBG Technical Assistance Grant
- “AI-12: Participate in development of an agricultural awareness/public education program in concert with the Natural Resources Conservation Service, the Yolo County Resource Conservation District and the University of California Agricultural Extension Office.
- Lead Agency: Planning and Public Works Department
Timing: Ongoing
Funding: General Fund, University of California
- “AI-13: Promote the following practices within the agricultural community:
- Full utilization of the services of the Natural Resources Conservation Service, the Yolo County Resource Conservation District and the University of California.
 - Utilization by the agricultural community of the latest techniques to reduce soil erosion and degradation.
 - Utilization of best management practices in the application and use of water resources.
 - Utilization of appropriate management practices in the Primary Zone of the Sacramento-San Joaquin Delta.
- Lead Agency: Yolo County Agricultural Commissioner
Timing: Ongoing
Funding: University of California
- “AI-14: When undertaking improvement of public roadways and drainage facilities, consult with adjoining farmland owners and incorporate designs that minimize impact on agriculture.

Lead Agency: Planning and Public Works Department
Timing: Ongoing
Funding: County Road Fund

“AI-15: Actively promote and participate in programs that retain local and regional water sources for agriculture and which actively seek to expand the local water supply, including legislative advocacy, conjunctive use, conservation, implementation of the County’s Water Transfer Ordinance and development of additional multi-use reservoirs that provide additional flood protection for existing development and water for agriculture, recreation and wildlife.

Lead Agency: Board of Supervisors
Timing: Ongoing
Funding: General Fund

“AI-16: Promote awareness of the need for additional technical, processing and marketing infrastructure to support a changing agricultural environment.

Lead Agency: Economic Development Coordinator
Timing: Ongoing
Funding Source: General Fund

“AI-17: Promote formation of a private entity to pursue the “Yolo County branding” of agricultural products produced in Yolo County. Work with the private entity to promote their sale in a variety of markets, including farmer’s markets throughout the northern California region, and through traditional distribution channels.

Lead Agency: Economic Development Coordinator
Timing: Ongoing
Funding Source: General Fund or Contributions to a “Marketing Fund” From Growers and Processors

“AI-18: As necessary, review the land use designations and zoning of lands within the Primary Zone of the Sacramento-San Joaquin Delta to assure compliance with Policy AP-34.

Lead Agency: Planning and Public Works Department
Timing: Within one year of Plan adoption
Funding: General Fund

“AI-19: Review, and amend as necessary, the Housing Element for consistency with Policies AP-35 and AP-36.

Lead Agency: Planning and Public Works Department
Timing: Within one year of Plan adoption
Funding: General Fund

“AI-20: Identify potential specialty farming areas. Develop zoning that may be applied to specialty farming areas that contains sufficient restrictions to assure that such areas do not become rural residential or ranchette developments, but also recognizes the potential for part time commercial agriculture.

Lead Agency: Planning and Public Works Department
Timing: Within two years of Plan adoption
Funding: General Fund

“AI-21: Develop zoning and/or other ordinance provisions to allow for clustering of dwelling units and other structures and agricultural land preservation in antiquated subdivisions identified as appropriate for application of such ordinance(s).

Lead Agency: Planning and Public Works Department
Timing: Within two years of Plan adoption
Funding: General Fund

“AI-22: Delete references to “Growth Management Study Areas” in County planning documents.

Lead Agency: Planning and Public Works Department
Timing: Within one year of Plan adoption
Funding: General Fund”

2.2 General Plan Open Space & Recreation Element (2002)

Under state law and the State General Plan Guidelines, “Open Space” is one of the required elements of a General Plan; “Recreation” is an optional element. The Open Space & Recreation Element of the Yolo County General Plan, adopted in 2002, consists of a “policy” document and a related “background” report. The policy document consists of four chapters and two appendices.

The Open Space and Recreation Element states that its purpose is “to be a foundation policy document enabling the County to further establish and preserve open space areas, develop further opportunities for recreation tourism, and active and passive open space and recreation areas” [sic]. A considerable amount of the recreation component of this Element is derived directly from a 1998 Draft Parks Master Plan, which was never formally issued or adopted. In a discussion section as well as in an implementation measure (RI-4), the 2002 Element calls for the completion of the Yolo County Parks Master Plan – thus, it is possible to say that preparation of a Parks Master Plan is consistent with the County General Plan.

The 2002 Open Space and Recreation Element contains relatively little guidance for creating a more unified County park system; it does not explicitly address parkland acquisition objectives or evaluation criteria, nor does it clearly address level of service standards. The “Calculation of Park Service Standards” from Appendix B in the 1998 Draft Master Plan is appended verbatim to the Open Space and Recreation Element. The intent and effect of this inclusion is not entirely clear: the information is appended to an adopted Element, but these “standards” are not prescribed by the Element’s policies.

Open Space & Recreation Element – “Introduction” and “Resources” Chapters

The Open Space and Recreation Element asserts that the future of open space in Yolo County is closely tied to the future of agriculture – i.e., the “directions and initiatives undertaken to preserve land for agriculture.” The document envisions Yolo County as a destination choice for visitors from the Sacramento and Bay Area region. The document also envisions a limited expansion of non-agriculturally related open space and recreation facilities. The document notes that “Yolo County, like all California counties, is faced with population pressures and increased demand for traditional park and recreation services.” It also notes that open space and recreation are important to Yolo County’s “identity,” as well as to local and regional economies.

The recreation component of the Open Space & Recreation Element is based on eleven County park facilities covering 1,320 acres (not included are: Dunnigan Park, Gibson House Historical Museum, Capay Open Space Park, and Otis Ranch Open Space Area). The park classification scheme is based on the 1998 Draft Parks and Facilities Master Plan. The park property descriptions (as well as other information in the document) are essentially the same as in the Background Report (which relies on the 1998 Draft Master Plan). The Element describes the middle site of Cache Creek Canyon Regional Park as “the main center of recreational activity for the entire Yolo County park system.”

The 2002 Open Space & Recreation Element notes that the County is responsible for providing maintenance and operations at three recreational facilities in State ownership (administered by the Wildlife Conservation Board): Clarksburg Boat Launch, Putah Creek Fishing Access Areas, and Knights Landing Boat Launch. “The arrangements typically involve a long-term maintenance and operations agreement in exchange for funds for capital improvements and to offset operations costs.” Again citing the 1998 Draft Master Plan, the Element goes on to say:

“... these maintenance funds represent only approximately 20 percent of the total annual maintenance costs required; the balance is borne by the County Parks Department, or work simply does not get done. ... closing the revenue gap must occur if the County is to (1) meet even the basic safety conditions for these sites, (2) reduce the flow of revenue from other parks and facilities to these sites, and (3) address costly capital replacements.”

Open Space & Recreation Element – “Issues” Chapter

In the chapter on Open Space & Recreation Issues, the Element policy document identifies and addresses the following 17 issue areas:

- Growth pressure and demand for open space and recreation lands;
- Open space, recreation, and agricultural compatibility;
- Sustainable tourism and its impacts on open space and recreational lands;
- Recreation and tourism as an industry;
- Implementation of a Cache Creek Recreation Plan;
- Community-based recreation programs;
- The Blue Ridge Trail;
- Trail connections to the upper Sacramento River;
- Implementation of the Bicycle Transportation Plan;
- Clustering of development to preserve open space lands;
- Yolo Bypass open space;
- Cache Creek Casino: its impact on recreation;
- Property acquisition along Putah Creek;
- Master planning for Grasslands Regional Park;
- The Sacramento River Greenway project;
- The Yolo County Natural Communities Conservation Plan;
- Fiscal and employment impacts of open space preservation and enhanced tourism.

Growth Pressure and Demand for Open Space and Recreation Lands. This section presents the following recommendations, which are attributed to the 1998 Draft Master Plan (essentially the same text is also in the Background Report):

“To provide the County with direction in their [sic] acquisition of open space acreage in Yolo County, the Draft Yolo County Parks and Recreation Facilities Master Plan recommended the following:

1. Acquire additional acres of varied recreational opportunities for County residents.
2. Acquire sections of wooded areas adjacent to the Blue Ridge Mountains.
3. Achieve the most effective use of land. Land adjoining existing parkland should be acquired when the adjoining land affects the scenic character of the park or when future development is contemplated.
4. Expand outdoor recreational activities by providing public access to the Sacramento River, Cache Creek, and Putah Creek. A partnership could be developed for construction of wetlands, ponds and lakes for water-based recreational activities.
5. Because open space lands are of great benefit to County residents, those undeveloped lands which are least accessible, least easy to service, and least desirable for residences should be left in their natural state. Marginal lands, including the upper Blue Ridge area, wetlands, and floodplains should remain in open space. Acquisition of these areas would result in the protection and preservation of Yolo County’s natural resources.”

Partnerships. The 2002 Open Space and Recreation Element states that it “provides for the County to establish and/or maintain partnerships with Cache Creek Conservancy, Lower Putah Creek Coordinating Committee, the Yolo Bypass Working Group, and the Sacramento River Conservation Area for creation of open space along Cache Creek, Lower Putah Creek, the Sacramento River and within the Yolo Bypass.” The Element also “calls for the County to encourage and support efforts by State and federal agencies, cities, special districts, and nonprofit and conservation organizations to protect lands containing open space resources....” The Element supports partnerships with private businesses. It also “provides for the County to work with the cities of Yolo County to facilitate development of a regional sports park at an appropriate location between population centers.” It promotes cooperative efforts with the Cache Creek Casino.

Compatibility of Tourism with Agriculture and Private Property. The Element supports “sustainable” tourism, including ecotourism and agri-tourism. The document favorably discusses “farm trails,” branding of agricultural products, and other initiatives to increase tourism. In drawing visitors to outdoor recreation areas and ecotourism opportunities in the County, the document states that the “County should promote access to public land without infringing on private property rights.”

Open Space & Recreation Element – “Goals, Objectives, and Policies” Chapter

Chapter 4 in the Open Space & Recreation Element is a collection of statements that, according to the document, make up the heart of the Element. Excerpts pertaining to recreation are presented below, in the form of Recreation (R) goals (G), objectives (O), policies (P), and implementing measures (I). As in the Agricultural Element there is considerable overlap and similarity among the goals, objectives, policies, and implementation measures in this Element.

“Goals

“RG-1: Provide infrastructure to support community-based recreation.

“RG-2: Establish and maintain sufficient parkland to serve all segments of the population.

- “RG-3: Utilize recreational opportunities to attract a greater number of tourists and visitors to Yolo County.
- “RG-4: Ensure the compatibility of recreational activities with surrounding land uses.
- “RG-5: Design recreational facilities to maintain privacy and security and minimize impacts to surrounding property owners.”
- “RG-6: Develop new facilities to attract tourists and visitors, including entertainment facilities, restaurants, lodging and shopping, clustered in areas already urbanized, or in area designated by the General Plan for such uses.”
- “RG-7: Encourage by various means, including marketing, the potential for growth in visitor spending.”

“Objectives

- “RO-1: Access to county-sponsored recreation programs in all major unincorporated communities. (RG-1)
- “RO-2: Establishment of a variety of outdoor recreational and educational opportunities along Lower Cache Creek, the Sacramento River, Lower Putah Creek, and within the Yolo Bypass for use by the public. (RG-1)
- “RO-3: Provision of adequate and diversified recreational opportunities and facilities to meet the demands of an expanding population. (RG-1, RG-2)
- “RO-4: Maintenance and application of parkland to population standards in new development. (RG-2)
- “RO-5: Creation of mechanisms for funding park acquisition and development, as well as the ongoing costs of park maintenance and recreation services. (RG-2)
- “RO-6: Creation of a tourism-marketing program for Yolo County focused on recreational opportunities. (RG-3)
- “RO-7: Provide for development of a visitor-serving business base in the county that includes a mix of lodging, recreation/amusement services, transportation services, eating and drinking places, food stores and other retail. (RG-3)
- “RO-8: Creation of a Yolo County identity that will promote the county’s recreational opportunities and assist in attracting visitors. (RG-3)
- “RO-9: Maintenance of appropriate zoning categories and standards in order to ensure land use compatibility, protection of agricultural lands and consistency with the General Plan when visitor and tourist oriented activities locate in Yolo County. (RG-4, RG-5, RG-6)
- “RO-10: Improvement of the County tax base and local economy through attraction of visitor and tourist related businesses. (RG-7)

“Recreation Policies

- “RP-1: Open space and wildlife conservation areas shall be combined with parks and trails where appropriate.
- “RP-2: Parks shall be developed and utilized to buffer wildlife areas from development that would impact wildlife habitat.
- “RP-3: The County shall ensure that the signage allowance in rural areas is adequate to assist businesses in attracting visitors.”

- “RP-4: The County shall support the development of visitor-serving business that retain and complement its rural character such as bed and breakfast facilities and eateries, particularly in the Delta region and Capay Valley.
- “RP-5: The County shall promote and support the clustering of commercial/recreational opportunities in an effort to provide ‘linked’ activities for tourists (i.e., activities tourists can link together in a single trip, such as eating, rafting, gaming, shopping, lodging, gas stations, wine tasting, visiting a museum, etc.)
- “RP-6: The County shall support the development of tourist services in the unincorporated areas along I-5 (at Yolo and Zamora), in Clarksburg, Dunnigan, Esparto and Knights Landing.
- “RP-7: The County shall support and facilitate events that showcase its products such as wine, produce, and arts and crafts.
- “RP-8: The County shall encourage and support the development of private recreational facilities that preserve scenic and environmentally sensitive resources and that do not result in the creation of land use conflicts.
- “RP-9: The County shall work with all unincorporated communities to develop adequate recreational infrastructure and facilities.
- “RP-10: The County shall work with willing landowners to create a continuous corridor of natural open space along Lower Cache Creek, Lower Putah Creek, the Sacramento River and within the Yolo Bypass with provision for limited access at specific locations to recreational and educational uses from a County road or highway. The County shall also consider establishing bicycle access to select areas.
- “RP-11: Only those uses that are river- or creek-dependent, such as fishing, canoeing, boating, and nature observation, shall be directly located on Cache Creek, Lower Putah Creek, and the Sacramento River. More active uses, including parking, restrooms, and picnic areas shall be located in areas away from sensitive habitat.
- “RP-12: Recreational uses shall be clustered at locations along Cache Creek, Lower Putah Creek, and the Sacramento River, in order to minimize habitat disturbance and provide efficient and cost-effective management by the County. All access, whether by road or by trail, shall be through an entry point which can be controlled.
- “RP-13: Recreational uses that tend to be land and water intensive (such as golf courses) shall locate in areas with adequate infrastructure, with the potential for multiple uses (e.g., hiking, equestrian, retreat conference centers, etc.) and shall not conflict with agricultural and other open space uses.
- “RP-14: Airport related commercial uses such as flying services shall be located at the Yolo County Airport. Visitor-serving facilities to support such activities should be encouraged in the Airport vicinity.
- “RP-15: The County shall endeavor to coordinate the activities of all county, federal and state agencies and of private operators to manage recreational activities so that such activities do not interfere with agricultural operations, infringe on private property, or harm existing wildlife and vegetative habitat.
- “RP-16: To lower long term public costs and enhance public security, wherever practicable the County shall partner with private business to individually and collectively supervise and manage adjacent and nearby public facilities (for instance, local parks, creek and river access, overlooks, piers, picnic areas, and parking areas).
- “RP-17: The County shall support improved access for bank fishing where safe and adequate parking can be provided and with acquisition of proper rights-of-access from the landowner. Adequate policing, garbage cleanup, sanitation facilities, and fire suppression for such access shall be provided.

- “RP-18: The County shall support the location of additional recreational and traveler service facilities in unincorporated communities, so that these facilities do not significantly harm agricultural operations or open space values.
- “RP-19: Downtown revitalization in unincorporated communities shall be supported as an integral component of increased visitor spending.
- “RP-20: The County shall target development in those areas currently under-served to fill specific gaps in visitor serving and retail services. Encourage development of critical services for travelers where needed, such as public-access restrooms, mini marts, first aid centers and gasoline stations.
- “RP-21: Through policy and leadership, the County shall support the marketing of Yolo County as a destination for vacations and day trips.
- “RP-22: The County shall work with interested groups to complete construction of a bicycle trail system. Ensure that bicycle access is an integral part of future recreational facility design and facility operations.
- “RP-23: The County shall work closely with BLM, adjacent counties and other landowners to establish needed facilities and access in order to make the Blue Ridge Mountains available for mountain biking, hiking, wilderness experiences, equestrian activities, possible Off Road Vehicle activities, and wildlife viewing.
- “RP-24: The County shall promote and support the growth of individual and collective private-sector agri-tourism and eco-tourism operations of all sizes that benefit from wide expanses of open space and agricultural land, including overnight agricultural adventures (staying overnight and working on a farm), other lodging, markets and farmers markets, restaurants, wineries, bird watching, fishing and hunting lodges and clubs and equestrian centers. The County shall work with those operators to encourage regional marketing programs and to ensure that public and private efforts are complementary.
- “RP-25: The County shall encourage development of small-scale/niche visitor services and attractions such as wineries, bed and breakfasts, cafes, etc. in areas that would cater to interested travelers.
- “RP-26: The County shall encourage and work with the cities of Yolo County to facilitate development of a regional sports park at an appropriate location between population centers.

“Recreation Implementation Measures

...

- “RI-1: Adopt a Quimby Ordinance and park impact fees to establish funding mechanisms for park acquisition and development. ¹
 - Lead Agency: Board of Supervisors
 - Timing: Within one year of Plan adoption
 - Funding Source: General Fund, Developer Fees, Impact Fees
- “RI-2: Direct a review and update of the County’s sign ordinance for off-site signage provisions.
 - Lead Agency: Board of Supervisors
 - Timing: Within one year of Plan adoption
 - Funding Source: General Fund

¹ Recreation Implementation (RI) measure RI-1 directs the County to: "Adopt a Quimby Ordinance and park impact fees to establish funding mechanisms for park acquisition and development." The timing for this measure was supposed to have been within one year; however, this directive apparently has not been implemented.

- “RI-3: Work with local businesses to promote the development of a marketing program and advertising campaign that promote the county’s recreational opportunities and cultural attractions.
- Lead Agency: Board of Supervisors
Timing: Within one year of Plan adoption
Funding Source: General Fund, Transient Occupancy Tax
- “RI-4: Complete the preparation of a Parks Master Plan. This Plan would identify needed recreation infrastructure and facilities and potential funding sources. ²
- Lead Agency: Board of Supervisors
Timing: Within one year of Plan adoption
Funding Source: General Fund, Transient Occupancy Tax
- “RI-5: In order to attract more visitors to Yolo County, improve funding for ongoing maintenance at the County’s various recreational facilities and catch up on deferred maintenance items. Evaluation of fee structures for resident and non-resident use fees for certain recreation facilities shall be conducted including the appropriate recommendations.
- Lead Agency: Parks Department
Timing: Ongoing
Funding Source: Various
- “RI-6: Fully support and participate in the formation of a cooperative Yolo County visitors and tourism council, including the County, the various cities and communities, the casino, merchants, restaurants, wineries, motels, campgrounds, water attractions, museums and wildlife areas, agricultural exhibits and other visitor destinations.
- Lead Agencies: Board of Supervisors, Economic Development Coordinator
Timing: Immediate
Funding Source: Cooperative, including general fund, special funds and private
- “RI-7: Identify and participate with other groups and organizations to establish new and promote existing programs for tourism (e.g. “Duck Days”, “A Day in the Country,” a “Blossom Trail,” etc.)
- Lead Agencies: Parks Department, Economic Development Coordinator
Timing: Within two years of Plan adoption
Funding Source: Cooperative, including General Fund, special funds and private
- “RI-8: Seek cooperative state and federal funding for tourism promotion, and for enhancing park and visitor facilities. Further develop a use fee structure for resident and non-resident users of recreation services and facilities where possible
- “RI-9: Join multi-county and regional tourism programs.
- Lead Agency: Economic Development Coordinator
Timing: Ongoing
Funding Source: Various
- “RI-10: Develop necessary infrastructure for park users (e.g. restrooms, pump out facilities, trash containers, oily waste disposal facilities and other facilities to meet the needs of boaters.). Include opportunities for concessions where practicable. Enhance security and public safety at County parks.
- Lead Agency: Parks Department

² Thus, preparation of the Parks Master Plan is consistent with the County General Plan.

- Timing: Ongoing
 Funding Source: Various, including grants
- “RI-11: Support continued acquisition of open space by land trusts, government agencies and conservancies that are consistent with this Element and where efforts have been coordinated with the County.
- Lead Agencies: Board of Supervisors, Parks Department, Planning and Public Works Department
 Timing: Ongoing
 Funding Source: Various, mostly through the trusts and conservancies
- “RI-12: Identify and improve key road segments, including provision of flood protection. Improve road name and directional signs.
- Lead Agency: Planning and Public Works Agency, Board of Supervisors
 Timing: Ongoing
 Funding Source: Road Fund
- “RI-13: Seek opportunities to acquire or participate in acquisition of land in the Blue Ridge Mountains for trailheads, and equestrian center, and other recreational experiences.
- Lead Agency: Parks Department
 Timing: As soon as practicable
 Funding Source: To be determined
- “RI-14: Meet with the cities of Yolo County to identify potential sites and funding sources for a regional park/sports park. Possibilities include a regional soccer tournament complex.
- Lead Agency: Parks Department, Economic Development Director
 Timing: Ongoing
 Funding Source: To be determined”

3. 2002 REVISED FINAL CACHE RESOURCES MANAGEMENT PLAN FOR LOWER CACHE CREEK

The Cache Creek Resources Management Plan for Lower Cache Creek (CCRMP) was adopted in 1996; a revised final document was adopted in 2002. The CCRMP and a companion document, the Off-Channel Mining Plan (OCMP), provide guidance for the integrated management of the natural, social, and economic benefits and resources of lower Cache Creek. The CCRMP planning area encompasses approximately 2,324 acres of channel and floodplain area within and adjacent to nearly 15 miles of Cache Creek, from upstream of the Capay Dam to the vicinity of the community of Yolo.

This area plan ³ consists of an introduction and six elements: Floodway and Channel Stability Element; Water Resources Element; Biological Resources Element; Open Space and Recreation Element; Aggregate Resources Element; and Agricultural Resources Element. Most relevant for this review is chapter 5.0, the Open Space and Recreation Element.

CCRMP Open Space and Recreation Element

The plan recommends that the County pursue “an integrated system of trails and recreational areas along Cache Creek, similar to efforts occurring along the San Joaquin and American Rivers, although at a less intensive scale of development.” The plan notes that planning for such a “parkway” should be based on additional analysis of recreational needs in the County and that proposals to develop a system of trails and recreation areas would require environmental review. The suggestion is made that “planning efforts for this portion of Cache Creek should be coordinated with recreational plans being developed by the U.S. Bureau of Land Management for the upper watershed.”

In the interim, until such a parkway is established, the CCRMP designates six general locations, or “nodes,” for recreational use. “Sites are located at regular intervals of approximately two miles along Cache Creek, in order to function as trailheads or staging areas for a possible system of bicycle, pedestrian, and/or horse paths. Recreational areas were also sited on lands included for off-channel mining, where proposed reclamation is to permanent ponds.” The plan proposes that the County or a non-profit entity acquire these sites; the statement is made that one primary goal is “to manage future public access” to creekside areas.

The CCRMP contains the following Open Space and Recreation goals, objectives, actions, and performance standards. Particularly notable are: the emphasis on public (or non-profit) acquisition; the intent to create “natural open space;” the intent to limit and control public access to designated points; a management direction favoring low-intensity recreational activities (with horseback riding, picnicking, and boating being mentioned in the context of “intensive uses”); the prohibition on the recreational use of off-road and all-terrain vehicles; and the intent to keep recreational uses away from sensitive habitat areas.

³ California Code of Regulations, Section 65302.

“5.2 GOALS

- 5.2-1 Improve scenic resources within the Cache Creek channel.
- 5.2-2 Establish a variety of outdoor recreational and educational opportunities along Cache Creek for use by the public.
- 5.2-3 Ensure the compatibility of recreational facilities with surrounding land uses and sensitive wildlife habitat, in order to minimize adverse impacts.

“5.3 OBJECTIVES

- 5.3-1 Create a continuous corridor of natural open space along the creek and provide for limited access, at specific locations, to recreational and educational uses.
- 5.3-2 Include use of the "Open Space" designation for the areas where resource management and habitat protection is warranted.

“5.4 ACTIONS

- 5.4-1 Solicit the dedication of restored habitat areas and/or recreational areas to the County or an appropriate land trust, such as the Cache Creek Conservancy, in order to provide continuous open space along the creek.
- 5.4-2 Develop a future recreation plan for Cache Creek, in consultation with the County Parks Administrator, to provide a range of public activities and uses. Suggested recreational uses may include, but are not limited to: hiking, horseback riding, fishing, picnic grounds, boating, educational exhibits, and birdwatching.
- 5.4-3 Identify possible locations for future recreational, habitat, and educational uses along Cache Creek, such as those shown in Figure 10 [map of proposed locations of “Preliminary Recreation Nodes”]. Sites shall be located at regular intervals throughout the plan area. Intensive recreational uses, such as horseback riding, picnicking, and boating shall be located away from designated habitat areas.
- 5.4-4 Designate identified recreational areas as ‘Open Space’ in the Cache Creek Resource Management Plan.
- 5.4-5 Coordinate with the Bureau of Land Management to investigate the eventual linkage of recreational uses located along the upper watershed of Cache Creek to the designated recreational sites located within the plan area.
- 5.4-6 Design and manage recreational sites so that trespassing, vandalism, and other undesirable activities are discouraged. The TAC [a Technical Advisory Committee proposed by the CCRMP], in consultation with resources agencies, shall develop measures to control human access to sensitive wildlife habitat or other sensitive communities (i.e., wetlands) in the planning area to minimize impacts on these resources.
- 5.4-7 Acquire future sites, through purchase or voluntary donation, so that the County can maintain and develop the areas according to the future recreation plan.

“5.5 PERFORMANCE STANDARDS

- 5.5-1 Only those uses that are river dependent, such as fishing, canoeing, and nature observation shall be located on the creek. More active uses, including parking, restrooms, and picnic areas should be located in areas located away from sensitive habitat, preferably on land that has been reclaimed from sand and gravel mining.

- 5.5-2 Recreational uses shall be clustered at locations along the creek, in order to limit public access, minimize habitat disturbance, and provide efficient and cost-effective management by the County. All access, whether by road or by trail, shall be through an entry point which can be controlled.
- 5.5-3 Physically control access with gates and collect user fees to support operations and deter inappropriate activities. Limited public access will also reduce impacts to sensitive habitat and adjoining private uses. Additional options include permits, volunteer docents to patrol the site, and escorted tours.
- 5.5-4 Recreational facilities shall be located a minimum of one-hundred and fifty (150) feet from private dwellings, with a landscaped buffer provided to reduce noise and maintain privacy.
- 5.5-5 Educational and interpretive curricula shall be developed that will reach all segments of the community. The County shall rely heavily on compatible programs already developed by volunteers, schools, and nonprofit organizations.
- 5.5-6 Large-scale, high-intensity recreational uses, such as amusement parks, off-road vehicle parks, or uses involving motorized watercraft, are not compatible with land uses along Cache Creek.
- 5.5-7 The recreational use of off-road vehicles and all-terrain vehicles on public property shall be prohibited.
- 5.5-8 The hunting and/or discharge of firearms along Cache Creek shall be prohibited on public property.
- 5.5-9 Noise analyses shall be conducted for proposed recreational uses where medium to large groups would congregate in common use areas. The study shall identify likely sources of noise and ways to reduce levels to minimize annoyance at adjacent properties.”

4. THE 1968 RECREATION ELEMENT OF THE YOLO COUNTY GENERAL PLAN

A Recreation Element of the Yolo County General Plan was approved by the County Planning Commission and adopted by the County Board of Supervisors in 1968. While no longer in effect as part of the adopted County General Plan, the 1968 Recreation Element provides interesting background information and may express “echoes” of policy positions that may be useful for comparison today.

Six objectives are presented in the Preliminary Statement of Objectives and Standards:

- “A. To protect and preserve as many of the County’s recreation resources as possible.
- “B. To acquire, provide and maintain diversified regional-type recreation facilities to satisfy the leisure time needs of all the County’s residents. Yolo County’s responsibility should fall between that responsibility assumed by the City, State and Federal agencies.
- “C. To preserve the open space resources of the County and plan for their best use.
- “D. To develop appropriately those areas which have historic and scenic value.
- “E. To cooperate with adjacent counties, state and federal agencies in the acquisition, development and administration of recreation facilities and resources for joint use and mutual advantage.
- “F. To cooperate with private individuals and organizations in the preservation, acquisition and administration of recreation resources.”

The 1968 Recreation Element projected parkland needs for the County based on a standard of 10 acres per 1,000 residents; the National Recreation and Parks Association (NRPA) is cited as the source of this standard, which was popular at the time.⁴ In 1965, with a population of 81,125, the corresponding acres of land needed for parks was 810, according to the document. For the year 2000, with a projected population of 210,000 the projected needed acres of parkland were 2100.

The 1968 Recreation Element identified the following 14 “proposed regional park facilities:”

1. Putah Creek Fishing Access Area
2. Cottonwood Reservoir
3. Palmer Canyon Reservoir

⁴ Nation-wide park “standards” were developed by the NRPA in the 1960s and 1970s to help communities plan adequate park acreage to meet future demand; these guidelines were expressed in terms of acres per thousand population; however, this approach has changed over the years. The nation-wide standards were replaced in about 1996 by suggested guidelines encouraging each community to establish its own acres-to-population park standards. Recent guidance from the NRPA suggests that a level of service standard for parks and recreation – such as the 10 acres per 1,000 population standard, which achieved considerable popularity nationwide over the past 30 years – cannot be applied universally by all local governments. Application of a level-of-service standard to “passive” recreation areas, such as natural areas and open space, is generally inappropriate. Current NRPA guidance recommends a step-by-step development of a locally derived level of service.

4. Canyon Park
5. Oat Reservoir
6. Putah Creek Trails
7. Yolo County Public Golf Course and Country Club
8. Comstock Regional Park
9. Knights Landing Fishing Access Area
10. Yolo Bypass Access Area
11. Sacramento River Riding and Hiking Trail
12. Elkhorn Regional Park
13. East Yolo Regional Park
14. Clarksburg Access Area

The Element provides brief descriptions of each of these parks. Five of these recreation sites – Putah Creek Fishing Access, Cache Creek Canyon Park, Knights Landing, Elkhorn, and Clarksburg – are now part of the County park system. Three of the these sites – Cottonwood Reservoir, Palmer Canyon Reservoir, and Oat Reservoir – were proposed as part of a water project that was not developed (according to the document, the Oat Reservoir was proposed by the Bureau of Reclamation as part of the “West Side Canal System”). Comstock Regional Park was a recommended site proposed to be located “on the interior 52-acre parcel of the City of Davis Community Golf Course site.” The Putah Creek Trails is described as a Bureau of Reclamation acquisition of 22 miles of Putah Creek, which would allow “fishing, riding and hiking from the Bypass to Lake Solano.”

5. THE YOLO COUNTY CODE

The Yolo County Code consists of 12 titles; the three titles most relevant to this review are:

- Title 8, Land Development and Zoning;
- Title 9, Parks and Recreation; and
- Title 10, Environment.

Title 8. Land Development and Zoning

Chapter 2 of this title comprises the County's zoning regulations. Particularly notable are Articles 19, 19.1, and 19.2, which provide zoning regulations for parks and recreation lands, public open space, and other open space, respectively. The Chapter also, generally, allows for recreation uses in the various other zoning classifications in the County, including several agricultural zones, either by right (as a principal use) or by permit. The chapter provides the following, adopted definition for "rural recreation:"

" 'Rural Recreation' shall mean outdoor sporting or leisure activities that require large open space areas and do not have any significant detrimental impact on agricultural use of lands that are in the general vicinity of the rural recreation activity. Rural recreation activities shall include, but are not limited to: the shooting of skeet, trap, and sporting clays; archery; gun, hunting, or fishing clubs; sport parachuting; riding; dude ranches; picnicking; nature study; viewing or enjoying historical, archaeological, scenic, natural or scientific sites; health resorts, rafting, hiking, backpacking, bicycling, or touring excursions; or camping. Rural Recreation shall also include commercial or non-commercial operations related to any outdoor sporting and leisure activities within the meaning of Rural Recreation as defined. (§ 2, Ord. 1244, eff. February 3, 2000, as amended by § 8, Ord. 1250, eff. August 24, 2000)."

A noticeable, apparent omission from the County Code is a section explicitly implementing California Government Code Section 66477, known as the Quimby Act (1975). This statute authorizes local jurisdictions to adopt ordinances requiring developers of residential subdivisions to dedicate land and/or pay in-lieu fees to provide for the development of new, or the rehabilitation of existing, park facilities as conditions of subdivision map approval. The locally adopted ordinance specifies the acceptable uses or restrictions on the expenditure of such funds and provides standards and formulas for determining the exaction. The exactions must be closely tied to a project's impacts as identified through nexus studies, the General Plan, and impact analyses such as those required by CEQA. County Code Title 8, Article 5, Section 8-1.503 notwithstanding (see below), the County does not appear to have a Quimby Act ordinance.

Title 9. Parks and Recreation

The four chapters under this title provide regulations for: (1) boating and water skiing, (2) public boating facilities, (3) park regulations, and (4) speed limits on the Sacramento River. The regulations under this title contain considerable detail with respect to requirements for equipment safety, proper operating conditions, prohibitions, etc., not all of which is summarized here.

Chapter 3, Park Regulations.

The regulations in this chapter are primarily directed toward public safety, keeping the peace, public health, and procedural matters. They are largely restrictive rather than permissive, and violations of the identified prohibitions are subject to enforcement. Much of the text dates to an ordinance passed in 1975, with some sections added or revised in the 1980s. Selected excerpts follow. “Director” refers to “the Director of the Parks, Museum, and Grounds of the County.”

Article 3, Use of Park Facilities

Sec. 9-3.301. Rules.

“The Director, with the approval of the Board, shall promulgate and post rules and regulations governing the use of parks. (§ 1, Ord. 732, eff. October 8, 1975)”

Sec. 9-3.306. Use of park facilities: Designated areas.

“The Director shall designate certain areas within each park facility for specific uses and shall prominently post in such areas the terms, conditions, and hours of such use. (§ 1, Ord. 732, eff. October 8, 1975)”

Article 5, Prohibitions.

Sec. 9-3.505. Camping.

“No person shall camp in any park without a valid permit to do so. (§ 1, Ord. 732, eff. October 8, 1975)”

Sec. 9-3.506. Designated uses.

“No person shall use any park area except in accordance with its designated and posted permitted use. (§ 1, Ord. 732, eff. October 8, 1975)”

Sec. 9-3.507. Fires.

“No person shall build, light, or maintain any fire in any area of any park, except in an area designated and posted by the Director as a permitted area for fires, and except in accordance with a valid fire permit. (§ 1, Ord. 732, eff. October 8, 1975)”

Sec. 9-3.508. Reserved areas.

“No person shall use any portion of a park which has been previously reserved for other users and so posted. (§ 1, Ord. 732, eff. October 8, 1975)”

Sec. 9-3.509. Commercial services.

“No person, other than a concessionaire or a licensee specifically licensed by the Director to do so, shall sell, offer for sale, give away, or dispose of any goods, merchandise, or commercial services or conduct any business or commerce thereon within any park. (§ 1, Ord. 732, eff. October 8, 1975)”

Sec. 9-3.513. Motor vehicles.

“The following acts and conduct pertaining to the use of motor vehicles are prohibited:

- (a) The operation of any automobile or other motor vehicle upon any road, path, or trail within any park except those paved roads, trails, or other areas designated for the use of such vehicles by the Director; ... ”

Sec. 9-3.514. Bicycles.

“No person shall ride any bicycle on any grassy area, path, or trail designated exclusively for pedestrian use. (§ 1, Ord. 732, eff. October 8, 1975)”

Sec. 9-3.515. Animals.

“No person shall permit a canine animal to go about any park unless adequately restrained by a leash, halter, or rope. (§ 1, Ord. 732, eff. October 8, 1975)”

Sec. 9-3.519. Horseback riding.

“No person shall ride a horse or any other beast of burden into, over, or through any park other than at times and upon roads or trails designated for such activity by the Director. (§ 1, Ord. 732, eff. October 8, 1975)”

Sec. 9-3.520. Firearms.

“No person shall brandish, fire, or discharge within any park any firearm, air gun, pellet gun, bow and arrow, crossbow, or slingshot except as expressly designated and set forth in a permit issued by the Director. (§ 1, Ord. 732, eff. October 8, 1975)”

Article 7, Park Use Fees.

Sec. 9-3.702. Purpose.

“The purpose of this article is to provide for park use fees in order to defray the cost of operating and maintaining the parks and thereby avoid the closure of one or more of them. (§ 1, Ord. 911, eff. July 9, 1981)”

Sec. 9-3.703. Authority: Applicable parks.

“By resolution adopted, the Board, from time to time, may charge fees for park use at any park or recreation facility owned or controlled by the County, including, but not limited to, the following:

- (a) Putah Creek Park;
- (b) Cache Creek Canyon Regional Park;
- (c) Knights Landing Boat Launching Facility;
- (d) Elkhom Regional Park;
- (e) Broderick Boat Launching Facility;
- (f) Clarksburg Boat Launching Facility; and
- (g) Vernon Nichols Park (Guinda). (§ 1, Ord. 911, eff. July 9, 1981)”

Title 10. Environment

This title consists of eight chapters: (1) Environmental Impact Assessments; (2) Elm Trees; (3) Interim In-Channel Surface Mining Regulations; (4) Off-Channel Surface Mining; (5) Surfacing Mining Reclamation; (6) Agriculture; (7) Groundwater; (8) Agricultural Surface Mining and Reclamation Ordinance.

Sections of several chapters under this title contain discussions of aesthetics, cultural resources, wetlands, and wildlife habitat (typically in the context of surface mining

activities) that are not found elsewhere in the Code. Section 10-4.803 includes the provision also found in Sec. 8-11.02(b)(4) whereby money collected through these gravel mining fees may be expended in accordance with this ordinance for “long-term habitat restoration, the creation of open space and passive recreation opportunities, and restoration and stabilization of Cache Creek.” Section 10-5.103(d) indicates, in the context of agricultural land restoration, that recreational and open space lands are declared by the County to be compatible with agricultural activities.

Title 10 also includes the County’s “Right to Farm” ordinance (Chapter 6; sections 10-6.101 to 10-6.104). This ordinance basically provides that a properly operated agricultural facility shall not be considered a public or private nuisance in the event of a controversy or grievance (Sec. 10-6.102(a)). This basic provision, however, does not apply if an agricultural facility or operation is improperly obstructing a waterway or public road (Sec. 10-6.102(b)). The ordinance also provides a dispute resolution process involving a grievance committee.