City of Davis Ag Mitigation Policy

Genesis of Ag Mitigation Policy

- 1995 -- City Council approved the Right to Farm and Farmland Preservation Ordinance, the first municipal ordinance of its kind

- Purpose of ordinance:
  - To preserve and encourage ag land uses and operations
  - To reduce the occurrence of conflicts between ag and non-ag uses
  - To limit the circumstances under which ag operations may be deemed a nuisance

- Two key implementing tools:
  - the ag mitigation requirement
    - Required developers to permanently protect the same number of acres that they are developing (1:1) and/or pay an in-lieu fee
  - the ag buffer requirement

- 2007 -- City Council strengthened the ag mitigation requirement

OPEN SPACE PROGRAM TOOLBOX

Money
(Measure O Parcel Tax, Mitigation & Impact Fees)

- Leverages grants to acquire land and easements with willing sellers at fair market value

- Purchases land and easements to protect farmland and habitat areas

Measure J/R Vote

- Gives community the ability to weigh in on development proposals on the City's edge

- Addresses development at the City's edge

Ag Mitigation Requirement

- Requires developers to permanently protect at least twice the ag land converted to urban uses

- Incentivizes developers to protect ag land at the city's edge

Ag Buffer Requirement

- Addresses potential conflicts between urban & rural land uses

- Supports farming adjacent to urban uses; thereby helping to protect ag land at the city's edge

How does ag mitigation work?

- Applies to projects that change the zoning or land use from ag to non-ag

- Mitigation = at least 2 acres of protected ag land for every 1 acre of land converted from ag to non-ag uses (2:1)

- Mitigation is directed to areas that are under threat of conversion
  - adjacent mitigation
  - remainder mitigation

- Location-based factors may result in ratios greater than 2:1

- Developers do not have to mitigate for the acres used as the ag buffer

Adjacent Mitigation Land

- Located along the entire non-urbanized perimeter of the project

- Must be a minimum of 1/4 mile in width

- Land counts 1:1 toward 2:1 ag mitigation requirement

Remainder Mitigation Land

- Can be located anywhere within the Davis Planning Area, but more "credit" is given to land located closer to the city limits

- For example, if mitigation land is located:
  - adjacent to city limits and within ¼ mile of city limits (2:1)
  - adjacent to the required adjacent mitigation land (1:1)
  - within city-designated priority open space acquisition areas (1:1)
  - elsewhere in the Davis Planning Area (0.2:1)

- Up to 50% may be satisfied by paying an in-lieu fee

Davis Planning Area
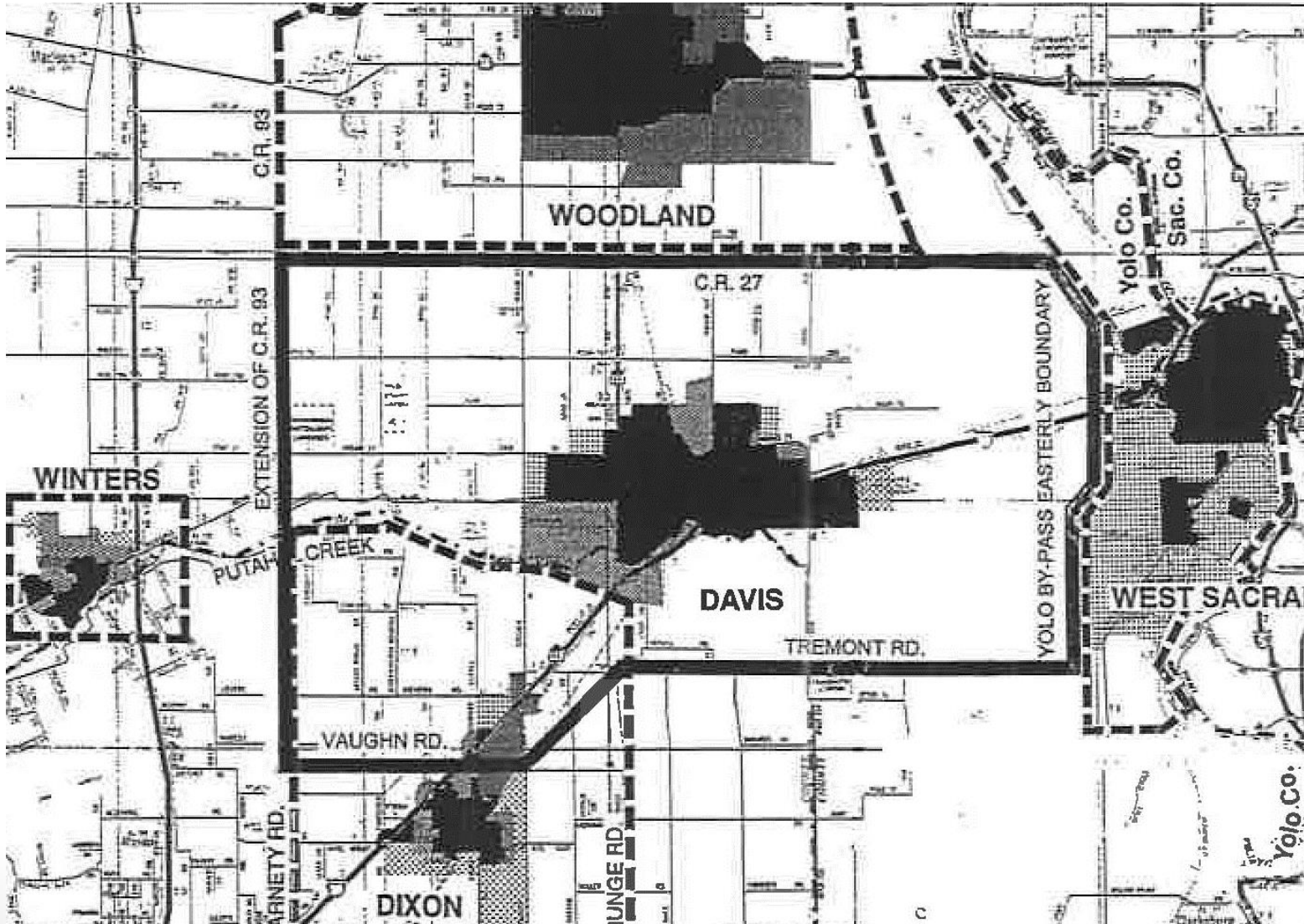
What qualifies as remainder mitigation land?

- Must be within the Davis Planning Area

- Must have comparable soil quality/capability/type

- Must have comparable water quality/supply

- Must be developable (i.e., it is not subject to any easements, contamination, or physical conditions that would make it impossible to develop)

Example

Example: If a development project converts 500 acres of ag land to non-ag land					
Acres of ag land developer's project converts to non-ag land:				500	
Acres developer needs to satisify the 2:1 ag mitigation requirement:				1,000	
			Applicable ratio	Actual acres developer protects	Acres that count toward the ag mitigation requirement
First -- Land Adjacent to Project					
Acres adjacent to project; along non-urbanized perimeter of project			1:1	200	200
Second -- Land Not Adjacent to Project					
Acres adjacent to city limits and within ¼ mile of the city limits			2:1	200	400
Acres adjacent to the required minimum adjacent mitigation land			1:1	0	0
Acres within city designated priority open space acquisition areas			1:1	200	200
Acres elsewhere in the Davis planning area			0.2:1	1,000	200
		Total		1,600	1,000

Has it been used yet? No.

- **Wildhorse, Evergreen, El Macero Estates** – all built under pre-2007 ag mitigation policy

- **The Cannery** – was zoned industrial

- **Covell Village** – was denied by Davis voters

Nishi Gateway Innovation District

- 47 total acres (including a portion of Putah Creek Parkway)

- Adjacent mitigation land is not possible

- Remainder mitigation land (and/or in-lieu fee)
  - Has not been identified yet
  - Cannot be City-owned land
  - Is subject to approval by City Council, upon recommendation by the Open Space and Habitat Commission

City of Davis Ag Mitigation Policy

Yolo County Ag Mitigation Policy

- If development converts 100 acres of Prime Farmland, the mitigation options are:
  - 100 acres within ¼ mile of City Sphere of Influence
  - 200 acres in the area bounded by County Roads 27, 29, 98 & 102
  - 300 acres within 2 miles of City Sphere of Influence

- If development converts 100 acres of Non-Prime Farmland, the mitigation options are:
  - 100 acres within 1 mile of City Sphere of Influence
  - 100 acres in the area bounded by County Roads 27, 29, 98 & 102
  - 200 acres within 2 miles of City Sphere of Influence

Comparison to City Policy

Example: If a development project converts **100 acres of ag land to non-ag land**					
Acres of ag land developer's project converts to non-ag land:				100	
Acres developer needs to satisify the 2:1 ag mitigation requirement:				200	
			Applicable ratio	**Actual acres developer protects**	**Acres that count toward the ag mitigation requirement**
First -- Land Adjacent to Project					
Acres adjacent to project; along non-urbanized perimeter of project			1:1	50	50
Second -- Land Not Adjacent to Project					
Acres adjacent to city limits and within ¼ mile of the city limits			2:1	50	100
Acres adjacent to the required minimum adjacent mitigation land			1:1	0	0
Acres within city designated priority open space acquisition areas			1:1	0	0
Acres elsewhere in the Davis planning area			0.2:1	250	50
		Total		**350**	**200**

Comparison to City Policy

	Yolo County	City of Davis
Mitigation Ratios	1:1 to 3:1	1:1 to 5:1
Mitigation Areas	Focused outside future growth areas	Focused adjacent to city limits
Distinguishes between prime and non-prime farmland	Yes	No

Davis Sphere of Influence