



**Contra  
Costa  
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: February 4, 2020

Subject: Agricultural Land Use Policy Update Report

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**RECOMMENDATION(S):**

ACCEPT report on “Recommendations on Reforming Agricultural Land Use Policies in Contra Costa County To Improve Both Economic Vitality and Sustainability” and DIRECT staff to take the actions necessary to further evaluate and implement the recommendations in the report, including returning to the Board for any and all necessary authorizations and approvals.

**FISCAL IMPACT:**

None to the General Fund. The Board previously approved the expenditure of up to \$150,000 from the Livable Communities Trust (District III portion) by the Department of Conservation and Development (DCD) to conduct the public review and develop recommendations. Of this amount, approximately \$40,000 remains.

The majority of the recommendations in the report relate to the proposed modifications of the zoning code and General Plan. The expense of preparing and analyzing these policy changes and conducting the necessary approval process can be covered by the remaining \$40,000, and, if necessary, by DCD’s existing Land Development Fund budget.

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY  
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD  
COMMITTEE

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Action of Board On: **02/04/2020** ☐ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 4, 2020

Contact: Jennifer Cruz,  
(925) 674-7790

David Twa, County Administrator and Clerk of the Board of  
Supervisors

By: , Deputy

cc:

## FISCAL IMPACT: (CONT'D)

Most of the remaining recommendations relate to suggestions for new approaches to existing County work and can be accommodated within existing budgets. A few of the recommendations call for exploring new policies or approaches (e.g. explore establishing a noise ordinance) that could lead to public demands for additional service. The fiscal impacts of these actions will need to be evaluated in the future as part of the detailed review recommended by the report. One of the recommendations mentions seeking outside grant funding to promote agriculture in the county.

## BACKGROUND:

### Board Direction

On December 20, 2016, at the recommendation of then Supervisor Piepho, the Board of Supervisors approved the expenditure of up to \$150,000 from the Livable Communities Trust (District III Portion) and authorized DCD, in consultation with the Ag Task Force and local agricultural stakeholders, to identify for future Board consideration specific actions the County could take to further promote and incentivize agricultural sustainability and economic vitality. The succeeding District III Supervisor, Supervisor Burgis, met with staff and outreached to the community to generate interest and ideas for the upcoming public process. On February 13, 2018, Supervisor Burgis recommended, and the Board approved, authorizing DCD to convene a series of open, public meetings with persons and groups interested in the policy reform topic, in lieu of relying on the Ag Task Force which has not met in years and does not have any members.

### Public review process

Over the past 20 months, DCD convened a series of public meetings with people and parties interested in agricultural sustainability and economic vitality in Contra Costa County to review existing land use regulations and collect input on potential modifications to these policies.

The core of the policy review process was 12 large public meetings, which included a range of 20-70 participants per meeting. Participants that attended the meetings come from diverse backgrounds, ranging from various segments of the farming and ranching community, to rural residents, to proponents of various agricultural commercial ventures to conservation organizations. The meetings also included significant support and participation from the County's Departments of Agriculture, Health Services (Environmental Health Division), and Public Works, and agencies such as the University of California Cooperative Extension (UCCE) and Contra Costa Resource Conservation District (RCD).

The first three meetings were held in different areas of the County (Knightsen, Martinez, and Danville) during the months of June, July, and August 2018. The remaining meetings were held in Knightsen at the Knightsen Farm Bureau Hall, with the last meeting held on

September 19, 2019. Participants provided insights on what makes the County unique, developed a shared vision for the future of agriculture in Contra Costa County, identified obstacles to a healthier agricultural economy, and discussed opportunities and constraints of agritourism. Staff researched policies and programs in other counties and developed numerous tables and maps with relevant background information. The meetings also included guest speakers from Yolo County and Sonoma County sharing their experiences promoting agriculture in their regions and their work as an agricultural ombudsperson.

The discussion among the participants and the County led to a number of specific proposals to improve agricultural land use policy. These proposals were assembled into a preliminary list of recommendations, including thoughts on key conditions and staff notes on key relevant Building, Health and Public Works provisions. Iterative drafts of the list of recommendations were discussed in meetings and commented on in numerous comment periods over the course of approximately one year.

The attached report is the result of that intensive process. It is intended to reflect the general consensus of participants in the process, where such consensus emerged. Key areas of disagreement are noted at various places within the recommendations. Challenging issues will still need to be resolved in order to implement these recommendations, but it is hoped that this report can serve as a foundation for progress toward more sustainable and economically vibrant agriculture in Contra Costa County.

Staff appreciates the contributions provided by the many community members who gave significant time and effort to this process.

### Summary of Recommendations

The recommendations can be found in Section IV of the attached report. These recommendations consist of proposed new agricultural uses and new agricultural land use policy initiatives. The recommendations in Section IV are briefly summarized below.

This report recommends various new types of lodging accommodations, including short-term rentals for 90 days or less, farm stays for up to 90 days, bed-and-breakfast, and camping/yurts/little houses on wheels. Short-term rentals and farm stays would require being located within an existing building. Bed-and-breakfast could be located within an existing, new, or modified building. These recommended uses may require a zoning permit such as a ministerial permit or a land use permit, in addition to other permits required by other agencies.

Participants of the public meetings also recommend food service uses such as farm dinners, farm-to-table restaurants, updating the Winery Ordinance, and allowing hosting of large events. These recommended uses may require a zoning permit such as a ministerial permit or a land use permit, in addition to other permits required by other agencies.

Broader policy reforms have also been a topic of discussion. Policy reforms include mitigation for conversion of agricultural land, new efforts to address rural blight and illegal dumping, examining opportunities to reduce impacts of rural development on agriculture, new efforts to facilitate communication between the farming community and regulatory agencies, improving permitting for agricultural uses, and considering a noise ordinance.

Recommendations to promote agriculture in Contra Costa County include equestrian and bike trails to connect farms, consider allowing equestrian facilities within additional agricultural districts, exploring additional funding for signage to promote agriculture in the County, updating the County's Sign Ordinance, and working with other agencies to promote agricultural vitality in the County.

### Next Steps

If authorized by the Board of Supervisors, DCD will work to develop the following:

- An overall work plan and timeline for evaluating and implementing the recommendations, as directed by the Board.
- Develop draft General Plan Policies and Zoning Text Amendments, perform environmental review and present recommended new policies to the Planning Commission and the Board for consideration.
- On a parallel track, work with other agencies and partners to pursue recommendations that are not related to General Plan and Zoning changes.
- On a third parallel track, continue the outreach to, and dialog with, the community of people interested in these topics to maintain community engagement and solicit input as recommendations are evaluated and implemented.

### CONSEQUENCE OF NEGATIVE ACTION:

If the Department of Conservation and Development is not authorized to take the steps to explore the recommendations, then the necessary work required to move forward with the agricultural land use policy recommendations discussed with the participants would not be implemented.

### CHILDREN'S IMPACT STATEMENT:

The recommended action will not affect children's programs in the County.

### CLERK'S ADDENDUM

Speakers: Jan Rix, Kamyar Aram, UC Cooperative; Jeff Weidemann, Weidemann Ranch; Kathy Griffin; Zoe Siegel, Greenbelt Alliance; Barbara Frantz, Tess' Community Farm; Rebecca Courchesne, Frog Hollow Farm; Juan Pablo Bavan, Save Mount Diablo; John Viano, CC Farm Bureau; Karen Rarey, Brentwood City Council.

The Supervisors expressed particular interest in staff addressing:

Guidelines for farm-to-table cafes, such as a particular percentage of the food served

originating from the farm, and the required amount of acreage to have a permit for café or bed and breakfast being manageable;

Further examination of whether mitigation fees are an appropriate choice for the agricultural area or an economic burden;

Retaining sustainable agriculture and the rural nature of the area.

ACCEPTED the report on “Recommendations on Reforming Agricultural Land Use Policies in Contra Costa County To Improve Both Economic Vitality and Sustainability” and DIRECTED staff to take the actions necessary to further evaluate and implement the recommendations in the report, including returning to the Board for any and all necessary authorizations and approvals.

#### ATTACHMENTS

Recommendations on Agricultural Land Use Policy to BOS 2-4-20