

C City Davis Ag Mitigation Ordinance.txt
Chapter 40A.03.03 Agricultural land mitigation requirements. Davis Municipal Code -
City of Davis

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40A.03.030 Agricultural land mitigation requirements.

(a) Beginning on November 1, 1995, the city shall require agricultural mitigation by applicants for zoning changes or any other discretionary entitlement which will change the use of agricultural land to any nonagricultural zone or use.

(b) Agricultural mitigation shall be satisfied by:

(1) Granting a farmland conservation easement, a farmland deed restriction or other farmland conservation mechanism to or for the benefit of the city and/or a qualifying entity approved by the city. Mitigation shall only be required for that portion of the land which no longer will be designated agricultural land, including any portion of the land used for park and recreation purposes. One time as many acres of agricultural land shall be protected as was changed to a nonagricultural use in order to mitigate the loss of agricultural land; or

(2) In lieu of conserving land as provided above, agricultural mitigation may be satisfied by the payment of a fee based upon a one to one replacement for a farmland conservation easement or farmland deed restriction established by the city council by resolution or through an enforceable agreement with the developer. The in lieu fee option must be approved by the city council. The fee shall be equal to or greater than the value of a previous farmland conservation transaction in the planning area plus the estimated cost of legal, appraisal and other costs, including staff time, to acquire property for agricultural mitigation. The in lieu fee, paid to the city, shall be used for farmland mitigation purposes, with priority given to lands with prime agricultural soils and habitat value.

(c) The land included within the one hundred foot agricultural buffer required by section 40A.01.050(c) shall not be included in the calculation for the purposes of determining the amount of land that is required for mitigation.

(d) It is the intent of this program to work in a coordinated fashion with the habitat conservation objectives of the Yolo County habitat management program, and, therefore, farmland conservation easement areas may overlap partially or completely with habitat easement areas approved by the State Department of Fish and Game and/or the Yolo County habitat management program. Up to twenty percent of the farmland conservation easement area may be enhanced for wildlife habitat purposes as per the requirements of the State Department of Fish and Game and/or Yolo County habitat management program; appropriate maintenance, processing or other fees may be required by the habitat program in addition to the requirements set forth herein. (Ord. No. 1823, § 1 (part).)

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