# Appendix B EXISTING OPEN SPACE CONSERVATION PROGRAMS

Placer County's open space resources have long been recognized as an important asset to the community. Since the middle of the last century the County's agricultural and timber industries have been an important part of our local economy while at the same time preserving large areas of open space. Additionally, the County's scenic and historic resources are valued by many throughout the region, the state and the nation. As our community grows we are becoming increasingly aware of our need to protect these important resources. With the growth that is now occurring, we have also found out that we need to develop recreational opportunities for an expanding population, to separate or define our urban areas and to protect the public from impacts caused by natural disasters.

Placer County has focused its attention over the years on some of these resources by developing programs and ordinances that will help preserve or conserve the resource. For example, the County has established a General Plan and zoning designations that provide protection for agricultural and timberlands, we also have the Right to Farm Ordinance, the Williamson Act program and the Timber Preservation Program. For other open space resources, the County has developed little in the way of a program or regulatory response to the conservation of the open space resource (e.g., scenic areas). One of the purposes of Placer Legacy will be to develop new programs where no programs currently exist and to strengthen existing programs.

# STATUS OF EXISTING PROGRAMS

The County has developed a number of programs to conserve open space. The following is a list of existing programs for each of the open space resources discussed in this report.

## Agriculture/Timber

Because of the long legacy of agricultural and timber development in the County, a significant amount of attention has been paid to protect agricultural/timber lands and the agricultural/timber economy. The following is a list of those programs that are in place today.

1. Placer County General Plan – The Placer County General Plan was adopted in 1994. The General Plan contains a chapter of goals and policies specifically related to agricultural and timber lands in Placer County. Many, if not most, of the policies were written with the intent of preserving existing agricultural and timber resources of the County. The General Plan land use diagram is the graphical representation of the General Plan policy language. The land use designations depicted on the General Plan are created with the intent of establishing a land use pattern that separates incompatible uses and places compatible uses adjacent to each other. For agricultural/timber areas this means that the General Plan avoids placing land uses adjacent to agricultural/timber areas that will result in an environment that detrimentally affects agricultural/timber operations.

The General Plan also contains buffer standards that are written to insure that new uses locating adjacent to agricultural/timber lands are required to create a physical separation between the new use and existing agricultural/timber operations. The burden to establish the buffer is upon the new use not the existing agricultural/timber operator.

Managing Department or Entity

Placer County Planning Department

2. **Zoning Ordinance** – The Zoning Ordinance provides land use regulations for a wide variety of land use types. Four zone districts; Farm, Agricultural Exclusive, Forestry and Timberland Production, are included in the Zoning Ordinance for the express purpose of allowing farming or timber operations as the key land use activity permitted in the zone district. In the Forestry and Timberland Production zones, even single family residences are not permitted. In the Farm and Agricultural Exclusive zones, homes are permitted as a compatible use but not as the primary use of the land. The Zoning Ordinance has been an effective tool in that it essentially creates an environment within which farming and timber operations can occur. Incompatible land uses are prohibited or limited which allows agricultural/timber operations to occur essentially free of the constraints of local land use regulations.

The Zoning Ordinance has also been successful in insuring that viable farm and timber areas are kept in lot sizes of a sufficient size to make agricultural/timber operations economical. In the valley floor, the minimum parcel size required for most of the Farm zoned properties is 80-acre minimum. In the foothill region, where hobby farms dominate the landscape, the minimum parcel size is typically 10 and 20 acres. In the timber areas, the minimum acreage can range from 10 to 640 acre minimum parcel sizes.

The Zoning Ordinance will continue to be an effective regulatory tool and will continue to be used as one of the key implementation tools for the Placer County General Plan.

Managing Department or Entity
Placer County Planning Department

3. **Williamson Act Program** – In 1967, the Board of Supervisors formed the first Agricultural Preserve in Placer County under the provisions of a section of state law known as the Williamson Act. The Williamson Act allows the County and a farmer to enter into a contract wherein the County reduces the property taxes of the farm if the farmer provides food and fiber and he or she allows land use restrictions to be placed on the property. The restrictions are placed to insure that the farm's productivity is maintained during the life of the contract. Once a contract is established it will run for approximately ten years and is automatically renewed unless the farmer requests the nonrenewal of their contract.

The Williamson Act has been effective at maintaining both open space and productive agricultural lands in Western Placer County. Furthermore, because of the additional restrictions imposed by the contract (e.g., no subdivision of contracted lands), it has also kept contracted properties in parcel sizes in excess of the zoning minimums. Lastly, the land use restrictions have also kept incompatible land uses away from agriculturally productive areas. Recent trends have resulted in more land coming out of the program than lands coming into the program. Contracts are also being divided into numerous smaller contracts which typically makes the land less productive. Lastly, a significant amount of contracted land is not actively farmed, possibly as high as 25%. These lands function as open space but their lack of productivity is not consistent with the terms of the contract. Recent amendments to the County's administrative rules for the Williamson Act program will allow individuals to form a contract for solely open space purposes.

# **Managing Department or Entity**

Placer County Planning Department Placer County Agricultural Commissioner

4. **Timberland Production Zones (TPZ)** – The TPZ is intended to be an exclusive area for the growing and harvesting of timber and those uses that are an integral part of a timber management operation. Land uses within a TPZ-designated area will be restricted for a minimum of 10 years to growing and harvesting timber, and to a limited number of compatible land uses described in the Zoning Ordinance. This zoning generally allows land to be valued for property taxation on the basis of its use for growing and harvesting timber only.

Managing Department or Entity
Placer County Planning Department
State Department of Forestry and Fire Protection

5. **Right-to-Farm Ordinance** – In 1985, Placer County adopted a Right to Farm Ordinance. The Ordinance was amended and strengthened in 1999. This ordinance serves primarily as a disclosure document. The Ordinance informs a buyer of property in an agricultural area that existing farming activities may be perceived as obnoxious but the farmer has the right to continue these activities provided that they are legal and are associated with farming operations (e.g., crop dusting, tilling, planting, operation of heavy equipment, dust and odor generating activities, etc.)

### **Historical Resources**

The County has numerous historical resources; many of which are important and significant in the history of California. Recognition of the importance of these resources and the development of additional programs as a part of the Placer Legacy Program will allow additional opportunities to protect these important places and structures.

1. **Placer County General Plan** – The General Plan contains policies that seek to preserve and protect the significant historical resources. The language in the General Plan essentially encourages rather than mandates the preservation and protection objectives of the plan. Currently there are no regulations that require the preservation of significant historical structures or features. Furthermore, there is no County-managed implementation program in effect that would allow the County to acquire or rehabilitate important historical structures.

Managing Department or Entity
Placer County Planning Department
Placer County Museums Department

2. Placer County Historical, Architectural and Archaeological Resources Inventory of Placer County – This inventory was completed in 1992 in order to inventory the known significant cultural resources of Placer County. It covers all of the lands of unincorporated areas of the County. The inventory contains no regulations and no implementation mechanisms to acquire or rehabilitate significant resources.

Managing Department or Entity
Placer County Museums Department
Placer County Planning Department

3. California Environmental Quality Act Guidelines, Section 15064.5, subd. (c) – This section of CEQA addresses archaeological impacts. The County is obligated to use the guidelines contained within this section of State law when evaluating projects that have the potential to have important archaeological or historical resources. Application of these guidelines may result in the in situ preservation of resources; the excavation and preservation of identified resources, mitigation of impacts or even the destruction of the resource if it is found to be not important.

Managing Department or Entity
Placer County Planning Department
Placer County Museums Department

### **Scenic Resources**

Placer County is blessed with a tremendous diversity of scenic resources because of the varied landscapes we have moving from east to west. Moving from west to east we move from the Central Valley to the oak woodlands of the Sierra Nevada foothills through a broad range of coniferous forests to an alpine zone at the summit and ending at the depths of Lake Tahoe. In addition to the scenic character of our landscape we have a tremendous diversity of architectural and cultural resources which also contribute to the scenic qualities of our community.

1. Placer County General Plan – When the General Plan was adopted in 1994, it superseded a policy document that was approved in 1977 known as the Scenic Highways Element. In the absence of this 1977 document the County must rely upon the limited policy language of the General Plan for scenic resources. The General Plan essentially provides guidelines for new development to insure that projects be designed in a manner which does not detract from scenic areas. Examples of scenic areas include river canyons, lake watersheds, scenic highway corridors, ridgelines and steep slopes. The General Plan also encourages the protection and enhancement of scenic corridors although no specific scenic corridors are identified at this time. These policies will typically only apply to new discretionary projects.

In addition to the Placer County General Plan, the County has adopted numerous community plans. These community plans contain policies that address the specific scenic resources of the various unincorporated communities of Placer County. The County's community plans that contain policies specifically related to scenic resources include the following:

- Auburn/Bowman
- Horseshoe Bar/Penryn
- Martis Valley
- Meadow Vista
- Granite Bay
- Squaw Valley

# Managing Department or Entity Placer County Planning Department

# **Public Safety**

Numerous programs are already in place to protect property and persons from dangerous natural and man-made disasters. The Placer Legacy Program provides an additional means of utilizing open space and buffer areas to insure that conflicts between economic development activities and the general use of land does not result in public harm.

1. Placer County General Plan – The General Plan contains numerous goals and policies which seek to protect the public from natural disasters. In Placer County, these typically take the form of flooding, wildfires, or avalanches. General Plan policies are applied to new land development projects, including the construction of single family homes, in order to insure that there are appropriately designed to avoid or mitigate potential impacts. For example, the County routinely requires projects to place homes or other structures outside of known avalanche areas, or above of the 100-year floodplain of a stream or river. Other natural hazards exist in the County; the examples listed above are those that historically have had the greatest impact and receive the greatest amount of attention on a day-to-day basis.

# Managing Department or Entity

Placer County Planning Department
Placer County Department of Public Works
Placer County Building Department

Placer County Office of Emergency Services

2. **Zoning Ordinance** – The Zoning Ordinance has numerous requirements that will insure that public health and safety are protected. One of the key purposes of the Zoning Ordinance is to regulate land use activities to "reduce hazards to the public resulting from the inappropriate location, use or design of buildings and land uses in relation to natural and built hazards…" On many activities, the application of this ordinance on land use in the unincorporated area is the responsibility of the Planning Department. Certain land uses are discretionary and such discretionary uses are only permitted where particular findings are made that state that the public's health and safety is not compromised by the proposed use. If such a finding cannot be made, the use cannot be approved.

# Managing Department or Entity Placer County Planning Department

3. **Flood Damage Prevention Ordinance** – The County has prepared a Flood Damage Prevention Ordinance and stormwater management manual. This ordinance primarily serve as a guideline and standard for the purpose of minimizing the loss of property and life in area prone to flood hazards. The guideline addresses such activities as construction within the floodplain, activities that result in the loss of flood storage, and activities that will affect the flow of floodwaters within the floodplain.

Managing Department or Entity
Department of Public Works
Placer County Flood Control District

4. **Avalanche Ordinance** - The County developed the Avalanche Ordinance following the serious avalanche that destroyed structures and killed or injured a number of individuals in Alpine Meadows in the early 1980's. The County's Ordinance delineates potential avalanche areas, provides disclosure to the public about the presence of these avalanche areas and requires appropriate engineering techniques in the construction of new homes and buildings that lie within the avalanche prone areas.

Managing Department or Entity
Placer County Planning Department
Placer County Building Department

5. **Fire Safe Regulations** – In 1992 the California Department of Forestry and Fire Protection (CDF) developed a series of standards to create a "fire safe" environment in rural areas that have the potential to be impacted by wildfires. The CDF standards were established through state law but are implemented through local ordinance. One of the key features of the fire safe standards is fuel reduction around homes and a requirement for an adequate separation of structures in rural areas in order to create a defensible space.

Managing Department or Entity
Placer County Planning Department
Placer County Building Department
California Department of Forestry and Fire Protection

### **Outdoor Recreation**

Outdoor recreation opportunities are provided by numerous entities in Placer County including independent special districts (Auburn Recreation District and the North Tahoe Public Utilities District), the federal government (U.S. Forest Service and the Bureau of Land Management), state departments (Park and Recreation Department), local government (Placer County and the cities of the County) and by private parties (e.g., hunting and fishing clubs). New park and recreation areas are generally associated with the impacts associated with new development. New development has an obligation to mitigate their impacts on park and recreation facilities by typically paying fees or by constructing new parks. Little in the way of discretionary revenue is available to build new park and recreation facilities for the community at large.

- 1. **Placer County General Plan** The General Plan contains park development standards for recreational areas in unincorporated Placer County. The standards are intended to insure that park areas provide a range of outdoor recreational opportunities, and that such facilities are provided in a timely manner as growth proceeds. The list below contains those standards that are included in the Placer County General Plan Policy Document. Other standards may be included in the individual community plans and within the cities of Placer County:
  - a. 5 acres of active park land per 1000 residents
  - b. 5 acres of passive park land per 1000 residents
  - c. 1 tot lot per 1000 residents

- d. 1 playground per 3000 residents
- e. 1 tennis court per 6000 residents
- f. 1 basketball court per 6000 residents
- g. 1 hardball diamond per 3000 residents
- h. 1 softball/little league diamond per 3000 residents
- i. 1 mile of recreation trail per 1000 residents
- j. 1 youth soccer field per 2000 residents
- k. 1 adult field per 2000 residents
- 1. 1 golf course per 50,000 residents.

# Managing Department or Entity

Placer County Planning Department

Placer County Facility Services Department, Parks Division

2. **Subdivision Ordinance** (Park Dedication In-lieu Fees) – The Subdivision Ordinance contains a requirement for developers of subdivisions to dedicate land for parks or to pay an in lieu fee where a park land dedication is not required. These revenues are used to acquire and develop park facilities. They are not used for ongoing personnel and maintenance costs.

# Managing Department or Entity

Placer County Planning Department

Placer County Facility Services Department, Parks Division

3. **Parks Development and Maintenance** – A number of jurisdictions develop and maintain parks throughout Placer County. The Cities and Placer County typically develop active recreational facilities, e.g., ball fields, soccer fields, playgrounds, etc. A couple of special districts have also been formed to develop active facilities as well. Passive facilities can be found on state and federal lands, primarily in the National Forests and State Recreation Areas.

Typical park development ratios for urban and suburban areas are 5 acres of active parkland per 1000 residents and 5 acres of passive parkland per 1000 residents.

Local agency revenues for park development and maintenance come from park dedication fees, County Service Area assessments, Community Facility District taxes, Lighting and Landscape District Assessments and other forms of revenues. (A variety of funding sources provide revenue to state and federal agency management of public lands.)

# Managing Department or Entity

Placer County Facility Services Department, Parks Division

City of Roseville

City of Rocklin

City of Lincoln

Town of Loomis

**Auburn Recreation District** 

North Tahoe Public Utilities District

Tahoe City Public Utilities District

Placer County Water Agency
U.S. Forest Service
State Department of Park and Recreation
Bureau of Land Management
Bureau of Reclamation

# **Separation of Urban Communities**

The County has determined that it is an objective of the Placer Legacy Project to attempt to create a separation between distinct urban/suburban areas in the County. Such separations could occur between the cities of Placer County, between the unincorporated area and the cities, and between unincorporated suburban/urban areas. The use of open space to create this separation will be evaluated by this Project. There are a couple of areas of the County today where such buffers or separators exist. In South Placer County, it will be necessary to establish such community separators or community edges in the near future because of the rapid growth that is occurring.

1. Placer County General Plan or Community Plans – General Plan policy encourages the separation of urban communities into distinct areas. In that the General Plan only applies to the unincorporated area of the County, it does not insure that such a separation will take place. Where the County has the ability to establish such a separation through the preparation of its own General Plan, community plan or specific plan, the County can insure that a separation is made a part of the land use diagram. An example of this recently occurred in the Sunset Industrial Area Plan. Along the north edge of that Plan a permanent buffer exists between the industrial areas to the south in the County and the potential residential areas to the north in the City of Lincoln. This buffer takes two forms: the 100 year floodplain of Orchard Creek which is designated Open Space, and the establishment of a wetland mitigation bank also along Orchard Creek which traverses the area from east to west. These two buffers will insure that an open space separation will remain, in perpetuity, up to one mile in depth, between the County's industrial areas and the City of Lincoln.

Managing Department or Entity
Placer County Planning Department

2. **City General Plans** – As stated above, the separation between urbanizing areas obviously includes the cities of Placer County. In some instances the County and City interface. Where such examples occur, the County and the City have an opportunity to work together to define the interface of the two areas. Even in the event the City does not create a buffer, the County has the ability if it is interested within the unincorporated area. In other areas of the County there exists numerous City:City interfaces. In this case, the County has no authority to require or have established any separation between urban communities. Only the cities have jurisdiction over their land use and only the cities can determine whether or not a separation is to occur.

Managing Department or Entity
City Planning Departments