



COUNTY OF SISKIYOU

COMMUNITY DEVELOPMENT DEPARTMENT
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STAFF REPORT

MEETING DATE: June 21, 2017
TO: Siskiyou County Planning Commission
FROM: Randy Chafin, Interim Planning Director
SUBJECT: Enhanced Animal Production Conceptual Discussion

BACKGROUND

County Administrator Barber and Supervisor Haupt have asked Planning Division staff to assess the possibility of, and approaches to, amending the text of the Zoning Ordinance to allow more intense animal production by right (i.e., without a use permit) in the AG-1 and AG-2 Zoning districts, herein referred to as enhanced animal production. This would essentially constitute a relaxation, or liberalization, of the current use provisions of the AG-1 and AG-2 districts. This direction came about as a result of a recent request from a property owner in Scott Valley who is interested in expanding an existing hog farm. This memorandum provides additional details of this issue and a recommendation for next steps.

ANALYSIS

Current Zoning Limitations

Currently, in both the AG-1 and AG-2 Zoning districts, the Zoning Ordinance requires approval of a use permit for dairies, commercial poultry operations, feed lots, and hog farms, as excerpted below (highlighting added).

Article 50. - Prime Agricultural District (AG-1)

Sec. 10-6.5001. - AG-1 District.

The regulations set forth in this article shall apply in the Prime Agricultural District. The AG-1 District classification is intended to be applied to land areas which are used or are suitable for use for intensive agricultural production. Such areas are designated as "Prime" on the County General Plan.

Sec. 10-6.5002. - Uses permitted.

The following uses shall be permitted in the AG1 District:

(c) Agricultural uses, including, but not limited to tree, vine, row, field crops, growing and harvesting of trees, livestock farming, and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry or hog raising operations;

Sec. 10-6.5003. - Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the AG-1 District:

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(b) **Dairies, commercial poultry operations, feed lots, and hog farms;**

Article 49. - Non-Prime Agricultural District (AG-2)

Sec. 10-6.4901. - AG-2 District.

The regulations set forth in this article shall apply in the Non-Prime Agricultural District. The AG-2 District is intended to provide an area where general agricultural activities and agriculturally related activities can occur. Because the soil, climatic, and cropping history of the County differs from area to area, minimum parcel sizes for the AG-2 District shall vary in order to account for such differences.

Sec. 10-6.4902. - Uses permitted.

The following uses shall be permitted in the AG-2 District:

(d) **Agricultural uses, including, but not limited to tree, vine, row, and field crops, growing and harvesting of trees, and livestock farming and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry, and hog raising operations;**

Sec. 10-6.4903. - Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the AG-2 District:

(c) **Dairies, commercial poultry operations, commercial feed lots, and hog farms;**

Unfortunately, the Zoning Ordinance does not define many of the animal operations shown above, including *Livestock Farming, Animal Husbandry, Dairy, Commercial Poultry Operations, or Hog Farm*. The definitions section of the Zoning Ordinance only provides definitions for the following agriculture-related terms: *Farm, Agriculture, and Commercial Feed Lot*. The lack of definition of terms results in the need for interpretation by both staff and the Planning Commission.

As the Commission knows, through the use permit process, land use applications are analyzed for consistency with the County General Plan, Zoning Ordinance, Scott Valley Area Plan (when applicable), and for potential environmental impacts under CEQA. Use permit applications are reviewed by a variety of public agencies whose recommendations are forwarded to the Planning Commission before action is requested. Also, use permit applications are given due public notice so that members of the public can comment on potential land use compatibility and environmental issues before action is taken by the Planning Commission.

Considerations

CAO Barber and Supervisor Haupt believe that certain enhanced animal production activities that currently require a use permit (highlighted above) and require discretionary approval should be allowed by right in the AG-1 and AG -2 districts under certain circumstances without the need to apply for a use permit. Following are some of the key questions staff believe should be discussed before proceeding with formulation of revised zoning text which would allow enhanced animal production by right:

1. What intensity of animal production should be permitted by right, that is without a use permit?
2. Should different standards be created for different types of animals (e.g., swine, cattle, fowl/poultry, sheep/goats, etc.)?
3. Should enhanced commercial animal production be allowed by right in both the AG-1 and AG-2 districts?
4. Should enhanced animal production not be allowed in certain areas of the County (e.g., Scott Valley).
5. What limitations should be placed on the number or density per acre of different types of animals?
6. What other performance standards are warranted to ensure land use compatibility and avoid nuisance conflicts?
7. How should potential environmental impacts (e.g., odor, noise, water quality) of commercial animals kept in large numbers be addressed?
8. What bearing does having animals kept in enclosed structures versus in the open have on land use compatibility and environmental protection concerns?

Staff believes that amending the Zoning Ordinance to permit enhanced animal production without a use permit could be of considerable interest to certain members of the farming and ranching community, the general public, and regulators of specific resources, such as water quality. Moreover, enhanced animal production, when permitted by right needs to be carefully defined in order to minimize environmental and land use compatibility impacts. As such, before proceeding with preparation of amended Zoning Ordinance language, staff believes that this concept should be fully vetted so that an approach to regulation that is appropriate for Siskiyou County can be devised and all advantages and disadvantages of addressing enhanced animal production in the County Zoning Ordinance can be identified.

The first step in the vetting process is an informal discussion by the Planning Commission at a noticed public meeting. A subsequent step may be to recommend to the Board of Supervisors that an advisory committee be formed to further discuss and explore this concept.

If a decision is made to move forward with a Zoning Ordinance text amendment, staff would also recommend that the definitions of agricultural and animal production activities be expanded upon and clarified.

PLANNING STAFF RECOMMENDATION

CEQA – There is no project requiring CEQA analysis at this time. If and when the Planning Commission takes action to recommend to the Board of Supervisors that it adopt specific Zoning Ordinance text, a determination based on an appropriate level of CEQA analysis will be warranted.

Recommend that the Planning Commission:

- 1) Engage in an informal discussion of the concept of relaxing, or liberalizing, the Zoning Ordinance to allow enhanced animal production by right without the requirement for a use permit.
- 2) Recommend to the Board of Supervisors that an advisory or ad hoc committee be formed to study this issue.

SUGGESTED MOTION

I move that the Planning Commission:

- 1) Recommend to the Board of Supervisors that an advisory or ad hoc committee be formed to study this issue.

PREPARATION

Prepared by the Siskiyou County Planning Division.

For additional information, please contact:

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