



RON ROBERTS
SUPERVISOR, FOURTH DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

AGENDA ITEM

DATE: October 28, 2015

TO: Board of Supervisors

SUBJECT: Implementing Urban Agriculture Incentive Zones in San Diego County
(DISTRICTS: ALL)

Overview

On September 28, 2013, Governor Brown signed into law Assembly Bill No. 551 (AB 551), the Urban Agriculture Incentive Zones Act. Similar to the Williamson Act, this bill authorizes counties and/or cities to establish Urban Agriculture Incentive Zones (UAIZs) whereby the county or city and a landowner can enter into a contract to restrict the use of vacant, unimproved or blighted lands for small-scale production of agricultural crops in exchange for a property tax benefit. The owner's land would be assessed at a lower rate, based on the average per-acre land value of irrigated cropland in California. This provides tangible financial incentive for a landowner who may not be interested in immediately developing vacant land.

Today's action will direct Chief Administrative Officer to work with the appropriate County departments to draft an ordinance in accordance with AB 551 that would create an Urban Agriculture Incentive Zone in San Diego County.

In addition, today's action will direct the Chief Administrative Officer to work with the appropriate County departments to draft an ordinance in accordance with AB 551 that allows for municipalities in San Diego County wishing to adopt a resolution establishing an Urban Agriculture Incentive Zone in their jurisdiction to do so, providing that they qualify under the bill's restrictions.

Further, today's action will direct the Chief Administrative Officer to work with the appropriate County departments to develop an administrative process that would accept, review and execute County of San Diego Urban Agriculture Incentive Zones Act contracts.

Recommendation(s)

SUPERVISOR RON ROBERTS

1. Direct Chief Administrative Officer to work with the appropriate County departments to draft an ordinance in accordance with AB 551 that would create an Urban Agriculture Incentive Zone in San Diego County.
2. Direct the Chief Administrative Officer to work with the appropriate County departments

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to draft an ordinance in accordance with AB 551 that allows for municipalities in San Diego County wishing to adopt a resolution establishing a UAIZ in their jurisdiction to do so, providing that they qualify under the bill's restrictions.

3. Direct the Chief Administrative Officer to work with the appropriate County departments to develop an administrative process that would accept, review and execute County of San Diego Urban Agriculture Incentive Zones Act contracts.

Fiscal Impact

There is no fiscal impact associated with this action.

Should the Board of Supervisors adopt the ordinance in the future, there would be the potential for a reduction in property tax revenue to both the County of San Diego and participating incorporated cities if the program were to be established. The extent to which property tax revenue would decrease would depend on the number of property owners that enter into contract with the County or cities and the original assessed value of the parcels under contract.

Business Impact Statement

N/A

Advisory Board Statement

N/A

Background

On September 28, 2013, Governor Brown signed into law Assembly Bill No. 551, the Urban Agriculture Incentive Zones Act. Similar to the Williamson Act, this bill authorizes counties and/or cities to establish UAIZs whereby the county or city and a landowner can enter into a contract to restrict the use of vacant, unimproved or blighted lands for small-scale production of agricultural crops in exchange for a property tax benefit. The owner's land would be assessed at a lower rate, based on the average per-acre land value of irrigated cropland in California. This provides tangible financial incentive for a landowner who may not be interested in immediately developing vacant land.

AB 551 states, in Section 51040.1 of the Government Code, the Legislature's finding that "it is in the public interest to promote sustainable urban farm enterprise sectors in urban centers." It further finds that "small-scale, active production of marketable crops and animal husbandry, including, but not limited to, foods, flowers and seedlings, in urban centers is consistent with, and furthers, the purposes of [AB 551]."

To establish a UAIZ in the unincorporated areas of the County eligible under AB 551, the Board of Supervisors must adopt an ordinance establishing UAIZs. After establishing an ordinance, municipalities in the County can then adopt a resolution to create a UAIZ in their jurisdiction, provided they qualify under the bill's restrictions. This series of events would then allow the County and municipalities that have adopted said resolution to enter into contracts with landowners.

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AB 551 stipulates a number of requirements on these contracts, including:

1. A contract must be at least 5 years but must be entered into before January 1, 2019.
2. The property can only be between 0.10 acres and 3 acres in size.
3. The entire property must be dedicated toward commercial or noncommercial agricultural use.
4. No dwellings are permitted on the property. However, structures that support agricultural activity such as toolsheds, greenhouses, produce stands and instructional space are permitted.
5. Only allowing pesticides or fertilizers sanctioned by the U.S. Department of Agriculture's National Organic Program.
6. Landowners that break the five-year contract are obligated to pay back the tax benefit they received.
7. An Urban Agriculture Incentive Zone cannot be established in any area that is currently, or in the last three years has been, subject to a Williamson Act contract.
8. An Urban Agriculture Incentive Zone cannot be established within the spheres of influence of a city unless both the city and county have consented to its establishment.

In addition to the economic incentive that the adoption of the proposed resolution would have on both landowners and small-scale agricultural operations, the resolution also has the potential of increasing the amount of land dedicated to community gardens. Community gardens help foster an understanding of the role and benefits of local food and can increase both health and self-sufficiency by providing county residents with direct access to nutritious fruits and vegetables.

The County of San Diego has long been supportive of community gardens. Since opening its first in the Tijuana River Valley, the County has added community gardens in the Los Peñasquitos Canyon Preserve, Rancho Guajome Adobe and Lindo Lake. The County also is exploring potential future community garden opportunities in San Luis Rey and 4S Ranch.

Further, this ordinance would create vibrant green spaces out of what would otherwise be unused, vacant and blighted land, in addition to providing ecological benefits and sites that help build a community and a potential source of modest income.

I urge your support.

Linkage to the County of San Diego Strategic Plan

Today's proposed action supports the Sustainable Environments and Healthy Families Initiatives of the County of San Diego's 2015-2020 Strategic Plan because it helps to address issues of food access and promotes economic resilience and community building.

Respectfully submitted,

SUBJECT: [Click here and type]

RON ROBERTS
Supervisor, Fourth District

ATTACHMENT(S)
[Click here and type]

SUBJECT: [Click here and type]

AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:
[Click here and type]

BOARD POLICIES APPLICABLE:
[Click here and type]

BOARD POLICY STATEMENTS:
[Click here and type]

MANDATORY COMPLIANCE:
[Click here and type]

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):
[Click here and type]

ORIGINATING DEPARTMENT: District 4, Board of Supervisors

OTHER CONCURRENCES(S): [Click here and type]

CONTACT PERSON(S):

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