

L A F C O M E M O R A N D U M

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
105 East Anapamu Street ♦ Santa Barbara CA 93101 ♦ (805) 568-3391 ♦ Fax (805) 568-2249

May 2, 2019

TO: Each Member of the Commission

FROM: Paul Hood ^{PH}
Executive Officer

SUBJECT: Review LAFCO Agricultural and Open Space Policies Ad Hoc Committee

This is an Informational Report. No Action is Necessary

DISCUSSION

At the December 6, 2018 meeting, the Commission appointed three members to serve on the Agricultural and Open Space Policies Ad Hoc Committee. The members of the Ad Hoc Committee are Commissioners Roger Aceves, Joan Hartmann, and Etta Waterfield. The Ad Hoc Committee met for the first time on January 16, 2019. The second meeting of the Ad Hoc Committee was held on February 13, 2019.

The purpose of the Ad Hoc Committee is to review the Commission's current Agricultural and Open Space Policies and determine if the policies should be revised or amended. A copy of the current policies is attached as **Exhibit A**. Suggested changes and revisions are attached as **Exhibit B**.

Over the course of the past several months, several items have been reviewed. This includes the Ag Policies from San Luis Obispo and Ventura LAFCOs, an Open Letter from the Environmental Defense Center, a CALAFCO/American Farmland Trust Best Practices Ag White Paper, and the recent CALAFCO/CA Strategic Growth Council/OPR Publication on Creating Sustainable Communities and Landscapes.

In addition, the Commission receives its direction from the relevant provisions of the Cortese-Knox-Hertzberg Act, as set forth below.

Statutory Authority:

The Cortese-Knox-Hertzberg Act has a number of sections that encourage the preservation of agricultural and open space lands:

Government Code Section 56300. It is intent of the Legislature that:

"... each commission establish policies and exercise its powers pursuant to this part in a manner that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within those patterns."

Government Code Section 56301:

Among the purposes of a commission are discouraging urban sprawl, preserving open-space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances.

One of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities.

Government Code Section 56377:

"In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:

(a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

(b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency."

Ad Hoc Committee Direction to Staff:

At the second Ad Hoc Committee meeting, staff was directed to send out the current policies with suggested changes and additions for comments, to the County's Planning agencies, namely the

eight Cities and Santa Barbara County. Any comments should be returned to staff by May 15, 2019. Additionally, at the April 4, 2019 meeting, staff was directed to send the same request for comments to the Independent Special Districts and the Agricultural Community. Copies of each these letters are included in **Exhibit C**. The comments will be reviewed by the Ad Hoc Committee in May and an Information Item would be scheduled for discussion at the June Commission meeting.

Exhibits:

Exhibit A	SBLAFCO Agricultural and Open Space Policies
Exhibit B	Staff Suggested Revisions to SBLAFCO Agricultural and Open Space Policies
Exhibit C	Letters to the Planning Agencies, the Special Dsitrcets, and the Agricultural Community

Please contact the LAFCO office if you have any questions.

SB LAFCO AG AND OPEN SPACE POLICIES

IV. POLICIES ENCOURAGING ORDERLY URBAN DEVELOPMENT AND PRESERVATION OF OPEN SPACE PATTERNS

1. The Commission encourages well planned, orderly, and efficient urban development patterns for all developing areas. Also, the county, cities, and those districts providing urban services, are encouraged to develop and implement plans and policies which will provide for well-planned, orderly and efficient urban development patterns, with consideration of preserving permanent open space lands within those urban patterns.
2. Development of existing vacant non open space, and nonprime agricultural land within an agency's boundaries is encouraged prior to further annexation and development. However, where open land adjacent to the agencies are of low agricultural, scenic, or biological value, annexation of those lands may be considered over development of prime agricultural land already existing within an agency's jurisdiction.
3. Proposals to annex undeveloped or agricultural parcels to cities or districts providing urban services shall demonstrate that urban development is imminent for all or a substantial portion of the proposal area; that urban development will be contiguous with existing or proposed development; and that a planned, orderly, and efficient urban development pattern will result. Proposals resulting in a leapfrog, non-contiguous urban pattern will be discouraged.
4. Consideration shall be given to permitting sufficient vacant land within each city and/or agency in order to encourage economic development, reduce the cost of housing, and allow timing options for physical and orderly development.

V. POLICIES ENCOURAGING CONSERVATION OF PRIME AGRICULTURAL LANDS AND OPEN SPACE AREAS

1. Proposals which would conflict with the goals of maintaining the physical and economic integrity of open space lands, agricultural lands, or agricultural preserve areas in open space uses, as indicated on the city or county general plan, shall be discouraged.
2. Annexation and development of existing vacant non-open space lands, and nonprime agricultural land within an agency's sphere of influence is encouraged to occur prior to development outside of an existing sphere of influence.
3. A sphere of influence revision or update for an agency providing urban services where the revision includes prior agricultural land shall be discouraged. Development shall be guided towards areas containing nonprime agricultural

lands, unless such action will promote disorderly, inefficient development of the community or area.

4. Loss of agricultural lands should not be a primary issue for annexation where city and county general plans both indicate that urban development is appropriate and where there is consistency with the agency's sphere of influence. However, the loss of any primer agricultural soils should be balanced against other LAFCO policies and a LAFCO goal of conserving such lands.

PRESERVING OPEN SPACE AND AGRICULTURAL RESOURCES

LAFCO must consider the effect that any proposal may produce on existing open space and agricultural lands, especially prime farm lands. The Cortese-Knox-Hertzberg Act (CKH) strongly discourages the use of prime agriculture land for development. The definition of prime agriculture land is found in the CKH Act and is broadly defined in the Act. By guiding development toward vacant urban land and away from agricultural land, LAFCO assists with the preservation of valuable agricultural resources. The policies in Sections IV. and V are designed to assist LAFCO in making decisions concerning the Encouragement of Orderly Urban Development and reservation of Open Space Patterns and Encouraging the Conservation of Prime Agricultural Lands and Open Space. A policy is a statement that guides decision making by indicating a clear direction on the part of LAFCO. The following two policies support the goals stated above and shall be used by Santa Barbara LAFCO when considering a proposal that would involve agricultural resources:

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4. Loss of agricultural lands should not be a primary issue for annexation where city and county general plans both indicate that urban development is appropriate and where there is consistency with the agency's sphere of influence. However, the loss of any prime agricultural soils should be balanced against other LAFCO policies and a LAFCO goal of conserving such lands.

5. A Memorandum of Agreement between a city and the County should be used and amended as needed to address the impacts on and conversion of Agricultural Lands on the fringe of a city.

6. The Commission may approve annexations of prime agricultural land only if mitigation that equates to a substitution ratio of at least 1:1 for the prime land to be converted from agricultural use is agreed to by the applicant (landowner), the jurisdiction with land use authority. The 1:1 substitution ratio may be met by implementing various measures:

a. Acquisition and dedication of farmland, development rights, and/or agricultural conservation easements to permanently protect farmlands within the annexation area or lands with similar characteristics within the County Planning Area.

b. Payment of in-lieu fees to an established, qualified, mitigation/conservation program or organization sufficient to fully fund the acquisition and dedication activities stated above in 6a.

c. Other measures agreed to by the applicant and the land use jurisdiction that meet the intent of replacing prime agricultural land at a 1:1 ratio.

LAFCO

Santa Barbara Local Agency Formation Commission

105 East Anapamu Street ♦ Santa Barbara CA 93101

805/568-3391 ♦ FAX 805/568-2249

www.sblafco.org ♦ lafco@sblafco.org

March 26, 2019

**TO: Each City Community Development Director
County Director of Planning and Development**

**SUBJECT: Request for Comments - LAFCO Agricultural and Open Space
Policies – Due May 15, 2019**

The Commission is interested in reviewing and updating its current Agricultural and Open Space Policies. In this regard, at the December 6, 2018, the Commission formed an Agricultural and Open Space Policies Ad Hoc Committee comprised of one County member and two City members. After two meetings, staff was directed to send out LAFCO's current policies for review and comment, to the County's Planning agencies, namely the eight Cities and Santa Barbara County.

The current Santa Barbara LAFCO Agricultural and Open Space Policies with two revisions added by staff is attached as **Exhibit A**.

A link to the October 11, 2018, LAFCO Staff Report that includes several relevant documents that have been reviewed by the Commission and staff, is as follows:

<http://sblafco.org/asset.c/1021>

Any comments should be returned to LAFCO staff by May 15, 2019. The comments will be reviewed by the Ad Hoc Committee in May. An Information Item would be scheduled for discussion at the June 6, 2019 Commission meeting.

Please contact the LAFCO office if you have any questions.

Sincerely,



PAUL HOOD
Executive Officer

Cc: County Executive Officer
Each City Manager

LAFCO

Santa Barbara Local Agency Formation Commission

105 East Anapamu Street ♦ Santa Barbara CA 93101

805/568-3391 ♦ FAX 805/568-2249

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April 9, 2019

TO: Members, Santa Barbara County Agricultural Community

SUBJECT: Request for Comments - LAFCO Agricultural and Open Space Policies – Due May 15, 2019

This request for comments was previously sent to the Community Development Director of the eight Santa Barbara County Cities and the County Director of Planning and Development. It was also copied to the City Managers and the County Executive. It was also sent to Santa Barbara County Independent Special Districts. The Commission also wanted to reach out to the County's Agricultural Community to ask for comments.

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Sincerely,



PAUL HOOD
Executive Officer

Commissioners: Steve Lavagnino, Chair ♦ Roger Aceves ♦ Craig Geyer, Vice-Chair ♦ Joan Hartmann ♦ Holly Sierra
Shane Stark ♦ Etta Waterfield ♦ Roger Welt ♦ Das Williams ♦ **Executive Officer: Paul Hood**

EXHIBIT C

LAFCO

Santa Barbara Local Agency Formation Commission

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805/568-3391 ♦ FAX 805/568-2249

www.sblafco.org ♦ lafco@sblafco.org

April 5, 2019

TO: Each Independent Specials District

SUBJECT: Request for Comments - LAFCO Agricultural and Open Space Policies – Due May 15, 2019

This request for comments was previously sent to the Community Development Director of the eight Santa Barbara County Cities and the County Director of Planning and Development. It was also copied to the City Managers and the County Executive. The Commission is also requesting comments from the Independent Special Districts.

The Commission is interested in reviewing and updating its current Agricultural and Open Space Policies. In this regard, at the December 6, 2018, the Commission formed an Agricultural and Open Space Policies Ad Hoc Committee comprised of one County member and two City members. After two meetings, staff was directed to send out LAFCO's current policies for review and comment, to the County's Planning agencies, namely the eight Cities and Santa Barbara County.

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PAUL HOOD
Executive Officer