

## ATTACHMENT 4

The following is a compilation of the policies, programs and ordinances currently in effect regarding the County's position with respect to the conversion of agricultural land to non-agricultural uses and to the annexation of prime agricultural land (Types 1 and 3) by a city. Two State laws are included as additional information.

**Govt Code Section 65589.5(c)** The State Legislature recognizes the value of prime agricultural lands and encourages infilling before conversion.

**Public Resources Code Section 30241** maintenance of maximum amount of prime agricultural land in Coastal zone

**GP/LCP Policy 1.2.1** Cooperate with other jurisdictions to resolve interjurisdictional issues.

**GP/LCP Policy 1.2.4** Encourage orderly annexations of urban areas to adjacent cities.

**GP/LCP 1.2 Program a** Urge LAFCO to develop urban/rural boundary and make annexation decisions based on County GP.

**GP/LCP 1.2 Program b** Review and comment on all annexation proposals; base comments on GP/LCP.

**GP/LCP 1.2 Program c** Work w/ Watsonville to coordinate urban/rural boundaries; develop process to support city centered annexation for jobs and housing of appropriate areas.

**GP/LCP Policy 2.1.5** Urban development in Sphere-of-Influence of Watsonville limitation.

**GP/LCP Objective 5.13 "**...prevent the conversion of commercial agricultural land to non-agricultural uses. To recognize that agriculture is a priority land use and to resolve policy conflicts in favor of preserving and promoting agriculture on designated commercial agricultural lands."

**GP/LCP Policy 5.13.22** Conversion of agricultural lands not allowed except..... Within Watsonville SOI, no conversions allowed which would adversely affect city's affordable housing goals.

**GP/LCP 5.13 Program c** Oppose expansion of municipal boundaries which would include commercial agricultural land in CZ.

(3) Local governments within the regional jurisdiction of the San Diego Association of Governments, the Council of Fresno County Governments, the Kern County Council of Governments, the Sacramento Council of Governments, and the Association of Monterey Bay Area Governments: July 1, 1985, for the first revision, and July 1, 1991, for the second revision.

(4) All other local governments: January 1, 1986, for the first revision, and July 1, 1992, for the second revision.

(5) Subsequent revisions shall be completed not less often than at five-year intervals following the second revision.

(c) The review and revision of housing elements required by this section shall take into account any low- or moderate-income housing provided or required pursuant to Section 65590.

(d) The review pursuant to subdivision (c) shall include, but need not be limited to, the following:

(1) The number of new housing units approved for construction within the coastal zone after January 1, 1982.

(2) The number of housing units for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, required to be provided in new housing developments either within the coastal zone or within three miles of the coastal zone pursuant to Section 65590.

(3) The number of existing residential dwelling units occupied by persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that have been authorized to be demolished or converted since January 1, 1982, in the coastal zone.

(4) The number of residential dwelling units for persons and families of low or moderate income, as defined in Section 50093 of the Health and Safety Code, that have been required for replacement or authorized to be converted or demolished as identified in paragraph (3). The location of the replacement units, either onsite, elsewhere within the locality's jurisdiction within the coastal zone, or within three miles of the coastal zone within the locality's jurisdiction, shall be designated in the review.

(e) Notwithstanding the requirements of paragraph (5) of subdivision (b), the dates of revisions for the housing element shall be modified upon the effective date of this provision as follows:

(1) Local governments within the regional jurisdiction of the Southern

California Association of Governments: June 30, 1996, for the third revision, and June 30, 2000, for the fourth revision.

(2) Local governments within the regional jurisdiction of the Association of Bay Area Governments: June 20, 1997, for the third revision, and June 30, 2002, for the fourth revision.

(3) Local governments within the regional jurisdiction of the San Diego Association of Governments, the Council of Fresno County Governments, the Kern County Council of Governments, the Sacramento Council of Governments, and the Association of Monterey Bay Area Governments: June 30, 1998, for the third revision, and June 30, 2003, for the fourth revision.

(4) All other local governments: June 30, 1999, for the third revision, and June 30, 2004, for the fourth revision.

(5) Subsequent revisions shall be completed not less often than at five-year intervals following the fourth revision.

(Amended by Stats. 1983, Ch. 208, Effective June 20, 1981; Amended by Stats. 1993, Ch. 695.)

65588.1. (a) The planning period of existing housing elements prepared pursuant to subdivision (b) of Section 65588 shall be extended through June 30 of the year of the Housing element due date prescribed in subdivision (e) of Section 65588. Local governments shall continue to implement the housing program of existing housing elements and the annual review pursuant to Section 65400.

(b) The extension provided in this section shall not limit the existing responsibility under subdivision (b) of Section 65588 of any jurisdiction to adopt a housing element in conformance with this article.

(c) It is the intent of the Legislature that nothing in this section shall be construed to reinstate my mandates pursuant to Chapter 1143 of the Statutes of 1980 suspended by the Budget Act of 1993-1994.

(Added by Stats. 1993, Ch. 695.)

65588.5. (Repealed by Stats. 1993, Ch. 1678, Effective September 24, 1993.)

#### Legal effect

65589. (a) Nothing in this article shall require a city, county, or city and county to do any of the following:

(1) Expend local revenues for the construction of housing, housing subsidies, or land acquisition.

(2) Disapprove any residential development which is consistent with the general plan.

(b) Nothing in this article shall be construed to be a grant of authority or a repeal of any authority which may exist of a local government to impose rent controls or restrictions on the sale of real property.

(c) Nothing in this article shall be construed to be a grant of authority or a repeal of any authority which may exist of a local government with respect to measures that may be undertaken or required by a local government to be undertaken to implement the housing element of the local general plan.

(d) The provisions of this article shall be construed consistent with, and in promotion of, the statewide goal of a sufficient supply of decent housing to meet the needs of all Californians.

(Added by Stats. 1980, Ch. 1143.)

#### Rebuttable presumption

65589.3. In any action filed on or after January 1, 1991, taken to challenge the validity of a housing element, there shall be a rebuttable presumption of the validity of the element or amendment if, pursuant to Section 65585, the department has found that the element or amendment substantially complies with the requirements of this article.

(Added by Stats. 1990, Ch. 1441.)

#### Legislative findings

65589.5. (a) The Legislature finds all of the following:

(1) The lack of affordable housing is a critical problem which threatens the economic, environmental, and social quality of life in California.

(2) California housing has become the most expensive in the nation. The excessive cost of the state's housing supply is partially caused by activities and policies of many local governments which limit the approval of affordable housing, increase the cost of land for affordable housing, and require that high fees and exactions be paid by producers of potentially affordable housing.

(3) Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.

(4) Many local governments do not give adequate attention to the economic, environmental, and social costs of decisions which result in disapproval of affordable housing projects, reduction in density of affordable housing projects, and excessive standards for affordable housing projects.

(b) It is the policy of the state that a local government not reject or make infeasible affordable housing developments which contribute to meeting the housing need determined pursuant to this article without a thorough analysis of the economic, social, and environmental effects of the action and without meeting the provisions of subdivision (d).

(c) The Legislature also recognizes that premature and unnecessary development of agricultural lands to urban uses continues to have adverse effects on the availability of those lands for food and fiber production and on the economy of the state. Furthermore, it is the policy of the state that development should be guided away from prime agricultural lands; therefore, in implementing this section, local jurisdictions should encourage, to the maximum extent practicable, in filling existing urban areas.

(d) A local agency shall not disapprove a housing development project affordable to low- and moderate-income households or condition approval in a manner which renders the project infeasible for development for the use of low- and moderate-income households unless it finds, based upon substantial evidence, one of the following:

(1) The jurisdiction has adopted a housing element pursuant to this article and the development project is not needed for the jurisdiction to meet its share of the regional housing need of low-income or very low income housing.

(2) The development project as proposed would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. As used in this paragraph, a "specific, adverse impact" means a significant, unavoidable impact, as provided in written standards, policies, or conditions.

(3) The denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low- and moderate-income households.

(4) Approval of the development project would increase the concentration of lower income households in a neighborhood that already has a disproportionately high number of lower income households and there is no feasible method of approving the development at a different site, including those sites identified pursuant to paragraph (1) of subdivision (c) of Section 65583, without rendering the development unaffordable to low- and moderate-income households.

(5) The development project is proposed on land zoned for agriculture or resource preservation which is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

(6) The development project is inconsistent with the jurisdiction's general plan land use designation as specified in any element of the general plan as it existed on the date the application was deemed complete, and the jurisdiction has adopted a housing element pursuant to this article.

(e) Nothing in this section shall be construed to relieve the local agency from complying with the Congestion Management Program required by Chapter 2.6 (commencing with Section 65088) of Division 1 of Title 7 or the \*\*\* California Coastal Act (Division 20 (commencing with Section 30000) of the Public Resources Code). Neither shall anything in this section be construed to relieve the local agency from making one or more of the findings required pursuant to Section 21081 of the Public Resources Code or otherwise complying with the California Environmental Quality Act: \*\*\* (Division 13 (commencing with Section 21000) of the Public Resources Code).

(f) Nothing in this section shall be construed to prohibit a local agency from requiring the development project to comply with written development standards, conditions, and policies appropriate to, and consistent with, meeting the quantified objectives relative to the development of housing, as required in the housing element pursuant to subdivision (b) of Section 65583. Nor shall anything in this section be construed to prohibit a local agency from imposing fees and other exactions otherwise authorized by law which are essential to provide necessary public services and facilities to the development project.

(g) This section shall be applicable to charter cities, because the Legislature finds that the lack of affordable housing is a critical statewide problem.

(h) The following definitions apply for the purposes of this section:

(1) "Feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

(2) "Affordable to low- and moderate-income households" means at least 20 percent of the total units shall be sold or rented to lower income households, as defined in Section 50079.5 of the Health and Safety Code, and the remaining units shall be sold or rented to either lower income households or persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code. Housing units targeted for lower income households shall be made available

*State policy*

*Prime agricultural lands policy*

*Findings when housing projects are prohibited*

*Compliance with other statutes*

*Local policies and exactions*

*Charter cities*

*Definitions*

Section 30240. .

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

(Amended by Ch. 285, Stats. 1991.)

Section 30241.

→ The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

(Amended by Ch. 1066, Stats. 1981.)

(Amended by Ch. 43, Stats. 1982.)

Section 30241.5

(a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements:

(1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

(2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

For purposes of this subdivision, "area" means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program.

(b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission.

(Added by Ch. 259, Stats. 1984.)

Section 30242.

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

Section 30243.

The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.

Section 30244.

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

## Objective 1.2 Interagency Coordination

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To encourage cooperation and coordination among the, County, the special districts, the incorporated municipalities, the Local Agency Formation Commission, and adjacent counties.

### Policies

- **1.2.1 Interjurisdictional Issues**  
Cooperate with municipalities, special districts, the Local Agency Formation Commission (LAFCO), Association of Monterey Bay Area Governments (AMBAG), and Santa Cruz County Regional Transportation Commission (SCCRTC) in working out interjurisdictional issues.
- 1.2.2 Special District and City Spheres-of-Influence**  
Support the development of and adherence to spheres-of-influence areas.
- 1.2.3 Growth in City Spheres**  
Coordinate the allocation of County building permits in a city's sphere-of-influence area with that city's growth plans.
- **1.2.4 Annexation**  
Encourage the orderly annexation of urban areas to adjacent cities, giving consideration to balancing the annexation of revenue producing and residential lands, and taking into consideration the goals and objectives of the County General Plan.
- 1.2.5 Expansion of Special Districts**  
(LCP) Prohibit special districts from forming or expanding except where assessment for, and provision of, this service would not induce new development inconsistent with the General Plan and LCP Land Use Plan policies.
- 1.2.6 Requirement for Development Permit**  
(LCP) Require a development permit from any special district or local or state agency undertaking any development in the Coastal Zone. Require the submittal of capital improvement programs and facility master plans for review and approval in conjunction with action on the project's coastal zone permit to ensure consistency with Coastal Act requirements and Local Coastal Program policies regarding public services and facilities. This policy shall not apply to certain districts which are exempt from County regulation under State law.

## Programs

- ➔ a Urge LAFCO to develop urban/rural boundary lines and make annexation and service capability decisions consistent with the County General Plan. (Responsibility: Planning Depamnent, County **Administrative** Office, Special Districts, Cities)
- ➔ b. Review and comment on annexation and district **reorganization** proposals under consideration by LAFCO, based on the County General Plan, other established County policy, and general planning considerations. (Responsibility: Planning Department, Planning Commission, Board of Supervisors, County **Administrative** Office)
- ➔ c. **Work with the City of Watsonville to coordinate urban/rural boundaries in the Pajaro Valley. Begin a process to support appropriate areas to address housing and job needs in the Pajaro Valley through city-centered annexation and development** (Responsibility: Planning Department, Planning Commission, Board of Supervisors)
- d. **Participate in AMBAG** planning efforts and **programs** to identify **and** resolve regional planning issues. (Responsibility: Planning Department, County Administrative Office, Planning Commission, Board of Supervisors, Transportation Commission)
- e. Review all special district capital improvements programs and projects for consistency with **the** County General Plan (per State Government Code Section **65402(c)**). (Responsibility: Planning Department, Planning Commission)

## LAND USE AND DEVELOPMENT FRAMEWORK

### Objective 2.1 Urban/Rural Distinction

- (LCP) To preserve a distinction between urban and rural areas of the County, to encourage new development to locate within urban areas and discourage division of land in rural areas; and to achieve a rate of residential development which can be accommodated by existing public services and their reasonable expansion, while maintaining economic, social, and environmental quality.

### Policies

#### 2.1.1 Delineating Urban Areas

- (LCP) Designate on the General Plan and LCP Land Use and Facilities Maps an Urban Services Line (USL) and a Rural Services Line (RSL) to clearly delineate areas appropriate for future urban density development; and to define the boundary between areas with limited services and full urban services. Program the timing and location of public service extensions to support projected levels of development and to maintain economic, social and environmental quality. Coordinate , public service planning with cities, special districts, and LAFCO. (See chapter 7: Parks, Recreation and Public Facilities.)

#### 2.1.2 Maintaining an Urban Services Line

- (LCP) Require that any proposal to expand the Urban Services Line demonstrate that:
- Full urban services, including water supply, sewage treatment and road capacity, are available or planned to serve the expansion area; and
  - The proposed expansion will not have an adverse impact on service levels for existing development or future development accommodated in the General Plan and LCP Land Use Plan; and
  - The proposed expansion will not result in the loss of prime agricultural land or have significant adverse effects either individually or cumulatively on environmental and natural resources, including coastal resources; and
  - No significant adverse impact on regional infrastructure will occur from the proposed expansion; and
  - There are overriding public benefits from the proposed expansion which outweigh the unavoidable adverse effects on regional infrastructure and agricultural lands.

#### 2.1.3 Maintaining a Rural Services Line

- (LCP) Maintain a Rural Services Line to serve as a distinct boundary between rural areas and existing enclaves with urban densities. Prohibit the expansion of the Rural Services Line.

#### 2.1.4 Siting of New Development

- (LCP) Locate new residential, commercial, or industrial development, within, next to, or in close proximity to existing developed areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on environmental and natural resources, including coastal resources.

#### ➔ 2.1.5 Urban Development in Watsonville Sphere of Influence

- Support extension of urban services adjacent to the City of Watsonville only in conjunction with annexation by the city. Prohibit subdivision of lands outside the Urban Services Line and in the Watsonville Sphere of Influence until annexation, unless the division would not adversely affect the City's General Plan affordable housing goals, and is determined to be of an overriding public benefit (See policy 5.1322.)



## AGRICULTURE

### Objective 5.13 Commercial Agricultural Land

➔ (LCP) To maintain for exclusive agricultural use those lands identified on the County Agricultural Resources Map as best suited to the **commercial** production of food, fiber and **ornamental** crops and livestock and to prevent conversion of commercial agricultural land to non-agricultural uses. To **recognize** that agriculture is a priority land use **and to** resolve policy **conflicts** in favor of preserving and promoting agriculture on designated commercial agricultural lands.

### Policies

#### 513.1 Designation of Commercial Agriculture Land

(LCP) Designate on the General Plan and LCP Resources and Constraints Maps as Agricultural Resource all land which meets the criteria (as defined in the General Plan Glossary) for commercial **agricultural** land.

#### 5.13.2 Types of Agriculture Lands

(LCP) Maintain by County ordinance specific **agricultural** land type designations for parcels identified as commercial agricultural land based on the criteria set forth in the General Plan and LCP Land Use Plan\* and maintain Agricultural Resources Maps, by County ordinance to identify the distribution of the following types of Commercial Agricultural Land in the County:

Type 1A — Viable Agricultural Land

Type 1B — Viable Agricultural Land in Utility Assessment Districts

Type 2A — Limited Agricultural Land

Type 2B — Limited Agricultural Land — Geographically Isolated

Type 2C -Limited Agricultural Land in Utility Assessment Districts

Type 2D -Limited Agricultural Land Experiencing Use Conflicts

Type 3 — Viable Agricultural Land Within the Coastal Zone

\*See Glossary for detailed definition of Agricultural Land, Commercial .

#### 5.133 Land Use Designations for Agricultural Resource Lands

(LCP) All lands designated as Agricultural Resource shall be maintained in an Agricultural Land Use designation, unless the property is included in a public park or biotic reserve and assigned as Parks, Recreation and Open Space (O-R), Resource Conservation (O-C), or Public Facility (P) land use designations.

#### 5.13.4 Zoning of Agricultural Resource Land

(LCP) **Maintain** all lands designated as Agricultural Resource in the "CA", Commercial Agricultural Zone District, except for land in agricultural preserves zoned to the "AP", Agricultural Preserve Zone District or the "A-P", Agriculture Zone District and Agriculture Preserve Combining Zone District; timber resource land zoned to the "TP", Timber Production Zone District; or public **parks** and biotic conservation areas zoned to the "PR", Parks, Recreation and Open Space Zone District

#### 5.135 Principal Permitted Uses on Commercial Agricultural (CA) Zoned Land

(LCP) **Maintain** a Commercial Agricultural (CA) Zone District for application to **commercial** agricultural lands that are intended to be maintained exclusively for long-term commercial agricultural use. Allow principal permitted uses **in** the CA Zone District to include only agricultural pursuits for the commercial cultivation of plant crops, including food, flower, and fiber crops and raising of animals including grazing and livestock production.

## CONVERSION OF COMMERCIAL AGRICULTURAL LANDS

### 5.13.20 Conversion of Commercial Agricultural Lands

(LCP) Consider development of commercial agricultural lands to non-agricultural uses only under the following circumstances:

- (a) It is **determined** that the land is not viable for agriculture and that it is not likely to become viable in the near future (See policy 5.13.21);
- (b) Findings are made that **new information** has been presented to demonstrate that the conditions on the land in question do **not meet the criteria for** commercial **agricultural** land; and
- (c) **The conversion of** such land **will not impair the viability** of, or create potential conflicts with, other commercial **agricultural lands in the area.**

### 5.1321 Determining Agricultural Viability

(LCP) Require a viability study conducted in response to an application which proposes to convert agricultural land to non-agricultural land to include, but not be limited to, an economic **feasibility** evaluation which contains at least:

- (a) An analysis of the gross revenue from the **agricultural** products grown in the **area** for the five years immediately preceding the date of **filing** the application.
- (b) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of filing the application.
- (c) An identification of the geographic area used in the analyses. The area shall be of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for the land stated in the application.

Recommendations regarding **viability** shall **be made by the** Agricultural Policy **Advisory** Commission based on evaluation of the viability study and the following criteria: parcel size, sizes of adjacent parcels, degree of non-agricultural development in the area, inclusion of the parcel in utility assessment districts, soil capabilities and topography, water availability and quality, and proximity to other agricultural use.

### ➔ 5.1322 Conversion to Non-Agricultural Uses Near Urban Areas

(LCP) Prohibit the conversion of **agricultural** lands (changing the land use designation from Agriculture to non-agriculture uses) around the periphery of urban areas **except** where it can be demonstrated that the viability of existing agricultural use is already severely limited by conflicts with the urban uses, where the conversion of land would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to **urban** development and where the conversion of such land would not impair the viability of other agricultural lands in the area. Within the Sphere of Influence of the City of **Watsonville**, **no conversion** of agricultural land is allowed which would adversely affect the city's General Plan affordable housing goals, unless **determined** to be of an overriding public benefit. (See policy 2.15)

## Programs

- a. Continue efforts to identify, designate and update commercially important agricultural lands on the adopted Agricultural Resources Map. (Responsibility: Agricultural Policy Advisory Commission, Planning Department Board of Supervisors)
- b. For Type 1B and 2C **commercial agricultural** land, formulate a procedure to provide equitable compensation to the affected parcels because of their inclusion **within** the Salsipuedes and Freedom County Sanitation Districts. (Responsibility: Planning Department, Sanitation Districts, Board of Supervisors)
- ➔ (LCP) c. Oppose expansion of municipal boundaries which would include **commercial agricultural land in the Coastal Zone** within municipal boundaries. (Responsibilities: Board of **Supervisors**)
- ➔ (LCP) d. Request LAFCO to adopt policies to prohibit such urbanization of **commercial agricultural land** in the Coastal Zone. (Responsibility: Board of **Supervisors**)
- (LCP) e. Require the development and application of integrated pest management programs for Coastal Zone crops as one means of minimizing pesticide related land use conflicts. (Responsibility: Agricultural Commissioner, **Agricultural** Policy Advisory Commission, University Cooperative Extension)
- (LCP) f. Develop a program for existing housing in agricultural areas to encourage and/or provide wind shelter from pesticide drift or dust. (Responsibility: Planning Department)

CHAPTER 16. 50  
-----AGRICULTURAL LAND PRESERVATION AND PROTECTION  
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## Sections:

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- 16. 50. 010 Purpose
- 16. 50. 015 Scope
- 16. 50. 020 Amendment
- 16. 50. 030 Designation of Agricultural Land Types
- 16. 50. 040 Criteria for Designation
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- 16. 50. 070 Preservation of Type 1 Agricultural Lands
- 16. 50. 075 Preservation of Type 2 Agricultural Lands
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- 16. 50. 085 Protection of Noncommercial Agricultural Lands
- 16. 50. 090 Public Notification Requirements
- 16. 50. 095 Agricultural Buffer Setbacks
- 16. 50. 100 Appeals
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→ 16. 50. 010 PURPOSES.  
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- (a) The Board of Supervisors of Santa Cruz County finds that commercially viable agricultural land exists within the county, that it is in the public interest to preserve and protect this land for exclusive agricultural use, and that certain agricultural land in the county, not presently of commercial value, also merits protection. The Board of Supervisors of Santa Cruz County also finds that residential development adjacent to certain of these lands often leads to restrictions on farm operations, to the detriment of the adjacent agricultural uses and the economic viability of the county's agricultural industry as a whole.
- (b) The purposes of this chapter, therefore, are to promote the public health, safety and welfare; to implement the policies of the Santa Cruz County General Plan, the Local Coastal Program Land Use Plan, and the 1978 Growth Management Referendum (Measure J) by designating those commercial agricultural lands the County intends to preserve and protect for exclusive agricultural use, and by protecting noncommercial agricultural land; to support and encourage continued agricultural operations in the county; to maintain in exclusive agricultural use commercial agricultural land which is located within utility assessment

districts, while recognizing that equitable compensation may be due because of the assessment district-caused encumbrances; and to forewarn prospective purchasers and residents of property adjacent to agricultural operations of the necessary sounds, odors, dust and hazardous chemicals that accompany agricultural operations. It is an additional purpose of this chapter to ensure the maximum protection of commercially viable agricultural land by weighting decisions, in cases where there is not clear evidence of the unsuitability of the agricultural land, in favor of the preservation of the land for agricultural use. (Ord. 2621, 1/23/79; 3336, 11/23/82; 3447, 8/23/83)

**16.50.015 SCOPE.** This chapter establishes a system for classifying

various types' of commercial agricultural land in Santa Cruz County, including specific criteria for applying each different agricultural land type designation and a procedure and findings for amending such designations. This chapter also contains the development regulations which apply to commercial agricultural land, including reference to the specific criteria in the Zoning Ordinance (Chapter 13.10) which govern the division of commercial agricultural parcels. Policy regulating divisions of noncommercial agricultural land, requirements pertaining to "buyer beware" notification, and regulations for agricultural buffer setbacks are also established in this chapter. (Ord. 3336, 11/23/82; 3447, 8/23/83)

**16.50.020 AMENDMENT.** Any revision to this chapter which applies to

the Coastal Zone shall be reviewed by the Executive Director of the California Coastal Commission to determine whether it constitutes an amendment to the Local Coastal Program. When an ordinance revision constitutes an amendment to the Local Coastal Program, such revision shall be processed pursuant to the hearing and notification provisions of Chapter 13.10 of the County Code, and shall be subject to approval by the California Coastal Commission. (Ord. 3336, 11/23/82; 3447, 8/23/83)

**16.50.030 DESIGNATION OF AGRICULTURAL LAND TYPES.** The Agricultural

Resource lands designated by the County General Plan shall be further classified into the following agricultural land types as shown on the map on file in the Planning Department entitled "Agricultural Resources", and as amended from time to time. These types of agricultural land shall be defined individually and in the aggregate as "Agricultural Resource Land" or "Commercial Agricultural Land". Commercial Agricultural Land also includes all land which is enforceably restricted with a Land Conversation Act Contract for Agricultural Preserve.

- (a) Type 1A - Viable Agricultural Land
  - (b) Type 1B - Viable Agricultural Land in Utility Assessment Districts
  - (c) Type 2A - Limited Agricultural Lands in Large Blocks
  - (d) Type 2B - Geographically Isolated/Limited Agricultural Lands
  - (e) Type 2C - Limited Agricultural Lands in Utility Assessment Districts
  - (f) Type 2D - Limited Agricultural Lands Experiencing Use Conflicts
  - (g) Type 2E - Vineyard Lands
  - (h) Type 3 - Coastal Zone Prime Agricultural Land
- (Ord. 2621, 1/23/79, 3336, 11/23/82; 3447, 8/23/83; 3602, 11/6/84)

**16.50.040 CRITERIA FOR DESIGNATION.** The following criteria shall be  
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 used to determine into which agricultural land type the commercial  
 agricultural lands of the county will be classified:

- (a) Type 1 Commercial Agricultural Land. This type is for  
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 viable agricultural lands outside the Coastal Zone which have  
 been in, or have a history of, commercial agriculture over a  
 long period of time, and are likely to continue to be capable of  
 commercial agricultural use in the foreseeable future.

- 1. Type 1A - Viable Agricultural Land. Type 1A agricul-  
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tural lands comprise areas of known high productivity which are  
 not located in any utility assessment district for which bonded  
 indebtedness has been incurred. These lands essentially meet  
 the U. S. Department of Agriculture Soil Conservation Service  
 and the California Department of Food and Agriculture criteria  
 for "prime" and "unique" farmland and "prime" rangeland.

- 2. Type 1B - Viable Agricultural Land in Utility Assess-  
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ment Districts. This type includes viable agricultural lands,  
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as defined above, which are within a utility assessment district  
 for which bonded indebtedness has been incurred, except Agricul-  
 tural Preserves.

**(b) Type 2 Commercial Agricultural Land. This category is for**

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 agricultural lands outside the Coastal Zone which would be considered as Type 1A, except for one or more limiting factors, such as parcel size, topographic conditions, soil characteristics or water availability or quality, which may adversely affect continued productivity or which restrict productivity to a narrow range of crops. Despite such limitations, these lands are considered suitable for commercial agricultural use. Type 2 agricultural lands are currently in agricultural use (on a full-time or part-time basis), or have a history of commercial agricultural use in the last ten years and are likely to continue to be capable of agricultural use for a relatively long period. In evaluating amendments to Type 2 designations the preceding factors, along with adjacent parcel sizes, degree of nonagricultural development in the area and proximity to other agricultural uses, shall be considered in addition to the criteria listed under each individual type below.

**1. Type 2A - Limited Agricultural Lands in Large Blocks.**

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 These lands are in fairly large blocks, are not in any utility assessment district which has incurred bonded indebtedness, and are not subject to agricultural-residential use conflicts.

**2. Type 2B - Geographically Isolated Agricultural Land**

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 with Limiting Factors. This category includes

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 agricultural lands with limiting factors which are geographically isolated from other agricultural areas. These lands are not in a utility assessment district which has incurred bonded indebtedness and are not subject to agricultural-residential use conflicts.

**3. Type 2C - Limited Agricultural Lands in Utility As-**

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 sessment Districts. This type includes agricultural lands with

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 limiting factors which are in a utility assessment district which has incurred bonded indebtedness.

**4. Type 2D - Limited Agricultural Lands Experiencing Use**

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 Conflicts. These are agricultural lands with limiting factors

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 which are experiencing extreme pressure from agricultural-residential land use conflicts such as pesticide application, noise, odor or dust complaints, trespass or vandalism

**5. TYPE 2E - Vineyard Lands.**

→ (c) Type 3 - Coastal Zone Prime Agricultural Land  
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**This category includes all of the following lands outside the Urban Services Line and the Urban-Rural Boundary within the Coastal Zone in Santa Cruz County:**

- 1. Land which meets the U. S. Department of Agriculture Soil Conservation Service criteria of prime farmland soils and which are physically available (i.e., open lands not forested or built on) for agricultural use.**
- 2. Land which meets the California Department of Food and Agriculture criteria for prime rangeland soils and which are physically available (i.e., open lands not forested or built on) for agricultural use.**
- 3. Land planted with fruit or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years, and which normally return during the commercial bearing period on an annual basis from the production of unprocessed plant production not less than \$200 per acre: the \$200 per acre value shall be utilized to establish a base value per acre as of 1965. This base value per acre figure shall be adjusted annually in accordance with any change in the San Francisco Bay Area Consumer Price Index to reflect current values.**
- 4. Land which has returned from the production of unprocessed agricultural plant products an annual gross value of not less than \$200 per acre for three of the five previous years, as provided in subsection 3. above.**
- 5. Land which meets the California Department of Food and Agriculture criteria for unique farmland of statewide importance and which is physically available (i.e., open lands not forested or built on) for agricultural use. The criteria for "prime farmland soils", "prime rangeland soils", and "unique farmland of statewide importance" are further defined in the Local Coastal Program Land Use Plan Glossary. (Ord. 2621, 1/23/79; 3336, 11/23/82; 3447, 8/23/83)**

**16.50.050 AMENDMENT OF DESIGNATIONS.**  
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**(a) Amendments to the designations of agricultural land types may be initiated by an applicant, the Board of Supervisors, the Planning Commission or the Planning Department. Consideration of such proposals for the addition, removal or change of agricultural land type designations shall be limited to instances where new information has become available regarding the appropriateness of specific designations based on the criteria set forth under Section 16.50.040.**



3. That the proposed amendment will meet the intent and purposes of the Agricultural Land Preservation and Protection Ordinance and the Commercial Agriculture Zone District Ordinance; and

4. That the viability of existing or potential agricultural use is already severely limited by conflicts with the urban uses; the evaluation of agricultural viability shall include, but not be limited to an economic feasibility evaluation which contains at least:

a) an analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of filing the application.

b) analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of filing application.

5. That the conversion of such land around the periphery of the urban areas (as defined by the Urban Services Line or the Urban/Rural Boundary) would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development; and

6. That the conversion of such land would not impair the viability of other agricultural lands in the area.

(f) Any amendment to eliminate or add a Type 1, Type 2 or Type 3 agricultural land designation constitutes a change in the County General Plan and must be processed concurrent with a General Plan amendment. Any amendment of a Type 3 designation also constitutes a change in the local Coastal Program Land Use Plan which must be processed concurrently with a Land Use Plan amendment subject to approval by the State Coastal Commission. (Ord. 2621, 1/23/79; 2677, 5/15/79; 2800, 10/30/79; 3336, 11/23/82; 3447, 8/23/83; 3685, 10/1/85)

**16.50.060 FEES. Fees for applications to amend designations of**

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agricultural land types shall be set by resolution of the Board of Supervisors. (Ord. 2621, 1/23/79; 2677, 5/15/79; 2800, 10/30/79; 3336, 11/23/82; 3447, 8/23/83)

**16.50.070 PRESERVATION OF TYPE 1 AGRICULTURAL LANDS.**

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(a) Lands designated as Type 1 agricultural land shall be maintained in the Commercial Agriculture ("CA") Zone District, or if within a Timber Preserve, be maintained in the Timber Preserve ("TP") Zone District, or if within a public park, be maintained in the Parks and Recreation ("PR") Zone District. The following parcels, designated as Type 1 agricultural land, shall be maintained in the Agricultural Preserve ("AP") Zone District: Assessors Parcel Numbers 86-281-07, 86-281-24. Type 1 land shall not be rezoned to any other zone district unless the Type 1 designation is first removed pursuant to Section 16.50.050.

(b) Santa Cruz County shall not approve land division applications for parcels within the Type 1 designation except where it is shown, pursuant to Section 13.10.315 of the Santa Cruz County Code, that such divisions will not hamper or discourage long-term commercial agricultural operations.

→ (c) Santa Cruz County shall not approve or support expansion of sewer or water district boundaries, or expansion of municipal boundaries, onto Type 1 agricultural lands. (Ord. 2621, 1/23/79; 2677, 5/15/79; 2983, 9/2/80; 3336, 11/23/82; 3447, 8/23/83)

#### 16.50.075 PRESERVATION OF TYPE 2 AGRICULTURAL LANDS.

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(a) Lands designated as Type 2 agricultural land shall be maintained in the Commercial Agriculture ("CA") Zone District, or if within a Timber Preserve, be maintained in the Timber Preserve ("TP") Zone District, or if within a public park, be maintained in the Parks and Recreation ("PR") Zone District. Type 2 land shall not be rezoned to any other zone district unless the Type 2 designation is first removed pursuant to Section 16.50.050.

(b) Santa Cruz County shall not approve land division applications for parcels with a Type 2 designation except where it is shown, pursuant to Section 13.10.315 of the Santa Cruz County Code, that the viability of the land for commercial agricultural use will not be reduced by such land division. (Ord. 2621, 1/23/79; 2677, 5/15/79; 2813, 11/20/79; 2983, 9/2/80; 3336, 11/23/82; 3447, 8/23/83)

#### 16.50.080 PRESERVATION OF TYPE 3 AGRICULTURAL LANDS.

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(a) Lands designated as Type 3 agricultural land shall be maintained in the Commercial Agriculture ("CA") Zone District,

or if within a Timber Preserve, be maintained in the Timber Preserve ("TP") Zone District, or if within a public park, be maintained in the Parks and Recreation ("PR") Zone District. The following parcels, designated as Type 3 agricultural land, shall be maintained in the Agricultural Preserve ("AP") Zone District: Assessor's Parcels Number 46-021-05, 54-261-05, 57-121-25, 57-201-13. Type 3 land shall not be rezoned to any other zone district unless the Type 3 designation is first removed pursuant to Section 16.50.050.

(b) Santa Cruz County shall not approve land divisions for parcels within the Type 3 designation except where such land divisions meet the requirements set forth in Section 13.10.315 of the Santa Cruz County Code.

(c) Santa Cruz County shall prohibit the placement of sewer or water lines, other than for agricultural use, on Type 3 agricultural land. Sewer transmission lines to and from the City of Watsonville sewage treatment plant and raw water transmission lines from North Coast sources to the City of Santa Cruz shall be exempt from this policy only if safeguards are adopted which assure that such facilities will not result in the conversion of Type 3 agricultural lands to nonagricultural uses. Such safeguards shall include, but not be limited to:

1. Deed restrictions to prohibit hookups to trunk lines through agricultural lands, and
2. Prohibit the levying of assessment fees against prime agricultural land for the construction of sewage transmission lines running through them

→ (d) Santa Cruz County shall oppose the expansion of municipal boundaries which would include Type 3 agricultural land within municipal boundaries. (Ord. 2621, 1/23/79; 2677, 5/15/79; 2813, 11/20/79; 2993, 9/2/80; 3336, 11/23/82; 3447, 8/23/83)

#### 16.50.085 PROTECTION OF NONCOMMERCIAL AGRICULTURAL LAND.

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(a) The division of land outside the Coastal Zone which is designated in the General Plan as Agriculture land use but which is not designated as Type 1 or Type 2 commercial land shall be permitted only to minimum parcel sizes in the range of 10 to 40 acres per parcel based on Chapter 13.14, of the County Code pertaining to rural residential density requirements. Where the Agricultural Policy Advisory Commission confirms that such land is not-viable for commercial agricultural use, land divisions may be permitted to minimum parcel sizes in the range of 2-1/2 to 20 acres per parcel based on Chapter 13.14 unless the parcel is surrounded to the extent of 50 percent or more by lands

**CHAPTER 17.01****GROWTH MANAGEMENT****Sections:**

<b>17.01.010</b>	<b>Purpose</b>
<b>17.01.020</b>	<b>Findings</b>
<b>17.01.030</b>	<b>Policies</b>
<b>17.01.040</b>	<b>Growth Management System</b>

**17.01.010 PURPOSE. One purpose of this Chapter is to state**

clearly various policies which should govern the future growth and development of Santa Cruz County. A further purpose is to provide for the enactment of a Growth Management System to regulate the character, location, amount, and timing of future development so as to achieve the stated policies. A further purpose of this Chapter is to provide for increased housing opportunities for persons with average and below average incomes who wish to reside in Santa Cruz County. Finally, it is the purpose of this Chapter to protect the public health, safety, and welfare by regulating the future use and development of land in Santa Cruz County. (Ord. 2561.1, 7/5/78)

**17.01.020 FINDINGS. It is hereby found and determined as follows:****(a) Rapid Population Growth. Santa Cruz County is one of the**

fastest growing counties in the State of California and in the United States. Since 1970, Santa Cruz County has experienced a rate of growth which has been at least twice that experienced by the State of California as a whole.

**(b) Continued Growth Likely. It is likely, absent the enactment of a Growth Management System, that Santa Cruz County**

will continue to experience an extremely rapid rate of population growth, at a rate forecasted to be approximately twice the rate experienced by the State of California as a whole.

**(c) Santa Clara County Plans for Santa Cruz County to Grow.**

It is particularly likely that Santa Cruz County will continue

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to experience rapid population growth because jurisdictions in the adjoining Santa Clara Valley have provided, in their General Plans, and in their other planning policies, to generate a demand for new residential housing which such jurisdiction plan shall be located in Santa Cruz County.

**(d) Environmental Damage and Economic Effects. Rapid popula-**  
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tion growth and development is causing extremely serious adverse environmental and economic effects, some of which are specified below:

→ **1. Loss of Agricultural Lands. The County possesses**  
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significant agricultural lands, including prime agricultural lands, and agricultural lands which, while not defined as "prime", are economically productive or potentially economically productive. Such agricultural lands are a local, state and national resource, which should be preserved. These agricultural lands are being lost to development, and the continued viability of commercial agriculture in Santa Cruz County is threatened by rapid population growth and inappropriately placed development.

**2. Mineral and Timber Resources. Rapid population**  
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growth and development also threaten the timber harvesting and mineral industries which are significant factors in the County's economy.

**3. Fish and Wildlife Resources. The County has other**  
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important natural resources, including wildlife, anadromous fish, and unique plant communities, which should be preserved; these are endangered by rapid growth and inappropriate development.

**4. Marine Habitats. Coastal lagoons and marine habitats**  
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which should be preserved for their economic and biologic value are being degraded and destroyed by rapid population growth and inappropriate development.

**5. Air and Water Quality. Rapid population growth and**  
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development are causing the degradation of Santa Cruz County's air and water quality and threatening the health and well-being of present and future residents.

**6. Scenic and Aesthetic Resources. The scenic and**  
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aesthetic qualities of Santa Cruz County are being destroyed by inappropriately placed development.

**7. Water Supplies.** The "safe yield" capacity of natural  
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surface and groundwater Sources is being exceeded in many areas of the County, causing water supply and water quality problems which will be irreversible or extremely expensive to correct. Overpumping of the Pajaro Valley groundwater basin, in particular, threatens future agricultural water supply and, consequently, Santa Cruz County's commercial agriculture.

**(e) Cost of Services.** Rapid population growth'and development  
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has expanded the demand for governmentally-provided services beyond the ability of the public to pay for and provide such services. Specifically, in many parts of the County, the public is unable to pay for, provide, or maintain adequately the following services required by new development:

1. An adequate number of elementary and secondary school classrooms and teachers;
2. Adequate law enforcement and fire protection;
3. Adequate roads, sewers, and water.

School overcrowding, traffic congestion, higher crime rates, and increasingly inadequate water supplies, roads, and sewage facilities will be the result of continued rapid population growth and development. These problems are greatly aggravated when new development takes place in rural areas rather than in areas where urban services can be provided at less cost to taxpayers.

**(f) Housing Crisis.** Santa Cruz County is experiencing a  
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housing crisis. Increasingly, persons with average and below average incomes whose work or other connections with the County of Santa Cruz lead them to wish to live here are unable to locate housing at a price they can afford.

Economically disadvantaged citizens are increasingly excluded from living in Santa Cruz County. The increasing demand for housing in Santa Cruz County which has accompanied the rapid population growth and development now taking place has aggravated the housing crisis, and any growth management system designed to minimize or prevent the problems caused by rapid population growth and development must simultaneously provide a positive program to increase the availability of housing for people with average and below average incomes. (Ord. 2561.1, 7/5/78)

**17.01.030 POLICIES.** The findings made in this Chapter identify  
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environmental, economic, and housing problems caused by or associated

with the rapid population growth and development of Santa Cruz County. It is hereby determined that in order to minimize or eliminate such problems, and to assure the public health, safety, and welfare, the following policies shall guide the future growth and development of Santa Cruz County.

- ➔ (a) **Preserve Agricultural Lands.** It shall be the policy of  
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Santa Cruz County that prime agricultural lands and lands which are economically productive when used for agriculture shall be preserved for agricultural use.
- (b) **Distinguish "Urban" and "Rural" Areas.** It shall be the  
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policy of Santa Cruz County to preserve a distinction between areas in the County which are "urban", and areas which are "rural". Divisions of land in rural areas shall be discouraged, and new residential developments shall be encouraged to locate in urban areas.
- (c) **Urban Area Protection.** It shall be the policy of Santa  
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Cruz County to insure that new development in the unincorporated "urban" areas does not proceed without the provision of adequate services which will enhance the quality of life for current and future residents of these urban areas; the County Capital Improvement Plan shall reflect this commitment.
- (d) **Annual Population Growth Limit.** It shall be the policy of  
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Santa Cruz County to set an annual population growth for this County which shall limit growth to that amount which represents Santa Cruz County's fair share of each year's statewide population growth.
- (e) **Housing for Persons with Average Incomes.** It shall be the  
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policy of Santa Cruz County that at least 15 percent of those housing units newly constructed for sale or rental each year shall be capable of purchase or rental by persons with average or below average incomes.
- (f) **Resource Protection.** It shall be the policy of Santa Cruz  
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County to prevent the division or other development of lands which contain timber resources, mineral resources, and wildlife habitat or other natural resources, except when any such development is conditioned so as to prevent the loss of or damage to such resources. (Ord. 2561.1, 7/5/78)

(County sewage disposal requirements). These standards shall not preclude use of such other sewage disposal systems as may be authorized in the future by County individual sewage disposal regulations.

**(c) Fire Protection.** New development projects shall be within

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10 minutes response time from a fire station; a five minutes response time is desired for urban medium and high density areas.

**(d) Transportation - Roads.** New development projects shall

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have access from a public or private street with the portion of the street fronting or the project constructed (or funded for construction) according to the street standards specified in the Santa Cruz County Design Criteria. Traffic generated by a new development project shall be within the existing reserve capacity of the road system serving the project at Level of Service C; Level of Service D will be used for major visitor-serving roads during periods of peak recreational traffic, such as weekends. (Ord. 2657, 4/10/79; 3031, 12/23/80; 3327, 11/23/82; 3638, 3/26/85)

**17.02.080. AMENDMENT OF THE URBAN SERVICES LINE AND COINCIDENT**  
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**PORTIONS OF THE URBAN/RURAL BOUNDARY.**  
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(a) Amendments to the Urban Services Line shall be processed as a General Plan Amendment pursuant to the provisions of Chapter 13.01 of the County Code, and, in addition, in the Coastal Zone, as an amendment to the Local Coastal Program Land Use Plan pursuant to the provisions of Chapter 13.03 of the County Code. Amendment to the Urban/Rural Boundary, where it is not coincident with the Urban Services Line, shall not be permitted, pursuant to Section 13.03.110(a).

→ (b) The following findings shall be made for any parcel or area considered for a General Plan and/or Local Coastal Program Amendment which proposes to include such parcel or area within the Urban Services Line:

1. That a development project is proposed for the subject parcel or area;
2. That the parcel or area is included in the capital improvement plans of the appropriate special district or County service area and scheduled to have a public water system and public sanitation system available in time to serve the proposed project;
3. That the parcel or area is within ten minutes response



time of a fire station or five minutes response time if Urban Medium or Urban High density development is proposed;

- 4. That the parcel or area does not contain any Type 1A, 2A, 25, 2D or 3 agricultural lands as designated pursuant to Chapter 16.50 of the County Code;
5. That the parcel or area is concurrently designated on the General Plan or Local Coastal Program Land Use Plan map as urban or urban-reserve land use through the appropriate amendment procedure;
6. That the parcel or area does not contain significant topographical and/or resource constraints or development hazards, as shown on the General Plan or Local Coastal Program Resources and Constraints maps, that would preclude development at urban densities and/or render infeasible the provision of urban services;
7. That the parcel or area will have access to a transportation network with reserve capacity adequate to accommodate the parcel's potential traffic, at a traffic Level of Service C or Level of Service D for major visitor-serving roads during periods of peak recreational traffic. The formation of assessment districts or other mechanisms to provide traffic improvements may be found to be a satisfactory alternative under this paragraph; and
8. In the Coastal Zone, that the parcel or area can be developed at urban densities consistent with urban development and agricultural conversion policies, as cited in the Local Coastal Program Land Use Plan and Chapter 16.50 of the County Code. (Ord. 2657, 4/10/79; 3031, 12/23/80; 3327, 11/23/82; 3638, 3/26/85)

#### 17.02.085 ANNUAL REVIEW An annual review of the Urban Services

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Line shall be held as part of the General Plan Annual Review pursuant to Section 13.01.120. The purpose of the review is to consider the need for possible inclusion or removal of particular parcels or areas. A public hearing shall be held before the Planning Commission and the Board of Supervisors.

#### 17.02.090 INTERPRETATION.

(a) Parcel-based maps of the Urban Services Line and the Urban/Rural Boundary shall be maintained by the Planning Department.

(b) The Urban Services Line and the Urban/Rural Boundary shall normally be located along parcel lines; where the location is not coincident with a parcel line, the exact location of the