



0491

County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 96060

(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

September 20, 1999

Agenda: October 5, 1999

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

**SUBJECT: PUBLIC HEARING ON PROPOSED ORDINANCE TO ADOPT
PERMANENT REGULATIONS AND EXTEND INTERIM
ORDINANCE NO. 4523 REGARDING FARMLAND
SECURITY ZONES**

Members of the Board:

On August 24, 1998, Governor Wilson signed into law Senate Bill 1182 (see Attachment 7). This new law amends the California Land Conservation Act of 1965 allowing landowners to convert existing Williamson Act contracts to Farmland Security contracts. The intent of the law is to provide greater protection for California's agricultural lands by creating additional incentives for landowners to maintain their land in agricultural use and by eliminating certain threats to the continued use of agricultural land.

In order for landowners to take advantage of this new legislation, they must be in a Farmland Security Zone and have an approved Farmland Security contract. Your Board, on October 6, 1998, adopted amendments to the County Code, as an urgency measure, creating the Farmland Security Zone. This was done to allow landowners to apply for Farmland Security contracts to be in effect for the 1999 tax year. On November 10, 1998, the your Board extended the interim ordinance until October 6, 1999, directed Planning staff to prepare a permanent ordinance for your consideration, and directed that the Agricultural Policy Advisory Commission and the Planning Commission review and make recommendations on the proposed ordinance.

The Agricultural Policy Advisory Commission (APAC) reviewed the proposed ordinance at a public meeting on July 22, 1999, and unanimously recommended adoption, as presented.

The Planning Commission held a public hearing on August 11, 1999, and unanimously recommended approval of the proposed ordinance, as presented (see Attachment 6).

Interim Ordinance No. 4523 expires on October 6, 1999. To allow the public to apply for

Farmland Security contracts while the permanent ordinance is being reviewed by the Coastal Commission, it is appropriate that the interim ordinance be extended.

DISCUSSION

The specific provisions of the law are as follows:

- allows landowners enrolled in a 10-year Williamson Act contract with the Board of Supervisors to rescind their contracts and simultaneously enroll in a 20-year Farmland Security Zone contract;
- requires that land enrolled in a Farmland Security contract be assessed for property tax purposes at 65 percent of its “use valuation”, which is the current Williamson Act rate;
- requires that new special taxes for urban related services be levied at an unspecified reduced rate on land enrolled in a Farmland Security contract, unless the tax directly benefits the land or the living improvements;
- prohibits the annexation of land within a Farmland Security contract, under certain circumstances, to a city or special district that provides non-agricultural services, or for use as a public school site;
- exempts the conversion of a Williamson Act contract to a Farmland Security contract from review under the California Environmental Quality Act (CEQA).

The proposed interim and permanent ordinances contain the same wording as the previous interim ordinances (see Attachment 8).

ENVIRONMENTAL REVIEW

The proposed ordinance was reviewed for environmental impacts per the requirements of the California Environmental Quality Act (CEQA) and was found to be categorically exempt, and a copy of the Notice of Exemption is included as Attachment 5.

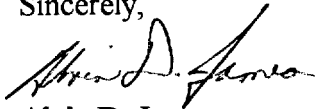
CONCLUSION AND RECOMMENDATION

The proposed permanent ordinance and extension of Interim Ordinance No. 4523 provide additional protection for agricultural land and it is, therefore, **RECOMMENDED** that your Board take the following actions:

1. Adopt the attached Resolution (Attachment 1); and
2. Adopt the attached permanent ordinance (Attachment 2); and
3. Adopt the attached interim ordinance extending Interim Ordinance No. 4523 (Attachment 4); and

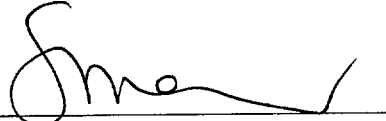
4. **Certify** the Notice of Exemption (Attachment 5); and
5. Direct that the permanent ordinance be included as part of the next Coastal Commission "rounds" submittal.

Sincerely,



Alvin D. James
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

Attachments:

1. Proposed Resolution
2. Proposed Ordinance
3. "Strikeover" Version of Ordinance
4. Proposed Interim Ordinance extending Interim Ordinance No. 4523
5. Notice of Exemption
6. Planning Commission Resolution and Meeting Minutes of August 11, 1999
7. Copy of Senate Bill 1182
8. Copies of Interim Ordinances 45 14 and 4528

cc: Coastal Commission

0494

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following is adopted:

RESOLUTION ADOPTING AN ORDINANCE AMENDING THE COUNTY
LOCAL COASTAL PROGRAM IMPLEMENTING ORDINANCES

WHEREAS, an ordinance making amendments to the County's Local Coastal Program Implementing Ordinances has been prepared in order to protect the public health, safety or welfare; and

WHEREAS, on August 24, 1998, the Governor of the State of California signed into law an urgency statute which authorizes the establishment of Farmland Security Zones and Farmland Security contracts as a means to further protect agricultural lands in California; and

WHEREAS, on October 6, 1998, the Board of Supervisors adopted Ordinance No. 45 14 establishing interim zoning regulations regarding Farmland Security Zones and, pursuant to Government Code Section 65858, said ordinance would have expired on November 20, 1998, unless further extended; and

WHEREAS, on November 10, 1998, the Board of Supervisors adopted Ordinance No. 4523 extending the interim zoning regulations, pursuant to Government Code Section 65858, to October 6, 1999, unless further extended; and

WHEREAS, it is the intention of the Board of Supervisors to adopt permanent regulations regarding Farmland Security Zones; and

WHEREAS, the Agricultural Policy Advisory Commission considered the ordinance at a public meeting and made recommendations to the Board of Supervisors; and

WHEREAS, the Planning Commission has held a properly noticed public hearing and made recommendations to the Board of Supervisors; and

WHEREAS, in compliance with CEQA and State and County Environmental Review Guidelines, amendments to Chapter 13.10 have been issued an Exemption, which has been considered by the Planning Commission and Board of Supervisors; and

WHEREAS, the California Coastal Commission has certified the Implementation Program of the County's Local Coastal Program; and

WHEREAS, the proposed amendment is consistent with the County General Plan and Local Coastal Program; and

WHEREAS, the proposed ordinance is consistent with the California Coastal Act and shall be carried out in accordance with Section ~~30510~~**510(a)** of the California Public Resources Code.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors hereby approves the Exemption under CEQA for amendments to Chapter 13.10 and approves the following ordinance amendment to the Santa Cruz County Local Coastal Program Implementing Ordinances to become effective upon certification by the Coastal Commission.

AN ORDINANCE AMENDING SECTIONS 13.10.470, 13.10.471, 13.10.472, and 13.10.473 OF THE SANTA CRUZ COUNTY CODE REGARDING FARMLAND SECURITY ZONES

BE IT FURTHER RESOLVED AND ORDERED that the Board of Supervisors hereby directs this ordinance be submitted to the State of California Coastal Commission as part of the next "rounds" package.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 1999 by the following vote:

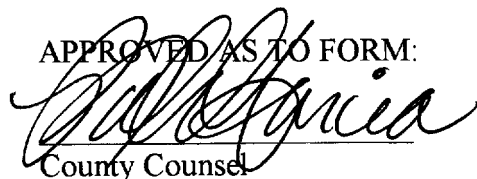
AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS
ABSTAIN: SUPERVISORS

Chairperson, Board of Supervisors

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:


County Counsel

DISTRIBUTION: County Counsel
Planning Department
Assessor
Agricultural Policy Advisory Commission

ORDINANCE NO. _____

0496

ORDINANCE AMENDING SECTIONS 13.10.470, 13.10.471,
13.10.472, 13.10.473 OF THE SANTA CRUZ COUNTY CODE
REGARDING FARMLAND SECURITY ZONES

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Code Sections 13.10.470 through 13.10.473 are hereby amended to read as follows:

13.10.470 "P" AGRICULTURAL PRESERVE AND FARMLAND SECURITY
COMBINING DISTRICT

13.10.471 PURPOSES OF THE AGRICULTURAL PRESERVE AND FARMLAND
SECURITY "P" COMBINING DISTRICT

The Agricultural Preserve Combining District is established to denote those lands which are restricted to agricultural, open space and compatible uses by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 5 1240) or Article 7 (commencing with Government Code Section 5 1296) of the California Land Conservation Act of 1965 and amendments thereto.

13.10.472 DESIGNATION OF THE AGRICULTURAL PRESERVE AND FARMLAND
SECURITY "P" COMBINING DISTRICT

Those parcels which are restricted by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 5 1240) or Article 7 (commencing with Government Code Section 5 1296) of the California Land Conservation Act of 1965, shall be designated with a "P" Combining District. The designation shall remain on the property until the contract expires or is canceled.

13.10.473 USE AND DEVELOPMENT STANDARDS IN THE AGRICULTURAL
PRESERVE AND FARMLAND SECURITY "P" COMBINING DISTRICT

Lands designated as "P" Combining District shall also be classified in the "CA" District (except for those lands designated "AP") and shall be subject to the regulations of that district, with the modification or expansion of uses existing on the date of the execution of the contractual agreement which are not otherwise permitted in the "CA" district (see Section 13.10.3 12) shall be considered as discretionary uses which may be permitted upon the property within the limits of the reservation of such uses in the contractual agreement, subject to the securing of a Level V Use Approval.

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SECTION II

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall not effect the remaining portions of this Ordinance. The Board of Supervisors of this County hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of any such decision.

SECTION III

PASSED AND ADOPTED this ____ day of _____, 1999, by the Board of Supervisors at the County of Santa Cruz by the following vote:

AYES: SUPERVISORS:
 NOES: SUPERVISORS:
 ABSENT: SUPERVISORS:
 ABSTAIN: SUPERVISORS:

 Chair of the Board of Supervisors

Attest: _____
 Clerk of the Board

APPROVED AS TO FORM: _____


 County Counsel

DISTRIBUTION: County Counsel
 County Administrative Officer
 Planning Department
 Tax Assessor
 Santa Cruz Farm Bureau
 Agricultural Policy Advisory Commission

ORDINANCE NO. _____

0498

ORDINANCE AMENDING SECTIONS 13.10.470, 13.10.471,
13.10.472, 13.10.473 OF THE SANTA CRUZ COUNTY CODE
REGARDING FARMLAND SECURITY ZONES

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

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COMBINING DISTRICT

13.10.471 PURPOSES OF THE AGRICULTURAL PRESERVE AND
SECURITY "P" COMBINING DISTRICT

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13.10.472 DESIGNATION OF THE AGRICULTURAL PRESERVE AND FARMLAND
SECURITY "P" COMBINING DISTRICT

Those parcels which are restricted by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 51240) or Article 7 (commencing with Government Code Section 51296) of the California Land Conservation Act of 1965, shall be designated with a "P" Combining District. The designation shall remain on the property until the contract expires or is canceled.

13.10.473 USE AND DEVELOPMENT STANDARDS IN THE AGRICULTURAL
PRESERVE AND FARMLAND SECURITY "P" COMBINING DISTRICT

Lands designated as "P" Combining District shall also be classified in the "CA" District (except for those lands designated "AP") and shall be subject to the regulations of that district, with the modification or expansion of uses existing on the date of the execution of the contractual agreement which are not otherwise permitted in the "CA" district (see Section 13.10.3 12) shall be considered as discretionary uses which may be permitted upon the property within the limits of the reservation of such uses in the contractual agreement, subject to the securing of a Level V Use Approval.

0499

SECTION II

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall not effect the remaining portions of this Ordinance. The Board of Supervisors of this County hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of any such decision.

SECTION III

PASSED AND ADOPTED this ____ day of _____, 1999, by the Board of Supervisors at the County of Santa Cruz by the following vote:

AYES: SUPERVISORS:
NOES: SUPERVISORS:
ABSENT: SUPERVISORS:
ABSTAIN: SUPERVISORS:

Chair of the Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM: _____
County Counsel

DISTRIBUTION: County Counsel
 County Administrative Officer
 Planning Department
 Tax Assessor
 Santa Cruz Farm Bureau
 Agricultural Policy Advisory Commission

ORDINANCE NO. _____

0500

AN ORDINANCE OF THE COUNTY OF SANTA CRUZ
EXTENDING INTERIM ZONING REGULATIONS REGARDING
FARMLAND SECURITY ZONES

WHEREAS, on August 24, 1998, the Governor of the State of California signed into law an urgency statute which authorizes the establishment of Farmland Security Zones and Farmland Security contracts as a means to further protect agricultural lands in California;

WHEREAS, the new law provides for Farmland Security contracts with annual renewable terms of 20 years, further reduces property taxes on these agricultural lands, provides certain protections from annexation and prevents acquisition of the land by school districts.

WHEREAS, the new law would enable property owners enrolled in Williamson Act contracts with local governments to apply for replacement of those contracts with Farmland Security contracts;

WHEREAS, Section 5.13 of the County General Plan/Local Coastal Program Land Use Plan states, in part, as County objectives: "to prevent conversion of commercial agricultural land to non-agricultural uses", and "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";

WHEREAS, the County General Plan/Local Coastal Program Land Use Plan also includes Programs that encourage the use of Williamson Act contracts, conservation easements, and other tools such as special tax policies and incentives to maintain land in agricultural use;

WHEREAS, California Government Code Section 65858 enables local legislative bodies to utilize interim zoning regulations pending the study, development, and consideration of permanent zoning regulations;

WHEREAS, on October 6, 1998, the Board of Supervisors adopted Ordinance No. 4514 establishing interim zoning regulations regarding Farmland Security Zones and pursuant to Government Code Section 65858 said ordinance would have expired on November 20, 1998, unless further extended;

WHEREAS, on November 10, 1998, the Board of Supervisors adopted Ordinance No. 4523 extending the interim zoning regulations, pursuant to Government Code Section 65858, to October 6, 1999, unless further extended; and

WHEREAS, processing of the permanent ordinance regarding Farmland Security Zones has not been completed.

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

0501

SECTION I

The Santa Cruz County Code Sections 13.10.470 through 13.10.473 are hereby amended to read as follows:

13.10.470 "P" AGRICULTURAL PRESERVE AND FARMLAND SECURITY
COMBINING DISTRICT

13.10.471 PURPOSES OF THE AGRICULTURAL PRESERVE AND FARMLAND
SECURITY "P" COMBINING DISTRICT

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13.10.472 DESIGNATION OF THE AGRICULTURAL PRESERVE AND FARMLAND
SECURITY "P" COMBINING DISTRICT

Those parcels which are restricted by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 5 1240) or Article 7 (commencing with Government Code Section 5 1296) of the California Land Conservation Act of 1965, shall be designated with a "P" Combining District. The designation shall remain on the property until the contract expires or is canceled.

13.10.473 USE AND DEVELOPMENT STANDARDS IN THE AGRICULTURAL
PRESERVE AND FARMLAND SECURITY "P" COMBINING DISTRICT

Lands designated as "P" Combining District shall also be classified in the "CA" District (except for those lands designated "AP") and shall be subject to the regulations of that district, with the modification or expansion of uses existing on the date of the execution of the contractual agreement which are not otherwise permitted in the "CA" district (see Section 13.10.3 12) shall be considered as discretionary uses which may be permitted upon the property within the limits of the reservation of such uses in the contractual agreement, subject to the securing of a Level V Use Approval.

SECTION II

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall not effect the remaining portions of this Ordinance. The Board of Supervisors of this County hereby declares that

it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of any such decision.

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SECTION III

The Board of Supervisors hereby finds, determines, and declares that this ordinance is adopted consistent with Government Code Section 65858 and is necessary for the protection of the public health, safety, and general welfare. The facts constituting the need for such as measure are set forth in the preamble to this ordinance.

In accordance with Government Code Section 65858, this ordinance shall be in force and effect for a period of 10 months and 15 days from its adoption or until a permanent ordinance regarding Farmland Security Zones is adopted and certified, whichever occurs first.


PASSED AND ADOPTED this d a y o f _____, 1999, by the Board of Supervisors at the County of Santa Cruz by the following vote:

AYES: SUPERVISORS:
NOES: SUPERVISORS:
ABSENT: SUPERVISORS:
ABSTAIN: SUPERVISORS:

Chairperson of the Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM



County Counsel

DISTRIBUTION: County Counsel
 County Administrative Officer
 Planning Department
 Tax Assessor
 Santa Cruz Farm Bureau
 Agricultural Policy Advisory Commission

**NOTICE OF EXEMPTION
FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

ATTACHMENT 5

0503

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

Application No.: N/A
Assessor Parcel No.: N/A
Project Location: Countywide

Project Description: An Ordinance amending County Code Sections 13.10.470, 13.10.471, 13.10.472, and 13.10.473 regarding Farmland Security Zones

Person or Agency Proposing Project
Glenda Hill, Santa Cruz County Planning Department

- A. ☐ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.
- B. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgement.
- C. ☐ Statutory Exemption other than a Ministerial Project.
Specify type:

D. Categorical Exemption

- | | |
|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 17. Open Space Contracts or Easements |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 18. Designation of Wilderness Areas |
| <input type="checkbox"/> 3. New Construction of Small Structure | <input type="checkbox"/> 19. Annexation of Existing Facilities / Lots for Exempt Facilities |
| <input type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 5. Alterations in Land Use Limitation | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input type="checkbox"/> 6. Information Collection | <input type="checkbox"/> 22. Educational Programs |
| <input checked="" type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Nat. Resources | <input type="checkbox"/> 24. Regulation of Working Conditions |
| <input type="checkbox"/> 9. Inspection | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| <input type="checkbox"/> 10. Loans | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs |
| <input type="checkbox"/> 11. Accessory Structures | <input type="checkbox"/> 27. Leasing New Facilities |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities |
| <input type="checkbox"/> 14. Minor Additions to Schools | |
| <input type="checkbox"/> 15. Functional Equivalent to EIR | |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks | |

E. Lead Agency Other Than County: _____

Staff Planner:

Glenda Hill

Date: 7/23/99

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA
RESOLUTION NO. 13-99

.0504

On the motion of Commissioner: **HOLBERT**
duly seconded by Commissioner: **SKILLICORN**
the following is adopted:

PLANNING COMMISSION RESOLUTION RECOMMENDING ADOPTION
OF AN ORDINANCE AMENDING SECTIONS 13.10.470, 13.10.471, 13.10.472,
AND 13.10.473 OF THE COUNTY CODE REGARDING
FARMLAND SECURITY ZONES

WHEREAS, on August 24, 1998, the Governor of the State of California signed into law an urgency statute which authorizes the establishment of Farmland Security Zones and Farmland Security contracts as a means to further protect agricultural lands in California; and

WHEREAS, the Board of Supervisors enacted Ordinances 4514 and 4528, as urgency measures, to enact the zoning provisions necessary to implement the Farmland Security Zone immediately in order for conversions from the Williamson Act contracts to the Farmland Security contracts to be in effect before January 1, 1999; and

WHEREAS, Section 5.13 of the County General Plan/Local Coastal Program Land Use Plan states, in part, as County objectives: "to prevent conversion of commercial agricultural and to non-agricultural uses", and "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"; and

WHEREAS, the County General Plan/Local Coastal Program Land Use Plan also includes Programs that encourage the use of Williamson Act contracts, conservation easements, and other tools such as special tax policies and incentives to maintain land in agricultural use; and

WHEREAS, it is appropriate to permanently adopt the provisions of Ordinances 4514 and 4528 in order to meet the objectives and policies of the General Plan/Local Coastal Program Land Use Plan concerning preservation and promotion of agricultural lands; and

WHEREAS, the Planning Commission has held a duly noticed public hearing and has considered the proposed amendment, the staff report, and all testimony and evidence received at the public hearing; and

WHEREAS, the amendments to Sections 13.10.470, 13.10.471, 13.10.472, and 13.10.473 have been reviewed for compliance with CEQA and State and County environmental guidelines, and have been found to be exempt from the requirements of CEQA; and

0505

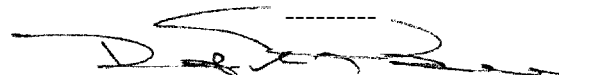
WHEREAS, County Code Chapter 13.10, Zoning Regulations, is an implementing ordinance for the Local Coastal Program (LCP); and

WHEREAS, the proposed amendments are consistent with the California Coastal Act, Local Coastal Program (LCP), and the County General Plan.

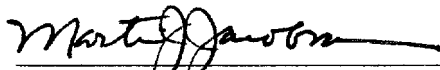
NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the notice of exemption as set forth in Exhibit D of the staff report and the proposed amendments to County Code Sections 13.10.470, 13.10.471, 13.10.472, and 13.10.473 as set forth in Exhibit B of the staff report, and incorporated herein by reference, be approved by the Board of Supervisors and submitted to the California Coastal Commission as part of the Local Coastal Program Update.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, California, this 11 day of AUGUST, 1999, by the following vote:

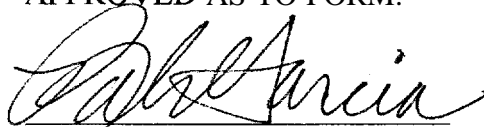
AYES: COMMISSIONERS: **HOLBERT, SKILLICORN, BREMNER, RUTH, LEONARD**
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS


Chairperson, Planning Commission

ATTEST:


Martin Jacobson, Secretary

APPROVED AS TO FORM:


County Counsel

0506

**COUNTY OF SANTA CRUZ PLANNING COMMISSION
MINUTES**

DATE: August 11, 1999

PLACE: Board of Supervisors Chambers, Room 525
County Government Center, 701 Ocean Street, Santa Cruz, CA

COMMISSIONERS PRESENT: ROBERT BREMNER, DENISE HOLBERT, LEO RUTH,
DALE SKILLICORN, MARGARET LEONARD.

STAFF MEMBERS PRESENT: DON BUSSEY, GLENDA HILL, JACKIE YOUNG

COUNTY COUNSEL PRESENT: RAHN GARCIA

All legal requirements for items set for public hearing on the Santa Cruz County Planning Commission agenda for this meeting have been fulfilled before the hearing including publication, mailing and posting as applicable.

- A. ROLL CALL:**
Commissioners Bremner, Holbert, Ruth, Leonard and Skillicorn present at 9:00 a.m.
- B. PLANNING DIRECTOR'S REPORT:** None.
- C. COUNTY COUNSEL'S REPORT:** None.
- D. ADDITIONS AND CORRECTIONS
TO THE AGENDA:** None.
- E. ORAL COMMUNICATIONS:** None.
- F. CONSENT ITEMS:**

ITEM F-1

TO APPROVE THE MINUTES OF THE JULY 14, 1999 PLANNING COMMISSION MEETING AS
SUBMITTED BY THE PLANNING DEPARTMENT.

0507

BURT LEMKE: Discusses home size, his requests, and speculation test.

PUBLIC HEARING CLOSED

COMMISSIONER RUTH: Pine trees need to be removed; recommend trees be removed. Discusses side setbacks. Supports this project.

COMMISSIONER HOLBERT: Supports if limit house size of 2400 square feet.

COMMISSIONER SHEPHERD: Discusses development potential and site- no problem with 3,000 square foot single family dwelling.

COMMISSIONER BREMNER: Does not support.

MOTION

COMMISSIONER RUTH MOVED TO APPROVE PER 4 AND 5, REVISED LANDSCAPE PLAN, CERTIFY THE NEGATIVE DECLARATION AND 2600 SQUARE FEET MAXIMUM SINGLE FAMILY DWELLING (HABITABLE SPACE). SECONDED BY COMMISSIONER HOLBERT.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 3-1

H. SCHEDULED ITEMS:

ITEM H-1

PUBLIC HEARING TO CONSIDER AMENDMENTS TO SECTIONS 13.10.470, 13.10.471, 13.10.472, AND 13.10.473 OF THE COUNTY CODE REGARDING FARMLAND SECURITY ZONES.

PLANNER: GLENDA HILL, 454-32 16

GLENDA HILL: Gave presentation and discussed project and gave recommendation.

PUBLIC HEARING OPENED

PUBLIC HEARING CLOSED

COMMISSIONER RUTH: Commented on school and annexation security.

0508

MOTION

COMMISSIONER HOLBERT MOVED TO APPROVE PER STAFF. SECONDED BY
COMMISSIONER SKILLICORN.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0.

PLEASE NOTE: THESE MINUTES HAVE NOT BEEN APPROVED BY THE PLANNING
COMMISSION AS OF SEPTEMBER 20, 1999.

PATRICIA GAONA
PLANNING DEPARTMENT

BILL NUMBER: SB 1182 CHAPTERED
BILL TEXT

0509

CHAPTER 353

FILED WITH SECRETARY OF STATE AUGUST 24, 1998

APPROVED BY GOVERNOR AUGUST 24, 1998

PASSED THE SENATE AUGUST 6, 1998

PASSED THE ASSEMBLY JULY 16, 1993

AMENDED IN ASSEMBLY JULY 1, 1998

AMENDED IN ASSEMBLY JUNE 25, 1998

AMENDED IN ASSEMBLY JUNE 11, 1998

AMENDED IN ASSEMBLY MAY 7, 1998

AMENDED IN ASSEMBLY MARCH 26, 1998

AMENDED IN SENATE MAY 5, 1997

AMENDED IN SENATE APRIL 28, 1997

AMENDED IN SENATE APRIL 15, 1997

INTRODUCED BY Senator Costa

FEBRUARY 28, 1997

An act to amend Sections 16140, 16141, 16142, and 16146 of, to add Sections 56375.4 and 56375.45 to, and to add Article 7 (commencing with Section 51296) to Chapter 7 of Part 7 of Division 1 of Title 5 of, the Government Code, to amend Section 426 of, and to add Section 423.4 to, the Revenue and Taxation Code, relating to agricultural land, and declaring the urgency thereof, to take effect immediately.,

LEGISLATIVE COUNSEL'S DIGEST

SB 1182, Costa. Agricultural land: preservation programs: farmland security zones.

Existing law, known as the California Land Conservation Act of 1965, or the Williamson Act, authorizes a city or county, by contract, to limit the uses of land to agricultural uses or as an agricultural preserve in exchange for reduced property taxes. Under existing law, the initial term of one of these contracts shall be no less than 10 years.

This bill would make technical changes in provisions of law relating to subventions of state funds to replace reduced property taxes. The bill would authorize 2 or more landowners to petition a county board of supervisors to rescind a contract or contracts entered into pursuant to the act in order to place the land under a new contract designating the property as a farmland security zone, and would specify the type of land to which this designation would apply. The bill would provide that the initial term of a farmland security zone contract shall be no less than 20 years, and that each contract shall provide for yearly automatic extensions unless a notice of nonrenewal is given. The bill would provide that land within a farmland security zone shall be eligible for specified tax and other benefits, including exemption from any benefit assessment that does not directly benefit the land, exemption from annexation, as specified, exemption from potential location of public school facilities, and other exemptions. The bill also would make various conforming changes.

The bill would declare that it is to take effect immediately as an urgency statute.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 16140 of the Government Code is amended to read:

16140. There is hereby continuously **appropriated** to the Controller from the General Fund a sum sufficient to make the **payments** required by this chapter.

The payments provided by this chapter shall be made only when the value of each Parcel of open-space land assessed under Sections 423, 423.3, 423.4, and 423.5 of the Revenue and Taxation Code is less than the value that would have resulted if the valuation of the property was made pursuant to Section 110.1 of the Revenue and Taxation code, ^{as} though the property were not subject to an enforceable restriction in the base year.

SEC. 2. Section 16141 of the Government Code is amended to read:

16141. It is the purpose of this chapter to provide replacement revenues to local government by reason of the reduction of the property tax on open-space lands assessed under Sections 423, 423.3, 423.4, and 423.5 of the Revenue and Taxation Code. Notwithstanding any other provisions of this chapter, no subvention payments to a county, city, city and county, or school district shall be made pursuant to this chapter for land enforceably restricted pursuant to the Open-Space Easement Act of 1974 (Chapter 6.6 (commencing with Section 51070) of Part 1 of Division 1 of Title 5).

SEC. 3. Section 16142 of the Government Code is amended to read:

16142. The Secretary of the Resources Agency shall direct the Controller to pay annually out of the funds appropriated by Section 16140, to each eligible county, city, or city and county, the following amounts for each acre of land within its regulatory jurisdiction that is assessed pursuant to Section 423, 423.3, 423.4, or 423.5 of the Revenue and Taxation Code:

(a) -Five dollars (\$5) for prime agricultural land, as defined in Section 5120.1.

(b) One dollar (\$1) for all land, other than prime agricultural land, which is devoted to open-space uses of statewide significance, as defined in Section 16143.

The amount per acre in subdivision (a) may be increased by the Secretary of the Resources Agency to a figure which would offset any savings due to a more restrictive determination by the secretary as to what land is devoted to open-space use of statewide significance.

SEC. 4. Section 16146 of the Government Code is amended to read:

16146. The Secretary of the Resources Agency may determine, after notice and hearing, that a local government is ineligible to receive state payments pursuant to this article by reason of its failure to comply with the provision of Article 10.5 (commencing with Section 65560) of Chapter 3 of Title 7, or with the provisions of any program which establishes an enforceable restriction upon which the assessment of land within its jurisdiction pursuant to Section 423, 423.3, 423.4, or 423.5 of the Revenue and Taxation Code is based. The fact that a local government has not complied with the requirements of Article 10.5 (commencing with Section 65560) of Chapter 3 of Title 7 by the dates set forth in that article shall not be reason to determine that the local government is ineligible to receive state payments, if the local government has complied by July 1 of the year in which application is made. This section shall not be construed to require the disqualification of any land from assessment pursuant to Section 423, 423.3, 423.4, or 423.5 of the Revenue and Taxation Code as a consequence of any determination of ineligibility by the secretary.

SEC. 5. Article 7 (commencing with section 51296) is added to Chapter 7 of Part 7 of Division 1 of Title 5 of the Government Code, to read:

Article 7. Farmland Security Zones

51296. (a) The Legislature finds and declares that it is desirable to expand options available to landowners for the preservation of agricultural land. It is therefore the intent of the Legislature in enacting this article to encourage the creation of longer term voluntary enforceable restrictions within agricultural preserves. 05,

(b) A landowner or group of landowners may petition the board to rescind a contract or contracts entered into pursuant to this chapter in order to simultaneously place the land subject to that contract or those contracts under a new contract designating the property as a farmland security zone.

(1) Before approving the rescission of a contract or contracts entered into pursuant to this chapter in order to simultaneously place the land under a new farmland security zone contract, the board shall create a farmland security zone, pursuant to the requirements of Section 51230, within an existing agricultural preserve.

(2) No land shall be included in a farmland security zone unless expressly requested by the landowner. Any land located within a city's sphere of influence shall not be included within a farmland security zone, unless the creation of the farmland security zone within the sphere of influence has been expressly approved by resolution by the city with jurisdiction within the sphere.

(3) If more than one landowner requests the creation of a farmland security zone and the parcels are contiguous, the county shall place those parcels in the same farmland security zone.

(4) A contract entered into pursuant to this section shall be for an initial term of no less than 20 years. Each contract shall provide that on the anniversary date of the contract or on another annual date as specified by the contract, a year shall be added automatically to the initial term unless a notice of nonrenewal is given pursuant to Section 51245.

(5) Upon termination of a farmland security zone contract, the farmland security zone designation for that parcel shall simultaneously be terminated.

(c) Both of the following shall apply to land within a designated farmland security zone:

(1) The land shall be eligible for property tax valuation pursuant to Section 423.4 of the Revenue and Taxation Code.

(2) Notwithstanding any other provision of law, any special tax approved by the voters for urban-related services on or after January 1, 1999 on the land or any living improvement shall be levied at a reduced rate unless the tax directly benefits the land or the living improvements.

(d) Notwithstanding any provision of the Cortese-Knox Local Government Reorganization Act of 1985 (Division 3 (commencing with Section 56000)), a local agency formation commission shall not approve a change of organization or reorganization that would result in the annexation of land within a designated farmland security zone to a city. However, this subdivision shall not apply under any of the following circumstances:

(1) If the farmland security zone is located within a designated, delineated area that has been approved by the voters as a limit for existing and future urban facilities, utilities, and services.

(2) If annexation of a parcel or a portion of a parcel is necessary for the location of a public improvement, as defined in Section 51290.5, except as provided in subdivision (f) or (g) of this section.

(3) If the landowner consents to the annexation.

(e) Notwithstanding any provision of the Cortese-Knox Local Government Reorganization Act of 1985 (Division 3 (commencing with Section 56000)), a local agency formation commission shall not approve a change of organization or reorganization that would result in the annexation of land within a designated farmland security zone to a special district that provides sewers, nonagricultural water, or

streets and roads, unless the facilities or services provided by the special district benefit land uses that are allowed under the contract and the landowner consents to the change of organization or reorganization.

(f) Notwithstanding Article 5 (commencing with Section 53090) of Chapter 1 of Division 2 of Title 5, a school district shall not render inapplicable a county zoning ordinance to the use of land by the school district if the land is within a designated farmland security zone.

(3) Notwithstanding any provision of law, a school district shall, not acquire any land that is within a designated farmland security zone.

(h) The board shall not approve any use of land within a designated 'farmland security zone based on the compatible use provisions contained in subdivision (c) of Section 51238.1.

(i) This section shall only apply to land that is designated on the Important Farmland Series maps, prepared pursuant to Section 65570 as predominantly one or more of the following:

- (1) Prime farmland.
- (2) Farmland of statewide significance.
- (3) Unique farmland.
- (4) Farmland of local importance..

If the proposed farmland security zone is in an area that is not designated on the Important Farmland Series maps, the land shall qualify if it is predominantly prime agricultural land, as defined in subdivision (c) of Section 51201.

(j) Nonrenewal of a farmland security zone contract shall be pursuant to Article 3 (commencing with Section 51240), except as otherwise provided in this article.

(k) All of the provisions of Article 6 (commencing with section 51290) shall apply to farmland security zones created pursuant to this article except as specifically provided in this article.

(1) No state agency, as defined in Section 65934, or local agency; as defined in Section 65930, shall require any land to be placed under a farmland security zone contract as a condition of the issuance of any entitlement to use or the approval of a legislative or adjudicative act involving, but not limited to, the planning, use, or development of real property, or a change of organization or reorganization, as defined in Section 56021 or 56073. No contract shall be executed as a condition of an entitlement to use issued by an agency of the United States government.

(m) Subdivisions (d) and (e) shall not apply during the three-year period preceding the termination of a farmland security zone contract.

SEC. 6. Section 56375.4 is added to the Government code, to read:

56375.4. (a) The commission shall not approve or conditionally approve a change of organization or reorganization that would result in the annexation to a city of territory that is within a farmland security zone created pursuant to Article 7 (commencing with Section 51296) of Chapter 7 of Division 1. However, this subdivision shall not apply under any of the following circumstances:

(1) If the farmland security zone is located within a designated, delineated area that has been approved by the voters as a limit for existing and future urban facilities, utilities, and services.

(2) If annexation of a parcel or a portion of a parcel is necessary for the location of a public improvement, as defined in Section 51290.5, except as provided in subdivision (f) or (3) of Section 51296.

(3) If the landowner consents to the annexation.

(b) The commission shall not approve or conditionally approve a change of organization or reorganization that would result in the annexation to a special district of territory that is within a farmland security zone created pursuant to Article 7 (commencing with

Section 51296) of Chapter 7 of Division 1 if that special district provides or would provide facilities or services related to sewers, nonagricultural water, or streets and roads, unless the facilities or services benefit land uses that are allowed under the farmland security zone contract and the landowner consents to the change of **organization** or reorganization. 0513

(c) This section shall not **apply** during the three-year period preceding the termination of a farmland security zone contract under Article 7 (commencing with Section 51296) of Chapter 7 of Division 1:

SEC. 7. Section 56375.45 is added to the Government code, to read:

56375.45. Notwithstanding Sections 56300 and 56301, the commission shall not disapprove a change of organization or reorganization where the reason for disapproval is that the farmland security zone is excluded from the affected territory.

SEC. 8. Section **423.4** is added to the Revenue and Taxation Code, to read:

423.4. Land subject to a farmland security zone contract specified in Section 51296 **of the** Government Code shall be valued for assessment purposes at 65 percent of the value under Section 423 or 65 percent of the **value** under Section 110.1, whichever is lower.

SEC. 9; Section 426 of the Revenue and Taxation Code is amended to -read:'

426. Notwithstanding any provision of Section 423 to the contrary, if either the county, city, **or** nonprofit organization or the owner of land subject to contract, agreement, -scenic restriction, or open-space easement has **served** notice of nonrenewal as provided in Section 51091, 51245, or 51296 of the Government Code, and the county assessors shall, unless the parties shall have subsequently rescinded the contract pursuant to Section 51254 or 51255 of the Government Code, value the land as provided in this section.

(a) If the owner of land serves notice of nonrenewal or the county, city, or nonprofit organization serves notice of nonrenewal and the **owner** fails to protest as provided in Section 51091, 51245, or 51296 of the Government Code, subdivision (b) shall apply immediately. If the county, city, or nonprofit **organization** serves notice of nonrenewal and the owner does protest as provided in' Section 51091, 51245, or 51296 of the Government Code, subdivision (b) shall apply when less than six years remain until the termination of the period for which the land is enforceably restricted.

(b) Where any of the conditions in subdivision (a) apply, the board or assessor in each year until the termination of the period for which the land is enforceably restricted shall do all of the following:

(1) **Determine** the value of the land pursuant to Section **110.1** of the Revenue and Taxation Code. If the land is not subject to Section 110.1 of the Revenue and Taxation **Code** when the restriction **expires**, the value shall be determined pursuant to Section 110 of the Revenue and Taxation code as if it were free of contractual restriction. If the land will be subject to a **use** for which the Revenue and Taxation Code provides a special restricted assessment, the value shall be determined as if it were subject to the new restriction.

(2) **Determine** the value of the land by capitalization **of income** as provided in Section'423 and without regard to the existence of any of the conditions in subdivision (a).

(3) **Subtract** the value **determined** in paragraph (2) of subdivision (b) by capitalization of income from the full value determined in paragraph (1) of subdivision (b).

(4) Using the rate announced by the board pursuant to paragraph (1) of subdivision (b) **of** section 423, discount the amount obtained in paragraph (3) of subdivision (b) for the number of years remaining until the termination of the contract, agreement, scenic restriction, or open-space easement. .

(5) Determine the value of the land by adding the value determined by capitalization of income as provided in paragraph (2) of subdivision (b) and the value obtained in paragraph (4) of subdivision (b).'

0514

(6) Apply the ratio prescribed in Section 401 to the value of the land determined in paragraph (5) of subdivision (b) to obtain its assessed value.

SEC. 10. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide the benefits of this act to private property owners at the earliest possible time and enhance the preservation of agricultural land, it is necessary that this act take effect immediately.

ORDINANCE NO. 4514

0515

AN ORDINANCE OF THE COUNTY OF SANTA CRUZ
ESTABLISHING INTERIM ZONING REGULATIONS REGARDING
FARMLAND SECURITY ZONES

WHEREAS, California Government Code Section 65858 enables local legislative bodies to utilize interim zoning regulations pending the study, development, and consideration of permanent zoning regulations;

WHEREAS, on August 24, 1998, the Governor of the State of California signed into law an urgency statute which authorizes the establishment of Farmland Security Zones and Farmland security contracts as a means to further protect agricultural lands in California;

WHEREAS, the new law provides for Farmland Security contracts with annual renewable terms of 20-years, further reduces property taxes on these agricultural lands, provides certain protections from annexation and prevents acquisition of the land by school districts;

WHEREAS, the new law would enable property owners enrolled in Williamson Act contracts with local governments to apply for replacement of those contracts with Farmland Security contracts;

WHEREAS, Section 5.13 of the County General Plan/Local Coastal Program Land Use Plan states, in part, as County objectives: "to prevent conversion of commercial agricultural land to non-agricultural uses", and "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";

WHEREAS, the County General Plan/Local Coastal Program Land Use Plan also includes Programs that encourage the use of Williamson Act contracts, conservation easements, and other tools such as special tax policies and incentives to maintain land in agricultural use; and

WHEREAS, the Board of Supervisors must enact the zoning provisions necessary to implement the Farmland Security Zone immediately in order for conversions from the Williamson Contracts to the Farmland Security contracts to be in effect before January 1, 1999.

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Code Section 13.10.470 through 13.10.473 are hereby amended to read as follows:

13.10.470 "P" AGRICULTURAL PRESERVE AND FARMLAND SECURITY
COMBINING DISTRICT

13.10.471 PURPOSES OF THE AGRICULTURAL PRESERVE AND FARMLAND SECURITY
"P" COMBINING DISTRICT ⁰⁵¹⁶

The Agricultural Preserve Combining District is established to denote those lands which are restricted to agricultural, open space and compatible uses by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 5 1240) or Article 7 (commencing with Government Code Section 5 1296) of the California Land Conservation Act of 1965 and amendments thereto.

13.10.472 DESIGNATION OF THE AGRICULTURAL PRESERVE AND FARMLAND --
SECURITY "P" COMBINING DISTRICT

Those parcels which are restricted by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 51240) or Article 7 (commencing with Government Code Section 51296) of the California Land Conservation Act of 1965, shall be designated with a "P" Combining District. The designation shall remain on the property until the contract expires or is canceled.

13.10.473 USE AND DEVELOPMENT STANDARDS IN THE AGRICULTURAL
PRESERVE AND FARMLAND SECURITY "P" COMBINING DISTRICT

Lands designated as "P" Combining District shall also be classified in the "CA" District (except for those lands designated "AP") and shall be subject to the regulations of that district, with the modification or expansion of uses existing on the date of the execution of the contractual agreement which are not otherwise permitted in the "CA" district (see Section 13.10.3 12) shall be considered as discretionary uses which may be permitted upon the property within the limits of the reservation of such uses in the contractual agreement, subject to the securing of a Level V Approval.

SECTION II

If any section, subsection, sentence? clause, phrase, or portion of this Ordinance is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision shall not effect the remaining portions of this Ordinance. The Board of Supervisors of this County hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of any such decision.

SECTION III

The Board of Supervisors hereby finds, determines, and declares that this ordinance is adopted consistent with Government Code Section 65858 and is necessary for the protection of the public health, safety, and general welfare. The facts constituting the need for such a measure are set forth in the preamble to this ordinance.

In accordance with Government Code Section 65858, this ordinance shall be in force and effect for 45 days from its adoption unless, after formal public hearing, the Board of Supervisors, by four-fifths vote, extends the interim ordinance in accordance with Government Code Section 65858.

PASSED AND ADOPTED this 6th day of October, 1998, by the Board of Supervisors at the County of Santa Cruz by the following vote:

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AYES:	SUPERVISORS:	Symons, Wormhoudt, Belgard and Beautz
NOES:	SUPERVISORS:	None
ABSENT:	SUPERVISORS:	Almquist
ABSTAIN:	SUPERVISORS:	None

JANET K. BEAUTZ

Chair of the Board of Supervisors

Attest: SUSAN M. MAURIELLO
Clerk of the Board

APPROVED AS TO FORM: Dwight L. New
County Counsel

DISTRIBUTION: County Counsel
County Administrative Officer
Planning Department
Santa Cruz Farm Bureau
Agricultural Policy - Advisory Commission
Tax Assessor
L A F C O

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THE OFFICE ATTEST MY HAND AND SEAL THIS 6th DAY OF October, 1998
SUSAN A MAURIELLO, COUNTY ADMINISTRATIVE OFFICER AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.

BY: Susan A. Mauriello DEPUTY

ORDINANCE NO. 4528

0518

AN ORDINANCE OF THE COUNTY OF SANTA CRUZ AMENDING ORDINANCE NO. 4523 REGARDING FARMLAND SECURITY ZONES

WHEREAS, on October 6, 1998, the Board of Supervisors adopted Ordinance No. 4514 establishing interim zoning regulations regarding Farmland security Zones and pursuant to Government Code Section 65858, said ordinance to expire on November 20, 1998, unless further extended;

WHEREAS, on November 10, 1998, the Board of Supervisors adopted Ordinance No. 4523 to extend the interim zoning regulations pursuant to Government Code Section 65858 until October 6, 1999; and

WHEREAS, due to an inadvertent error, the provisions of Section I of Ordinance No. 4523 were different from the provisions of Section I of Ordinance 45 14;

NOW, THEREFORE, the Board of Supervisors of the County of Santa Cruz amends Section I of Ordinance No. 4523 to read:

SECTION I

The Santa Cruz County Code Sections 13.10.470 through 13.10.473 are hereby amended to read as follows:

13.10.470 "P" AGRICULTURAL PRESERVE AND FARMLAND SECURITY
COMBINING DISTRICT

13.10.471 PURPOSES OF THE AGRICULTURAL PRESERVE AND FARMLAND
SECURITY "P" COMBINING DISTRICT

The Agricultural Preserve Combining District is established to denote those lands which are restricted to agricultural, open space and compatible uses by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 5 1240) or Article 7 (commencing with Government Code Section 51296) of the California Land Conservation Act of 1965 and amendments thereto.

13.10.472 DESIGNATION OF THE AGRICULTURAL PRESERVE AND FARMLAND
SECURITY "P" COMBINING DISTRICT

Those parcels which are restricted by contractual agreement in accordance with the provisions of Article 3 (commencing with Government Code Section 5 1240) or Article 7 (commencing with Government Code Section 5 1296) of the California Land Conservation Act of 1965, shall be designated with a "P" Combining District. The designation shall remain on the property until the contract expires or is canceled.

13.10.473 USE AND DEVELOPMENT STANDARDS IN THE AGRICULTURAL PRESERVE AND FARMLAND SECURITY "P" COMBINING DISTRICT ⁰⁵¹⁹

Lands designated as "P" Combining District shall also be classified in the "CA" District (except for those lands designated "AP") and shall be subject to the regulations of that district, with the modification or expansion of uses existing on the date of the execution of the contractual agreement which are not otherwise permitted in the "CA" district (see Section 13.10.3 12) shall be considered as discretionary uses which may be permitted upon the property within the limits of the reservation of such uses in the contractual agreement, subject to the securing of a Level V Approval.

PASSED AND ADOPTED this 15 day of December, 1998, by the Board of Supervisors at the County of Santa Cruz by the following vote:

AYES: SUPERVISORS: Symons, Wormhoudt, Belgard, Almquist and Beautz
 NOES: SUPERVISORS: None
 ABSENT: SUPERVISORS: None
 ABSTATN: SUPERVISORS: None

Attest:

Susa Rozewicz
 Clerk of the Board

d

Joel Beut
 Chair of the Board of Supervisors

APPROVED AS TO FORM:

Dwight L. Herr
 County Counsel

DISTRIBUTION: County Counsel
 County Administrative Officer
 Planning Department
 Santa Cruz Farm Bureau
 Tax Assessor
 Agricultural Policy Advisory Commission

I HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL FILED IN THE OFFICE ATTESTED AND SEAL THIS 28th DAY OF April 1999 OF SUSAN A. HERR, COUNTY ADMINISTRATIVE OFFICER AND EX-OFFICIO CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CRUZ, CALIFORNIA.
 BY Alicia Muntz DEPUTY