

Santa Barbara LAFCO

Review of Santa Barbara LAFCO Agricultural and Open Space Policies

October 11, 2018

Background

- At the April 5, 2018 meeting, the Commission reviewed an Open Letter from the Environmental Defense Center. At the May 3, 2018 meeting, the Commission reviewed a CALAFCO White Paper entitled "State of the Art on Agricultural Preservation."
- Both of these documents prompted the Commission to request that staff review the Commission's Policies on Agricultural Lands and Open Space and return with recommendations. The Commission's "Policies Encouraging Conservation of Prime Agricultural Land and Open Space" are contained in the Commissioner Handbook, Section 7 IV and V. The policies are also included on the Commissions website:
http://www.sblafco.org/policy_05.sbc

Statutory Authority

- The Cortese-Knox-Herzberg Act has a number of sections that encourage the preservation of agricultural and open space lands:
- Government Code Section 56300. It is intent of the Legislature that:
". . . each commission establish policies and exercise its powers pursuant to this part in a manner that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within those patterns."

Statutory Authority (Cont'd)

- Government Code Section 56301:
- Among the purposes of a commission are discouraging urban sprawl, preserving open- space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances.
- One of the objects of the commission is to make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in each county and to shape the development of local agencies so as to advantageously provide for the present and future needs of each county and its communities.

Statutory Authority (Cont'd)

- Government Code Section 56377:

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

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

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

Agricultural Resources and Spheres of Influence

- A basic LAFCO function is regulation of local governmental boundaries. Therefore, it would be beneficial to review the Commission's Agricultural Lands and Open Space policies to determine if they should be updated in light of recent studies as well as, the policies of neighboring LAFCO's. There is also a Break Out Session October 4, 2018, at the CALAFCO Annual Conference.
- In this regard, staff has included the Agricultural Policies of both San Luis Obispo and Ventura LAFCO's. Staff will also report on the CALAFCO Conference Break Out Session at the Commission meeting.

Agricultural Resources and Spheres of Influence (Cont'd)

- In determining Spheres of Influence, the Commission conducts Municipal Service Reviews MSR's.

Government Code Section 56434, states that as part of the MSR:

(a) "The Commission may review and comment upon both of the following:

(1) The extension of services into previously unserved territory within unincorporated areas.

(2) The creation of new service providers to extend urban type development into previously unserved territory within unincorporated areas.

(b) The purpose of the review authorized by this section shall ensure that the proposed extension of services or creation of new service providers is consistent with the...adopted policies of the commission implementing these sections, including promoting orderly development, discouraging urban sprawl, preserving open space and prime agricultural lands, providing housing for persons and families of all incomes, and the efficient extension of governmental services. (Emphasis Added)

SBLAFCO POLICIES ENCOURAGING ORDERLY URBAN DEVELOPMENT AND PRESERVATION OF OPEN SPACE PATTERNS

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

SBLAFCO POLICIES ENCOURAGING CONSERVATION OF PRIME AGRICULTURAL LANDS AND OPEN SPACE AREAS

1. Proposals which would conflict with the goals of maintaining the physical and economic integrity of open space lands, agricultural lands, or agricultural preserve areas in open space uses, as indicated on the city or county general plan, shall be discouraged.
2. Annexation and development of existing vacant non-open space lands, and nonprime agricultural land within an agency's sphere of influence is encouraged to occur prior to development outside of an existing sphere of influence.
3. A sphere of influence revision or update for an agency providing urban services where the revision includes prior agricultural land shall be discouraged. Development shall be guided towards areas containing nonprime agricultural lands, unless such action will promote disorderly, inefficient development of the community or area.
4. Loss of agricultural lands should not be a primary issue for annexation where city and county general plans both indicate that urban development is appropriate and where there is consistency with the agency's sphere of influence. However, the loss of any prime agricultural soils should be balanced against other LAFCO policies and a LAFCO goal of conserving such lands.

Conclusion

- In light of a current proposal involving the proposed sphere of influence and annexation of prime agricultural lands west of the City of Lompoc, it is timely for the Commission to review, and pontifically revise its Agricultural and Open Space Policies.
- Regulation of land use is reserved by State law for units of general government, i.e. cities and counties. These agencies act through general and specific plans, zoning and entitlements. However, although the Commission does not have land use authority, it can withhold its approval of boundary changes, based on the need for agricultural buffers or conditions relative to the adequate provision of public services. More particularly, the Commission can base its decisions on strong agricultural and open space policies.