

Resolution No. 18-062
Meeting Date: 05/15/18 (17)

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO REGARDING
URBAN AGRICULTURE INCENTIVE ZONES IN THE CITY OF CHULA VISTA

WHEREAS, California Assembly Bill 551 (Urban Agriculture Incentive Zones Act) added Chapter 6.3, commencing with Section 51040, to Part 1 of Division 1 of Title 5 of the California Government Code, amended Section 402.1 of the California Revenue and Taxation Code, and added Section 422.7 to the California Revenue and Taxation Code; and

WHEREAS, the Urban Agriculture Incentive Zones Act is intended to promote smallscale agriculture on vacant, unimproved, or blighted lands in urban areas; and

WHEREAS, the Urban Agriculture Incentive Zones Act authorizes, under specified conditions and until January 1, 2029, the City and a landowner to enter into a contract to enforceably restrict the use of vacant, unimproved, or otherwise blighted lands for small-scale agricultural use in urban areas, provided the contract is for a term of no less than five years and the property is at least 0.10 acre and not more than three acres in size; and

WHEREAS, in exchange for the property owner restricting property for urban agriculture and entering into a contract pursuant to the Urban Agriculture Incentive Zones Act, the San Diego County Assessor (County Assessor) is required to value the restricted property at the lowest of three values; the value based on the average per-acre value of irrigated cropland in California, the current fair market value, or the factored base year value (Proposition 13 value); and

WHEREAS, pursuant to the Urban Agriculture Incentive Zones Act, property owners that breach the contract or terminate the contract prior to its expiration are obligated to pay a fee equal to the tax benefit they received; and

WHEREAS, pursuant to the Urban Agriculture Incentive Zones Act, no Urban Agriculture Incentive Zone may be established in any area that is currently subject to, or has been subject to within the previous three years, a contract pursuant to Cal. Gov't Code sections 51200 to 51297.4 (Williamson Act); and

WHEREAS, pursuant to the Urban Agriculture Incentive Zones Act, the establishment of an Urban Agriculture Incentive Zone within the City of Chula Vista is subject to approval by the County Board of Supervisors;

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT

On this date, the Board of Supervisors held a noticed public hearing; and

1. This Board of Supervisors approves the City of Chula Vista's request to establish an Urban Agriculture Incentive Zone in the City of Chula Vista, upon the request by and voluntary agreement of owners of such properties, in compliance with the laws, rules and regulations applicable to such program.
2. This Resolution shall take effect immediately upon its adoption.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By: Rachel H. Witt, Senior Deputy

ON MOTION of Supervisor Roberts, seconded by Supervisor Horn, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 15th day of May, 2018, by the following vote:

AYES: Cox, Jacob, Roberts, Horn

ABSENT: Gaspar

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STATE OF CALIFORNIA)
County of San Diego)^{SS}

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

DAVID HALL
Clerk of the Board of Supervisors

By: C. Rodriguez
Chrystal Rodriguez, Deputy



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