

September 29, 2015

Rules and Open Government Committee
San Jose City Council
200 E. Santa Clara Street
San Jose, CA 95113

Dear Mayor Liccardo and Councilmembers Carrasco, Herrera, Jones, and Khamis:

On behalf of SPUR, I am writing in support of the proposal to draft an urban agriculture incentive zone ordinance put forward by Councilmembers Peralez and Carrasco and Mayor Liccardo (Item G3, September 30). In addition to the items highlighted in the memo, we encourage the committee to also direct staff to explore adding a clause in the ordinance to require urban agriculture sites to demonstrate a public benefit in order to qualify for an incentive contract.

As we highlighted in our 2012 report, *Public Harvest*, urban agriculture provides numerous benefits to cities. However, access to land and land tenure are significant obstacles to its expansion in the Bay Area. An Urban Agriculture Incentive Zone ordinance, by implementing state Assembly Bill 551 and allowing property owners in the unincorporated areas of the county to receive a property tax reduction in exchange for committing their land to urban agricultural use for at least five years, will help address both those obstacles by providing landowners with an incentive to allow urban agriculture projects on their land for set periods of time.

In order to ensure that the property tax reduction is not exploited in unintended ways, we recommend that the Council direct staff to add a requirement that the urban agriculture projects have a public interface. San Francisco, which created the first urban agriculture incentive zone in California in 2014, required that urban agriculture projects seeking to benefit from the tax break demonstrate that they interact with the general public through a) agricultural education or outreach on site such as classes, workshops, or visits by school groups; b) periodic distribution of agricultural products grown on the site, via donation or sales; and/or c) operation of the site as a community garden that has hours when the site is open to the general public. We encourage the San Jose City Council to add similar criteria in its ordinance. Without a clause like this, a property owner could receive a tax break by using a vacant lot to grow food solely for their personal benefit. While this would benefit that individual and likely beautify the space, we do not believe that that activity alone provides sufficient public benefit to merit a tax reduction.

We appreciate your consideration of SPUR's comments. If we can answer any questions or provide any additional information about our position, please let me know. The greatest potential benefit of urban agriculture incentive zones in all of Santa Clara County is in San Jose and we hope you will help advance this policy to support city gardening and urban farming.

Sincerely,



Eli Zigas
Food and Agriculture Policy Director