



San Francisco | San Jose | Oakland

November 17, 2015

Mayor Sam Liccardo and City Councilmembers
City of San Jose
200 E. Santa Clara St.
San Jose, CA 95113

Dear Honorable Mayor and Councilmembers:

On behalf of SPUR, I am writing in regard to the Urban Agriculture Incentive Zone resolution that is before the Council today. SPUR supports the resolution so that the county can move forward implementing its urban agriculture incentive zone. However, we are concerned about the impact of one of the resolution's clauses and look forward to working with the City and County planning departments to ensure that eligible parcels aren't unnecessarily removed from consideration.

As we highlighted in our 2012 report, *Public Harvest*, urban agriculture provides numerous benefits to cities. Access to land and land tenure, however, are significant obstacles to its expansion in the Bay Area. The county's Urban Agriculture Incentive Zone (UAIZ) will allow 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. The Urban Agriculture Incentive Zone 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.

The City's resolution expressly forbids UAIZ contracts on parcels that the City has included in its Housing Element Inventory. From our conversation with Planning Division staff, we understand that this prohibition stems from a concern that land that is committed to urban agricultural use through a UAIZ contract will no longer be available for housing development. However, the county's urban agriculture incentive zone ordinance provides a straightforward mechanism and process for a parcel owner who wishes to develop housing to do so, even if they have already put their land under contract. Given this, SPUR believes that there is no conflict created when parcels that have been identified as adequate for future housing are also identified as eligible for urban agriculture incentive zone contracts. These designations are not incompatible. We are concerned, especially as we look forward to the possibility that San Jose may implement its own urban agriculture incentive zone within city boundaries, that this type of clause would make numerous sites ineligible and lessen the positive benefits that could come from an Urban Agriculture Incentive Zone. We look forward to working with the state's Department of Housing and Community Development as well as the city and county planning departments to clarify this issue.

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.

Sincerely,

Eli Zigas
Food and Agriculture Policy Director