1-1983

California's Agricultural Land Use Policies

Senate Committee on Local Government

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A Research Paper Prepared For The
Senate Committee on Local Government

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Nearly every year someone asks the California Legislature to enact a comprehensive policy on agricultural land use. Many legislators, citizens, and interest groups simply assume that the absence of a law labeled "Agricultural Land Use Policy" means that these policies do not exist. But that attitude ignores nearly 20 years of law-making on this issue. Better known than statutory policies are the actual state programs affecting the use of agricultural lands: the Williamson Act, the Knox-Nisbet Act, and the Suisun Marsh Preservation Act, among others. The legislative intent of these programs are implicit, but until now no one has collected the Legislature's formal, explicit policies on agricultural land use. Since 1965, the Legislature has been adopting statutory policies encouraging the conservation of agricultural lands.

Collecting those policies in this report is not an argument against the desirability of the California Legislature combining its policies on agricultural land use. On the contrary, the Legislature may wish to add to its existing statements, change them, or harmonize them with other policies about the need to produce housing and other types of development. These summaries of legislative intent (and the full text of each section which appears in the Appendix) merely recognize the Legislature's already substantial record in the field.

A recent search through legislative policies discovered 20 specific statements of intent. While several experts contributed to this search, there are probably other explicit statements which they overlooked. Most certainly the implicit policies are more numerous and may even be stronger in their practical effect. Nevertheless, to acquaint more people with the Legislature's record, this review places these statements into three groups:

- general policies on conserving agricultural land.
- state policies to guide local officials' actions.
- state policies on agricultural lands in special areas.

GENERAL POLICIES

These policies indicate the Legislature's concern for a strong agricultural economy by conserving the ultimate resource, the land itself. The most recent statement in this series comes from the 1982 Thurman Agricultural Policy Act, but others date back to the California Land Conservation Act of 1965 (the Williamson Act).
In promoting and protecting the agricultural industry, the Legislature will review actions for their effects on 13 factors, including productive agricultural land (Thurman Act; Food and Agricultural Code Section 8211).

The preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources (Williamson Act; Government Code Section 51220[a]).

The conservation of soil and water resources is of fundamental importance to the state's prosperity and welfare, including the conservation of farms, range, and other uses (Public Resources Code 9001).

State policy seeks to maintain, improve, and enhance the quality of air, water, land, including agricultural resources, according to state and national standards and local needs (California Environmental Quality Act; Public Resources Code Sections 21000 and 21001).

The Legislature recognizes that premature and unnecessary development of agricultural lands to urban uses continues to have adverse effects on the availability of such lands for agricultural uses and on the economy of the state (Resolution Chapter 81, Statutes of 1981).

It is state policy to improve the quality of life in California by preserving and using the land resources in economically and socially desirable ways (Planning and Zoning Law; Government Code Section 65030).

It is state policy to ensure that land use decisions are made with full knowledge of the long-term and short-term economic and fiscal implications, as well as environmental effects (Planning and Zoning Law; Government Code Section 65030.2).

The state land use policy developed by the Governor's Office of Planning and Research shall specifically consider agricultural lands of major statewide importance (Chapter 1534, Statutes of 1970, Section 4[3]).

STATE POLICIES FOR LOCAL ACTION

The Legislature has traditionally delegated responsibility for land use planning and development decisions to local officials. Nevertheless, this delegation carries with it several policies that direct local decisions which affect the use of agricultural lands. These policies, most of which passed in the late 1960s to mid-1970s, appear in laws which set out local officials' land use duties.
The Legislature has created a variety of optional methods for cities and counties to use in the conservation of productive agricultural lands including exclusive agricultural zones, agricultural preserves, the Williamson Act, open-space easements, and conservation easements (Resolution Chapter 81, Statutes of 1981).

Local land use practices should ensure the preservation of open space for scenic beauty, recreation, the conservation of natural resources, the production of food and fiber, the separation and definition of developed areas, and the protection of public health and safety (Planning and Zoning Law; Government Code Sections 65560 and 65561).

The Legislature intends for cities and counties to conserve open space whenever possible, including productive agricultural land (Planning and Zoning Law; Government Code Section 65562).

It is the state's intent that local land use decisions, such as zoning, follow local open space policies and the state statutes (Planning and Zoning Law; Government Code Sections 65563, 65564, 65566, and 65567).

Development should be guided away from prime agricultural lands and instead encouraged on vacant and non-prime lands (Knox-Nisbet Act; Government Code Sections 54774.5 and 54790.2).

A local agency formation commission cannot automatically approve an annexation of prime agricultural land to a city, even if the area is surrounded by the city or it within a designated urban service area (Municipal Organization Act; Government Code Section 35150[a]).

Productive agricultural land should be excluded from agencies which finance public facilities and services unless they benefit (Mello-Roos Community Facilities Act; Government Code Section 53325.6 and Public Resources Code Section 29427 b[4]).

Using land for commercial agricultural production cannot be a "nuisance" to surrounding land uses if it has been operating for at least three years (Civil Code Section 3482.5).

AGRICULTURAL LAND IN SPECIAL AREAS

When creating land use laws for areas of particular importance, the Legislature has recognized the special need to conserve land in agricultural use. This has occurred in three unique settings: the coastal zone, the Suisun Marsh, and around the San Francisco Bay.
• The maximum amount of prime agricultural land in the coastal zone shall be maintained in production to protect the agricultural economy (California Coastal Act; Public Resources Code Sections 30241 and 31050).

• Coastal agricultural land shall not be converted to other uses, except in specified cases (California Coastal Act; Public Resources Code Sections 30242, 30243, 30610.1[b], and 31051).

• The State Coastal Conservancy shall give highest priority to protecting agricultural land in urban fringe areas (Public Resources Code Sections 31054 and 31151).

• The need to retain agricultural land for long-term use and production near the Suisun Marsh caused the Legislature to create special standards for its conservation (Suisun Marsh Preservation Act; Public Resources Code Sections 29427-29433).

• The San Francisco Bay Conservation and Development Commission shall encourage Williamson Act contracts to protect agricultural land in BCDC's jurisdiction (McAteer-Petris Act; Government Code Section 66606.6).
APPENDIX

This Appendix reprints the text of the sections cited in the report. The sections appear in numeric order, rather than in the order in which the report presents them. In some cases the relevant portion of a section is only part of a much longer section. For example, Section 35150 of the Government Code provides the powers of local agency formation commissions, but only subdivision (a) speaks directly to legislative policy on agricultural land use.

From the CIVIL Code, regarding nuisance:

3482.5. (a) No agricultural activity, operation, or facility, or appurtenances thereof, conducted or maintained for commercial purposes, and in a manner consistent with proper and accepted customs and standards, as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after the same has been in operation for more than three years if it was not a nuisance at the time it began.

(b) Subdivision (a) shall not apply if the agricultural activity, operation, or facility, or appurtenances thereof obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or any public park, square, street, or highway.

(c) This section shall not invalidate any provision contained in the Health and Safety Code, Fish and Game Code, Food and Agricultural Code, or Division 7 (commencing with Section 13000) of the Water Code, if the agricultural activity, operation, or facility, or appurtenances thereof, constitute a nuisance, public or private, as specifically defined or described in any such provision.

(d) This section shall prevail over any contrary provision of any ordinance or regulation of any political subdivision of the state.

(e) For purposes of this section, the term "agricultural activity, operation, or facility, or appurtenances thereof" shall include, but not be limited to, the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural commodity including timber, viticulture, apiculture, or horticulture, the raising of livestock, fur bearing animals, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or to market, or to carriers for transportation to market.
821. As part of promoting and protecting the agricultural industry of the state and for the protection of the public health, safety, and welfare, the Legislature shall provide for a continuing sound and healthy agriculture in California, and shall encourage a productive and profitable agriculture, by reviewing the impact of actions taken on the following factors:

(a) Productive agricultural land.
(b) Agricultural water supplies.
(c) Agricultural energy resources.
(d) Pest control and pest exclusion, detection, and eradication activities.
(e) Agricultural labor.
(f) Agricultural production tools, including, but not limited to, fertilizers and implements of husbandry.
(g) Marketing agricultural products in the domestic and foreign markets.
(h) Agricultural research, education, and agricultural extension programs.
(i) Agricultural transportation and distribution systems.
(j) Agricultural financing.
(k) Family owned farms.
(l) Activities of county agricultural commissioners.
(m) Agricultural exhibits at state-supported fairs.
From the Municipal Organization Act of 1977, in the GOVERNMENT CODE:

35150. The commission shall have the powers and duties set forth in Chapter 6.6 (commencing with Section 54773) of Part 1, Division 2, Title 5, and such additional powers and duties as are specified in this part, including the following:

(a) To review and approve or disapprove with or without amendment, wholly, partially, or conditionally proposals for the incorporation of cities, for changes of organization of cities, and municipal reorganizations; provided, however, that a commission shall not have the power to disapprove an annexation, initiated by resolution, of contiguous territory which the commission finds is either (1) surrounded or substantially surrounded by the city to which the annexation is proposed or by such city and a county boundary or the Pacific Ocean if the territory to be annexed is substantially developed or developing, is not prime agricultural land as defined in Section 35046, is designated for urban growth by the general plan of the annexing city, and is not within the sphere of influence of another city or, (2) located within an urban service area which has been delineated and adopted by a commission, which is not prime agricultural land, as defined in Section 35046, and is designated for urban growth by the general plan of the annexing city.

As a condition to the annexation of an area, which is surrounded or substantially surrounded by the city to which the annexation is proposed, the commission may require, where consistent with the purposes of this chapter, that the annexation include the entire island of surrounded or substantially surrounded territory.

(b) With regard to a proposal for annexation or detachment of territory to, or from, a city, or with regard to a proposal for municipal reorganization which includes annexation or detachment, to determine whether territory proposed for annexation or detachment, as described in its resolution approving the annexation, detachment, or municipal reorganization, is inhabited or uninhabited. Such determination shall be based on the definitions of "inhabited territory" contained in Section 35038.

(c) With regard to a proposal for consolidation of two or more cities, to determine which city shall be the consolidated, successor city.

(d) To adopt standards and procedures for the evaluation of plans for providing municipal services submitted pursuant to Section 35102.

(e) To waive the restrictions of Section 35010, if it finds that the application of the restrictions would be detrimental to the orderly development of the community and that the area that would be enclosed as a result of incorporation or annexation is so located that it cannot reasonably be annexed to another city or incorporated as a new city.

(f) To approve the annexation of unincorporated, noncontiguous territory not exceeding 160 acres in area, located in the same county as that in which the city is located, and which is owned by a city and used for municipal purposes; and to authorize the conducting authority to annex such territory without notice or hearing.

(g) Subject to the provisions of Section 35031, to designate in the resolution making determinations the conducting authority for proceedings.
(h) When a municipal reorganization includes the annexation of inhabited territory to a city and the assessed value of land within such territory equals one-half or more of the assessed value of land within the city, or the number of registered voters residing within such territory equals one-half or more of the number of registered voters residing within the city, to determine as a condition of the reorganization that the reorganization shall also be subject to confirmation by the voters in an election to be called, held, and conducted within the territory of the city to which annexation is proposed.

(i) With respect to the incorporation of a new city, to determine the number of inhabitants or the number of registered voters residing within the proposed city.

Except as otherwise provided in this part, such powers and duties shall be exercised in accordance with the provisions of Chapter 6.6 (commencing with Section 54773) of Part 1 of Division 2 of Title 5. To the extent of any inconsistency between Chapter 6.6 and this part, the provisions of this part shall control.

This section shall remain in effect only until January 1, 1988, and as of such date is repealed, unless a later enacted statute, which is chaptered before January 1, 1988, deletes or extends such date.

From the California Land Conservation Act of 1965 or the Williamson Act, in the GOVERNMENT CODE:

51220. The Legislature finds:

(a) That the preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources, and is necessary not only to the maintenance of the agricultural economy of the state, but also for the assurance of adequate, healthful and nutritious food for future residents of this state and nation.

(b) That the agricultural work force is vital to sustaining agricultural productivity; that this work force has the lowest average income of any occupational group in this state; that there exists a need to house this work force of crisis proportions which requires including among agricultural uses the housing of agricultural laborers; and that such use of agricultural land is in the public interest and in conformity with the state's Farmworker Housing Assistance Plan.

(c) That the discouragement of premature and unnecessary conversion of agricultural land to urban uses is a matter of public interest and will be of benefit to urban dwellers themselves in that it will discourage discontiguous urban development patterns which unnecessarily increase the costs of community services to community residents.

(d) That in a rapidly urbanizing society agricultural lands have a definite public value as open space, and the preservation in agricultural production of such lands, the use of which may be limited under the provisions of this chapter, constitutes an important physical, social, esthetic and economic asset to existing or pending urban or metropolitan developments.
(e) That land within a scenic highway corridor or wildlife habitat area as defined in this chapter has a value to the state because of its scenic beauty and its location adjacent to or within view of a state scenic highway or because it is of great importance as habitat for wildlife and contributes to the preservation or enhancement thereof.

(f) For these reasons, this chapter is necessary for the promotion of the general welfare and the protection of the public interest in agricultural land.

From the Mello-Roos Community Facilities Act, in the GOVERNMENT CODE:

53325.6. Land devoted primarily to agricultural, timber or livestock uses and being used for the commercial production of agricultural, timber, or livestock products shall be included in a community facilities district only if such land is contiguous to other land which is included within the described exterior boundaries of the public services district, and only if the legislative body finds that the land will be benefited by the types of public facilities and services proposed to be provided within the district. The land may, however, be included in the community facilities district if the owner requests its inclusion.

From the Knox-Nisbet Act, in the GOVERNMENT CODE:

54774.5. It is the intent of the Legislature that local agency formation commissions establish policies and exercise their powers pursuant to this chapter in such manner to encourage and provide planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within such patterns.

54790.2. 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 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 such an 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 an agency's existing jurisdiction or within an agency's sphere of influence 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 agency's existing jurisdiction or outside of an agency's existing sphere of influence.
65030. The Legislature finds and declares that California's land is an exhaustible resource, not just a commodity, and is essential to the economy, environment and general well-being of the people of California. It is the policy of the state and the intent of the Legislature to protect California's land resource, to insure its preservation and use in ways which are economically and socially desirable in an attempt to improve the quality of life in California.

65030.2 It is further the policy of the state and the intent of the Legislature that land use decisions be made with full knowledge of their economic and fiscal implications, giving consideration to short-term costs and benefits, and their relationship to long-term environmental impact as well as long-term costs and benefits.

65560. (a) "Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:

1. Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

2. Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

3. Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

4. Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.
The Legislature finds and declares as follows:

(a) That the preservation of open-space land, as defined in this article, is necessary not only for the maintenance of the economy of the state, but also for the assurance of the continued availability of land for the production of food and fiber, for the enjoyment of scenic beauty, for recreation and for the use of natural resources.

(b) That discouraging premature and unnecessary conversion of open-space land to urban uses is a matter of public interest and will be of benefit to urban dwellers because it will discourage noncontiguous development patterns which unnecessarily increase the costs of community services to community residents.

(c) That the anticipated increase in the population of the state demands that cities, counties, and the state at the earliest possible date make definite plans for the preservation of valuable open-space land and take positive action to carry out such plans by the adoption and strict administration of laws, ordinances, rules and regulations as authorized by this chapter or by other appropriate methods.

(d) That in order to assure that the interests of all its people are met in the orderly growth and development of the state and the preservation and conservation of its resources, it is necessary to provide for the development by the state, regional agencies, counties and cities, including charter cities, of statewide coordinated plans for the conservation and preservation of open-space lands.

(e) That for these reasons this article is necessary for the promotion of the general welfare and for the protection of the public interest in open-space land.

It is the intent of the Legislature in enacting this article:

(a) To assure that cities and counties recognize that open-space land is a limited and valuable resource which must be conserved wherever possible.

(b) To assure that every city and county will prepare and carry out open-space plans which, along with state and regional open-space plans, will accomplish the objectives of a comprehensive open-space program.

On or before December 31, 1973, every city and county shall prepare, adopt and submit to the Secretary of the Resources Agency a local open-space plan for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction. Every city and county shall by August 31, 1972, prepare, adopt and submit to the Secretary of the Resources Agency, an interim open-space plan, which shall be in effect until December 31, 1973, containing, but not limited to, the following:

(a) The officially adopted goals and policies which will guide the preparation and implementation of the open-space plan; and

(b) A program for orderly completion and adoption of the open-space plan by December 31, 1973, including a description of the methods by which open-space resources will be inventoried and conservation measures determined.
65564. Every local open-space plan shall contain an action program consisting of specific programs which the legislative body intends to pursue in implementing its open-space plan.

65566. Any action by a county or city by which open-space land or any interest therein is acquired or disposed of or its use restricted or regulated, whether or not pursuant to this part, must be consistent with the local open-space plan.

From the McAteer-Petris Act, in the GOVERNMENT CODE:

66606.6. Nothing in this title shall deny the right of private property owners and local governments to establish agricultural preserves and enter into contracts pursuant to the provisions of the California Land Conservation Act of 1965. The commission, within six months after the effective date of this section, shall institute an affirmative action program to encourage local governments to enter into contracts under the California Land Conservation Act of 1965 with owners of property to which the provisions of that act may be applicable.

From the PUBLIC RESOURCES CODE, regarding resource conservation districts:

9001. The Legislature hereby declares that resource conservation is of fundamental importance to the prosperity and welfare of the people of this state. The Legislature believes that the state must assume leadership in formulating and putting into effect a statewide program of soil and water conservation and related natural resource conservation and hereby declares that the provisions of this division are enacted to accomplish the following purposes:

(a) To provide the means by which the state may cooperate with the United States and with resource conservation districts organized pursuant to this division in securing the adoption in this state of conservation practices, including but not limited to, farm, range, open space, urban development, wildlife, recreation, watershed, water quality, and woodland, best adapted to save the basic resources, soil, water, and air of the state from unreasonable and economically preventable waste and destruction.

(b) To provide for the organization and operation of resource conservation districts for the purposes of soil and water conservation, the control of runoff, the prevention and control of soil erosion, and erosion stabilization, including, but not limited to, these purposes in open areas, agricultural areas, urban development, wildlife areas, recreational developments, watershed management, the protection of water quality and water reclamation, the development of storage and distribution of water, and the treatment of each acre of land according to its needs. Such districts, in addition to their other powers, shall have legal authority:
(1) To cooperate with the United States, this state, counties, cities, public districts, other resource conservation districts, persons, associations, and corporations.

(2) With the consent of the owner, to construct on privately or publicly owned lands necessary works for the prevention and control of soil erosion and erosion stabilization.

Such districts shall not have legal authority to conserve water for power purposes or to produce or distribute power for their own use or for the use of others.

From the California Environmental Quality Act, in the PUBLIC RESOURCES CODE:

21000. The Legislature finds and declares as follows:

(a) The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.

(b) It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man.

(c) There is a need to understand the relationship between the maintenance of high-quality ecological systems and the general welfare of the people of the state, including their enjoyment of the natural resources of the state.

(d) The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.

(e) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.

(f) The interrelationship of policies and practices in the management of natural resources and waste disposal requires systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.

(g) It is the intent of the Legislature that all agencies of the state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate such activities so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.
21001. The Legislature further finds and declares that it is the policy of the state to:
(a) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state.
(b) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.
(c) Prevent the elimination of fish or wildlife species due to man’s activities, insure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.
(d) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.
(e) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.
(f) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.
(g) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment.

From the Suisun Marsh Preservation Act of 1977, in the PUBLIC RESOURCES CODE:

29427. (a) Prior to certification of the county’s component of the local protection program, the county shall designate the area of the county adjacent to the marsh that should be retained in agricultural use, or in uses that are compatible with agricultural use, in order to ensure the long-term agricultural use and productivity of agricultural lands within the marsh.
(b) Within such area the county shall do all of the following prior to certification of the county’s component: (1) determine the minimum size parcels necessary for long-term agricultural use and productivity, (2) establish enforceable standards limiting or prohibiting land divisions or other types of development that are inconsistent with protection of the marsh and continued agricultural use, (3) establish enforceable standards precluding agricultural uses by type and intensity that are inconsistent with the long-term preservation of the marsh, and (4) limit special assessments against agricultural lands for the provision of public services, the demand for which is not generated by agricultural uses on such lands.
(c) No change by the county of any designation, standard, or limitation established pursuant to this section shall become effective until 30 days after it has notified the commission of the proposed change and unless it makes a specific finding that the change will not adversely affect, directly or indirectly, the long-term agricultural use and productivity of agricultural lands within the marsh.
29430. (a) Any person who owns land within the marsh that is being used for the purpose of agriculture or wildlife habitat on January 1, 1978, or that is used for such a purpose at any time after that date, may petition the local government having jurisdiction over the land to enter into a contract pursuant to the California Land Conservation Act of 1965 (Williamson Act) (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5 of the Government Code) or a wildlife habitat contract, as defined in subdivision (f) of Section 421 of the Revenue and Taxation Code.

(b) Upon receipt of a petition pursuant to subdivision (a), such local government is authorized to, and shall, enter into such contract with the petitioning landowner.

29431. Neither the acreage limitations contained in Section 51230 of the Government Code and subdivision (f) of Section 421 of the Revenue and Taxation Code, nor the requirements of Section 51242 of the Government Code, shall apply to any contract entered into pursuant to this article.

29432. Notwithstanding the provisions of subdivision (b) of Section 51243 of the Government Code, upon the annexation by a city of any land within the marsh that is under contract with the county, the city shall succeed to all rights, duties, and powers of the county under such contract and the contract shall remain effective for all purposes even if (1) the land being annexed was within one mile of such city at the time that the contract was entered into; (2) the city had filed, and the local agency formation commission had approved, a protest to the contract pursuant to Section 51234.5 of the Government Code; and (3) the city had stated its intent not to succeed in its resolution of intention to annex.

29433. (a) Notwithstanding Sections 51282, 51283, 51283.3, and 51285 of the Government Code, no contract with any person concerning land within the marsh and entered into by any local government pursuant to the California Land Conservation Act of 1965 (Williamson Act) (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1 of Title 5 of the Government Code) or pursuant to subdivision (f) of Section 421 of the Revenue and Taxation Code may be canceled, nor shall a notice of nonrenewal of any such contract by any local government be effective, without the consent of the commission, if such contract was in effect on or after September 27, 1974.

(b) The commission may not consent to the cancellation or notice of nonrenewal of any such contract unless the commission finds that such cancellation or nonrenewal is consistent with the provisions of this division and the protection plan.

(c) Other than as expressly provided herein, this section does not affect the right of any person or local government relating to the renewal or nonrenewal of any such contract.
30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

(a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.

(b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.

(c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.

(d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.

(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.

(f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of prime agricultural lands.

30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

30243. The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities.
30610.1. (a) Prior to certification of the applicable local coastal program, no coastal development permit shall be required for the construction of a single-family residence on any vacant lot meeting the criteria set forth in subdivision (c) and located in a specified area designated by the commission pursuant to subdivision (b).

(b) Within 60 days from the effective date of this section, the commission shall designate specific areas in the coastal zone where the construction of a single-family residence on a vacant lot meeting the criteria set forth in subdivision (c) shall not require a coastal development permit. Areas shall be designated for the exclusion provided for in this section if construction of single-family residences within the area to be designated has no potential, either individually or cumulatively, for significant adverse impacts on highly scenic resources of public importance, on environmentally sensitive areas, on prime agricultural land or on agricultural lands currently in production, or on public access to or along the coast.

In addition, if septic tanks will be required or used, an area identified as having septic tank problems by the appropriate regional water quality control board or the State Water Resources Control Board in an approved basin plan or by other formal action of such board may not be designated for exclusion pursuant to this section.

(c) Within areas designated pursuant to subdivision (b), no coastal development permit shall be required for the construction of a single-family residence on any vacant lot which meets all of the following criteria:

1. Is not located between the first public road and the sea or immediately adjacent to the inland extent of any beach or of the mean high tide line where there is no beach.

2. Is a legal lot as of the effective date of this section and conforms with the minimum lot size and lot use designations of the applicable general plan and zoning ordinances.

3. Is not located within an area known to the affected local government, or designated by any other public agency, as a geologic hazard area or as a flood hazard area, or, if located within such an area, it has been determined by the affected local government to be a safe site for the construction of a single-family residence.

4. Is no more than 250 feet from an existing improved road adequate for use throughout the year.

5. Can be served by an adequate water supply that is legally available for use either by means of a well or by means of a connection to a water system with sufficient capacity to serve such lot or lots; provided, that no such connection shall require the extension of an existing water main which would have the capacity of serving four or more additional single-family residential structures.

(d) The commission shall, within 120 days from the effective date of this section, specify uniform criteria that shall be used to determine the location of "the first public road" and the inland extent of any beach for purposes of paragraph (1) of subdivision (c).

(e) Within 30 days after the 120-day period specified in subdivision (b), the commission shall report to the Legislature and the Governor what has been done to carry out the provisions of this section.

(f) The provisions of this section shall apply notwithstanding any other provision of this division to the contrary.
From the PUBLIC RESOURCES CODE, regarding the State Coastal Conservancy:

31050. The Legislature finds and declares that the agricultural lands located within the coastal zone contribute substantially to the state and national food supply and are a vital part of the state's economy.

31054. It is the policy of the state and the intent of the Legislature to provide for the State Coastal Conservancy, which should report to the Governor and to the Legislature, with responsibility for implementing a program of agricultural protection, area restoration, and resource enhancement in the coastal zone within policies and guidelines established pursuant to Division 20 (commencing with Section 30000).

31151. In acquiring interest in agricultural lands, as provided in this division, the conservancy shall give the highest priority to urban fringe areas where the impact of urbanization on agricultural lands is greatest.

From Chapter 1534, STATUTES OF 1970, regarding planning:

Sec. 4. The Office of Planning and Research shall give immediate and high priority to the development of land use policy. As a first component of such policy, the office shall develop, in conjunction with appropriate state departments and federal, regional and local agencies, a statewide plan and implementation program for protecting land and water resources of the state which are of statewide significance in terms of the state's natural resource base and the preservation and enhancement of environmental quality and are threatened due to urban expansion, incompatible public or private use or development or other circumstances.

The planning program shall consider, but not be limited to:
1. Areas of outstanding scientific, scenic and recreation value.
2. Areas which are required as habitat for significant fish and wildlife resources, including rare and endangered species.
3. Forest and agricultural lands which are judged to be of major importance in meeting future needs for food, fiber and timber.
4. Areas which provide green space and open areas in and around high-density metropolitan development.
5. Areas which are required to provide needed access to coastal beaches, lakeshores, and riverbanks.
6. Areas which require special development regulation because of hazardous or special conditions, such as earth-quake fault zones, unstable slide areas, flood plains, and watersheds.
7. Areas which serve as connecting links between major public recreation and open-space sites, such as utility easements, streambanks, trails, and scenic highway corridors.
8. Areas of major historic or cultural interest.
From Resolution Chapter 81, STATUTES OF 1981, regarding the conservation of agricultural lands:

WHEREAS, The Legislature recognizes that premature and unnecessary development of agricultural lands to urban uses continues to have adverse effects on the availability of such lands for agricultural uses and on the economy of the state; and

WHEREAS, The Legislature has also created a variety of optional methods for cities and counties to use in the conservation of productive agricultural lands including exclusive agricultural zones, agricultural preserves, the Williamson Act, open-space easements, and conservation easements; and