

POLICIES FOR GILROY AGRICULTURAL LANDS AREA

Statement of Intent:

It is the intent of LAFCO to establish policies for the area east and south of the City of Gilroy, to reflect the inter-jurisdictional agreement entitled "[*Strategies to Balance Planned Growth and Agricultural Viability*](#)," which was endorsed by the City of Gilroy on September 23, 1996, LAFCO on October 9, 1996 and the County Board of Supervisors on October 29, 1996. The agreement is intended to ensure the economic viability of agricultural businesses and to preserve productive agricultural lands south and east of Gilroy for continued agricultural use.

The agreement is primarily comprised of lands east of U.S. 101, south of Buena Vista Avenue to the County boundary, shown as the "agricultural preserve area" on the 1996 map prepared for this agreement, entitled "Gilroy Development Boundaries," included as Exhibit A to these policies. These policies will refer to this area as the Gilroy Agricultural Lands Area.

It is the intent of LAFCO to establish these policies in recognition of the commitment of the City of Gilroy to strengthen the "20 year planning boundary" in the area east of U.S. 101, as part of the inter-jurisdictional agreement. The City's 20 year planning boundary has been in effect since 1979, as part of the City's General Plan.

Some of the policies for the Gilroy Agricultural Lands Area are the same as those listed in previously established LAFCO Policies and Guidelines. They have been included in this section to form a complete set of policies for the Gilroy Agricultural Lands Area.

Policies:

1. LAFCO supports the City's "20 year boundary" east of U.S. 101, as it existed in 1996, and will not approve any Urban Service Area (USA) expansion request and/or reorganization proposal to the north, east or south of this portion of the 20 year boundary, except as provided in Policy No. 6 below. An additional exception to this policy would be lands needed for the specific purpose of expanding the South County Regional Waste Water Authority (SCRWA) plant.
2. LAFCO acknowledges the City's adoption of a stable 20 year boundary east of U.S. 101 to be an effective measure of protection for a significant amount of important agricultural lands east and south of Gilroy, and also acknowledges those lands within the existing 20 year boundary are less likely to remain in long term agricultural use.
3. When reviewing proposals within the 20 year boundary east of U.S. 101 on lands that have agricultural or open space value (regardless of the City zoning

designation), LAFCO may consider this boundary, together with actions taken to implement the other agricultural protection strategies of the inter-jurisdictional agreement, to be a mitigation for the loss of prime soils, agricultural land and/or open space.

4. Urban service area expansion proposals within the 20 year boundary east of U.S. 101 must be contiguous to the current urban service area boundary, and may not include lands under current Williamson Act contract, unless the landowner has applied for non-renewal of the Williamson Act contract within the time limits prescribed in the contract.
5. In addition to the conditions listed above in Policy No. 4 above, LAFCO will consider City urban service area requests specifically within the 20 year boundary east of U.S. 101, as it existed in 1996, based upon, but not limited to, the following factors. The City shall provide this information at the time of application.
 - a. The City's ability to provide adequate urban services without detracting from current service levels.
 - b. Analysis of why the conversion of land to urban uses is necessary to promote planned, orderly, efficient development of the city, given the existing amount of similarly designated vacant land within the existing USA .
 - c. The ability of school districts to provide school facilities.
 - d. The role of special districts in providing services.
 - e. Fiscal impacts of the proposal upon affected agencies.
6. If the City amends the 20-year boundary east of U.S. 101 as it existed in 1996, LAFCO will carefully consider the amendment before endorsement of the new boundary. LAFCO will not approve any City proposals outside of the 1996 boundary east of U.S. 101 unless the commission has endorsed the amended 20-year boundary. Factors to be considered, both for endorsement of an amended boundary and for any specific proposal, will include, but not be limited to, the following. The City shall provide this information at the time of application.
 - a. City's demonstration of how mitigation for previous USA expansion projects will continue to be provided, in cases where the mitigation for loss of prime agricultural land within the 20 year boundary line east of U.S. 101 depended upon the stabilization of that boundary as it existed in 1996.
 - b. The City's participation in efforts to support the viability of agriculture business and the preservation of agricultural lands, including strategies listed

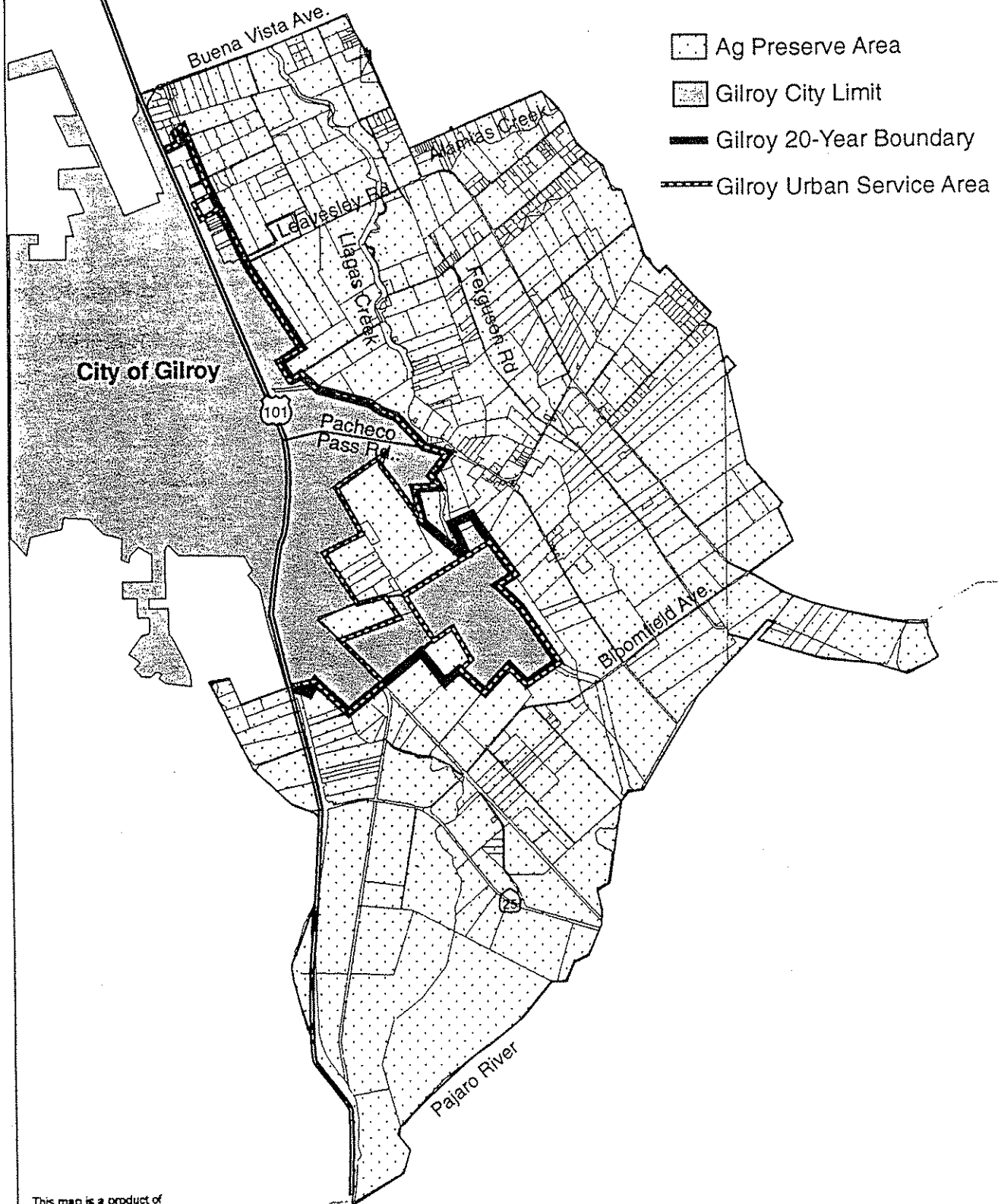
in the adopted *"Strategies to Balance Planned Growth and Agricultural Viability."*

- c. Whether the conversion of agricultural and other open space lands is premature, based upon the availability of other areas of vacant land having the same land use designation already within the USA.
 - d. The ability of the City to provide adequate urban services without detracting from current service levels or incurring excessive infrastructure or services costs.
 - e. The ability of school districts to provide school facilities.
 - f. The role of special districts in providing services.
 - g. Consideration of public safety hazards within the expansion area, including flood hazards.
 - h. The impact of public facilities, such as roads, upon adjacent agricultural lands.
 - i. Fiscal impacts upon affected agencies.
7. LAFCO will only consider amending the Urban Service Area every twelve months, in keeping with previously established LAFCO Policies And Guidelines. The City may submit several requests in one application, and may combine requests in the Gilroy Agricultural Lands Area with proposals from other portions of the city for consideration. As with any urban service area expansion proposal, each geographic area will be considered separately.

Adopted February 12, 1997

EXHIBIT A

Gilroy Development Boundaries



This map is a product of Santa Clara County, Office of Planning

This map is a digital representation of data collected from various sources. The County assumes no responsibility for data accuracy.

December 1996