



AB 551: An Opportunity to Promote Urban Agriculture in North Fair Oaks and San Mateo County

A MEMORANDUM BY THE SAN MATEO COUNTY FOOD SYSTEM ALLIANCE

OCTOBER 2015



About the San Mateo County Food System Alliance

The San Mateo County Food System Alliance (SMFSA) is a community-based collaborative of farmers, fishermen, farmers' market managers, public health and environmental professionals, garden-based educators, distributors, and residents seeking to promote and support a sustainable food system. The SMFSA aims to increase access to healthy, local food for all residents, increase the economic viability of our food system, and ensure that land and waterways are not just maintained, but are preserved for future generations.

This project was undertaken by the SMFSA Policy Committee, which is a sub-committee of the San Mateo County Food System Alliance. The Policy Committee aims to increase access to healthy, local food for all residents and increase the economic viability of the county's food system through planning and policy change.

Acknowledgements

Thank you to the San Mateo County Food System Alliance Policy Committee AB 551 Working Group members for their efforts in conducting this study and authoring this memo.

- Peter Ruddock, Slow Money and Policy Committee Chair
- Adrienne Etherton, Sustainable San Mateo County
- Gladwyn D'Souza, Sierra Club
- Garrett Dunwoody, San Mateo County Resident
- Thomas Atwood, Fools Mission

We would also like to thank the San Mateo County Health System for serving as a technical advisor on this initiative and the San Mateo County Planning Department for sharing Vacant Parcel data for unincorporated areas in San Mateo County, without which this report would not have been possible.

In addition to the San Mateo County Food System Alliance members, the following organizations endorse the recommendations in this memo to implement AB 551 for urban agriculture in San Mateo County:

- [Sustainable San Mateo County](#)
- [Fools Mission](#)
- [Collective Roots](#)
- [Sierra Club, Loma Prieta Chapter](#)

Contact

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For more information about the San Mateo County Food System Alliance, visit <https://sanmateofoodsystemalliance.wordpress.com/> or <http://www.aginnovations.org/project/san-mateo-food-system-alliance>

Recommendation

The San Mateo County Food System Alliance Policy Committee recommends that the San Mateo County Board of Supervisors support local implementation of AB 551: Urban Agriculture Incentive Zones Act in unincorporated areas of the county. Additionally, the Board of Supervisors should adopt a 'Resolution of Approval' that grants cities authority to adopt and implement an UAIZ ordinance within their jurisdictions.

Background

Enacted January 1, 2014, AB 551 is a state bill that empowers California's cities and counties to pass ordinances to create "Urban Agriculture Incentive Zones," which allows landowners to receive tax incentives for dedicating land to agriculture uses.



Urban Agriculture Incentive Zones (UAIZ) can only be established in "urban areas," as defined by the US Census with populations of 250,000 or more. Owners of privately owned, vacant, unimproved, or blighted land can receive a significant reduction in their property taxes by voluntarily participating in the program and complying with the provisions bulleted below. Taxes on parcels enrolled in the UAIZ are assessed on the annual average per acre value of irrigated cropland in California.

- Dedicate their land for commercial or noncommercial small-scale agricultural use (i.e. urban agriculture, community gardens, etc.) for no less than an initial term of 5 years.
- Parcel size is between 0.10 and 3.0 acres.
- Have no dwelling structures on parcel other than structures that support agricultural activity, including, but not limited to, toolsheds, greenhouses, produce stands, and instructional space.

Benefits of Urban Agriculture through AB 551

This law provides new opportunities to foster urban agriculture in cities and unincorporated areas in San Mateo County and can offer the following benefits that are aligned with the County's Shared 2025 Vision:

Healthy and Safe Community

- Strengthen the local food system.
- Improve social wellbeing, mental and physical health through vibrant green spaces and physical activity from gardening.

Prosperous Community

- Revitalize neighborhoods and blighted areas and strengthen community connections.
- Reduce community food insecurity and increase access to healthy, locally grown foods.
- Implement community education programs pertaining to the local food system, farming, health, and nutrition.
- Increase employment and entrepreneurship opportunities.

Environmentally Conscious Community

- Improve environmental quality and health of the ecosystem.

AB 551 in the Bay Area and Beyond



Many jurisdictions have implemented AB 551 throughout the Bay Area. These include:

San Francisco was the first City/County in the state to adopt and implement an AB 551 Ordinance in 2014.

Santa Clara County passed a Resolution of Approval authorizing cities to implement AB 551 in June 2015 and created the State's first Urban Agriculture Incentive Zone for unincorporated areas of a County in September 2015.

Los Angeles County Board of Supervisors passed a motion in September instructing county staff to develop an urban agriculture incentive zone ordinance within six months.

City of San Jose held hearings about establishing a UAIZ within city limits in October and city staff are now engaged in examining the topic.

City of Sacramento passed an AB 551 ordinance in August 2015 and the **County of Sacramento** is exploring the idea.

Ashland/Cherryland Food Policy Council released a local implementation report for **Alameda County** in June 2015.

City of Berkeley currently has staff exploring AB 551 opportunities.

City of Los Angeles Food Policy Council Urban Ag Working Group and the **Fresno** Food Policy Council are currently exploring implementation options.

Planning for Urban Agriculture in North Fair Oaks and Beyond

The statewide passage of AB 551 presented an opportunity for the San Mateo Food System Alliance (SMFSA) to further its work in promoting a sustainable food system in San Mateo County through urban agriculture. To accomplish this, the SMFSA Policy Committee’s AB 551 Working Group undertook the task of evaluating the potential implementation of AB 551 in unincorporated areas in San Mateo County. As part of this initiative, the Working Group first focused their efforts on exploring the potential implementation of AB 551 in North Fair Oaks, a low-income unincorporated community in San Mateo County that offers opportunity to support and enhance health and well-being.

NORTH FAIR OAKS

The negative health outcomes experienced due to food insecurity, unhealthy diets, and a food environment that encourages unhealthy choices can be improved by augmenting residents’ access to healthy food options in North Fair Oaks. The North Fair Oaks Community Plan adopted in 2011 calls for increasing and promoting healthy food options in the community, with a goal to “expand opportunities for residents to grow food in North Fair Oaks” (Goal 5.5) and “create new employment opportunities for residents through urban farming (Goal 8.1) by:

- Encouraging pilot initiatives in commercial urban agriculture on vacant and underutilized sites. (Policy 1C)
- Using community gardens as an interim and potentially permanent use of vacant or underutilized land. (Policy 5B)
- Reducing or eliminating barriers in the zoning code to creation of community gardens, and consider allowing community gardens “by right” in parts of North Fair Oaks. (Policy 5C)



St. Francis Center Community Garden, North Fair Oaks

- Providing support for community groups to develop lease agreements with owners of vacant lots to establish short-term gardens to mitigate blight. (Policy 5G)

Expanding access to land for growing food through AB 551 in North Fair Oaks is very much in line with the goals and policies of the North Fair Oaks Community Plan. AB 551 will help residents improve their health by engaging in gardening related physical activity, learning about farming and nutrition, and consuming healthier food. In addition, this will help beautify the community and

encourage new initiatives in commercial urban agriculture that offer employment opportunities for residents, including youth and immigrants.

OTHER UNINCORPORATED AREAS IN SAN MATEO COUNTY

An initial analysis of suggested vacant parcel data for other unincorporated areas in San Mateo County has revealed that implementation of AB 551 in unincorporated “Urban Areas” in San Mateo County is expected to accrue benefits similar to those in North Fair Oaks. These include the following Unincorporated Urban Areas (as defined by US. Census Bureau):

- Broadmoor
- Harbor Industrial
- Sequoia Tract
- Fair Oaks
- Ladera
- County Club Park
- Burlingame Hills
- San Mateo Highlands
- Devonshire
- Emerald Lake Hills
- West Menlo Park
- Menlo Oaks

See Appendix A on page 6 for additional details on vacant parcel availability in unincorporated San Mateo County.



Recommendation



AB 551 has the potential to be a promising policy to foster urban agriculture and a sustainable food system in San Mateo County.

The San Mateo County Food System Alliance recommends that the San Mateo County Board of Supervisors support the local implementation of AB 551 in unincorporated areas of the County and also adopt a Resolution of Approval' to enable cities to implement AB 551 within their jurisdictions. Suggested next steps to move this initiative forward include:

1. Board of Supervisors support AB 551 initiative and adopt Resolution of Approval to enable cities in San Mateo County to implement AB 551 within their jurisdictions.
2. Board of Supervisors direct County staff to further study the issue and work with internal and external stakeholders (such as SMFSA) to draft an ordinance to implement Assembly Bill 551 in San Mateo County:
 - a. This may require coordination among the following County department (internal stakeholders): County Manager's Office, County Planning Department, Health System, Office of County Assessor, and County Agriculture Commissioner's Office.
 - b. Identify AB 551 eligible parcels within unincorporated areas and calculate potential AB 551 adjusted property tax assessments for eligible properties.
 - c. Determine if current zoning ordinances need to be revised to provide for urban agriculture as envisioned by AB 551 on privately owned vacant, unimproved, or blighted lots.
 - d. Designate physical boundaries of UAIZ.
 - e. Engage and work with external stakeholders such as the SMFSA to develop legislation addressing the application, administration and enforcement of AB 551 for the Board of Supervisors to adopt.
 - f. Outreach to property owners of vacant parcels after adoption of ordinance.

Appendix A: AB 551 Implementation in North Fair Oaks

CURRENT HEALTH AND FOOD ENVIRONMENT IN NORTH FAIR OAKS

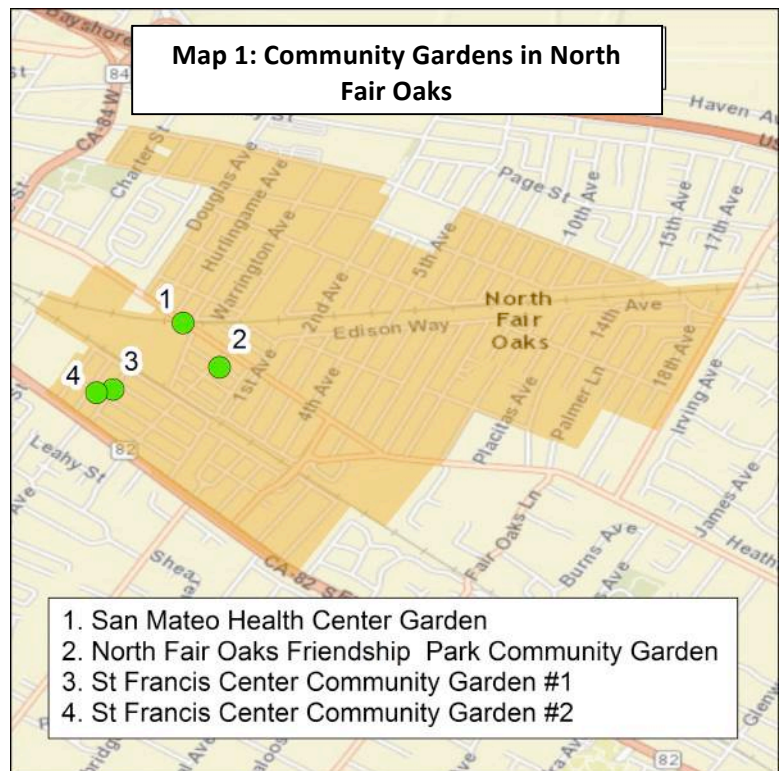
North Fair Oaks (NFO) is located in the southern part of San Mateo County and has 14,687 residents of which 73% are Hispanic or Latino. The area has a high concentration of low-income households with 25.1% of the population living below poverty levels between 2009-2013.ⁱ 71% of households in NFO spend 30% or more of their income on rent.ⁱⁱ Unaffordable housing costs forces households to divert wages away from other important everyday needs such as healthy food and increases the likelihood that households will not have enough food to eat (food insecurity). Nearly 10% of adults (ages 18+) with incomes less than 200% of the Federal Poverty Levels in North Fair Oaks area are food insecure.ⁱⁱⁱ

North Fair Oaks has a varied food environment and a number of retail shops and grocery stores that sell fresh foods and vegetables. However, only 30% of these local stores offer high-quality, affordable fruits and vegetables.^{iv} In addition, there are a number of liquor stores, corner stores and fast food restaurants within walking distance that provide easy access to affordable, but unhealthy food.

Only 30% of local stores in North Fair Oaks offer high-quality, affordable fresh fruits and vegetables.

The community has limited access to locally grown food options i.e. no farmers markets and few community gardens, which often serve as a valuable source of fresh, locally produced and affordable fruits and vegetables.^v There are currently 4 community gardens in the North Fair Oaks Area (see Map 1).

- The Friendship Park community garden maintained by the San Mateo County Parks and Recreation Department.
- 2 gardens located next to, and maintained by, the St. Francis Center.
- A garden maintained by the San Mateo County Health Center.





St. Francis Center Community Garden #1



St. Francis Center Community Garden #2,
(currently under construction)

The current food environment in North Fair Oaks which makes it easy to purchase unhealthy, low quality foods at affordable prices impacts the overall health of the residents.

- 63% of the population in NFO is overweight or obese which can often be caused by lack of physical activity and unhealthy diets.^{vi}
- 57% of adults in NFO do not participate in regular physical activity.^{vii}
- 70% of people in NFO eat fewer than 5 fruits and vegetables per day.^{viii}

STUDY METHODOLOGY

The potential for implementing AB 551 in North Fair Oaks was examined by identifying all privately owned vacant parcels appropriate for urban agriculture. The vacant parcel database for this study was obtained from the County of San Mateo Planning Department. A smaller listing of vacant parcels that only included parcels between 0.1 acres and 3 acres in size was extracted from the larger parcel database for the purpose of field verification.

The following criteria were used to identify parcels suitable for urban agriculture through AB 551:

- Parcels should be vacant or temporarily used with no permanent structures on site and no direct connection to adjacent properties.
- Parcel should be accessible i.e. offer direct physical access for gardeners.

NORTH FAIR OAKS FINDINGS

Twenty seven (27) vacant parcels were identified through analysis to be suitable for urban agriculture. Field verification revealed that **10 out of 27 parcels were appropriate for urban agriculture**. Of the 27 parcels:

- 6 parcels were vacant
- 4 were temporarily being used
- 17 were currently in use with either permanent structures or permanent uses on them and cannot be used for urban agriculture

The zoning classification of the ten AB 551 eligible parcels is as follows:

Zoning Classification	# of parcels
Residential	6
Commercial	2
Light Industrial	2

Per the County of San Mateo Zoning Regulations for unincorporated areas within the County, agricultural uses (including community gardens) are permitted uses in the “Community Open Space Conservation District” and regulations do not explicitly prohibit community gardens or urban agriculture in any of the other zoning districts. The County Planning Department currently approves permits for community gardens or urban agriculture on a case-by-case basis. All 10 AB 551 properties identified as eligible could be used for urban agriculture regardless of zoning classification.

10 vacant parcels were found to be appropriate for urban agriculture and eligible for AB 551 conversion to agriculture in North Fair Oaks.

STUDY LIMITATIONS

As part of this study, only vacant parcels were examined and field verified in North Fair Oaks. Since AB 551 also applies to unimproved or blighted properties, it is likely that more parcels could be eligible for AB 551 conversion to urban agriculture in North Fair Oaks than the current analysis has revealed.

URBAN AGRICULTURE POTENTIAL IN OTHER UNINCORPORATED AREAS IN SAN MATEO COUNTY

Vacant parcel data for unincorporated areas in San Mateo County from the County of San Mateo Planning Department was examined to identify availability and distribution of vacant land between 0.1 acres and 3 acres in size.

Table 1 on the next page lists the number of vacant parcels in unincorporated “Urban Areas” in San Mateo County as defined by the U.S. census i.e. areas with populations of 250,000 or more. This vacant parcel data has not been field verified. The County should analyze the potential for implementation of AB 551 in these unincorporated areas that fall within the “Urban Areas,” especially those that have higher percentages of populations living below the poverty line such as in Menlo Oaks, Broadmoor, Country Club Park and Harbor/Industrial.

Table 1. Number of vacant parcels in unincorporated San Mateo County*

Source: San Mateo County Planning Department Parcel data.

Supervisor District	Community	# of vacant parcels
District 1	Burlingame Hills	10
	Country Club Park	2
	San Mateo Highlands	23
District 3	Devonshire	76
	Emerald Lake Hills	266
	Harbor/Industrial	6
	Ladera	4
	Menlo Oaks	4
	Sequoia Tract	11
	West Menlo Park	19
District 4	North Fair Oaks	10
District 5	Broadmoor	10
Total number of vacant parcels in San Mateo County		431

* The vacant parcel data has not been field verified.

Endnotes

ⁱ U.S. Census Bureau: State and County QuickFacts. Data derived from Population Estimates, American Community Survey, Census of Population and Housing, County Business Patterns, Economic Census, Survey of Business Owners, Building Permits, Census of Governments. Available at

<http://quickfacts.census.gov/qfd/states/06/0651840.html>

ⁱⁱ U.S. Census Bureau. 2011-2013 American Community Survey 3-Year Estimates. Available at

<http://factfinder.census.gov>

ⁱⁱⁱ Ask CHIS Neighborhood Edition. 2011-2012 California Health Interview Survey Data. Available at

<http://askchisne.ucla.edu/>

^{iv} Family Health Services Division, San Mateo County Healthy System. North Fair Oaks Neighborhood Analysis. 2013 Communities of Excellence in Nutrition, Physical Activity and Obesity Prevention (CX3) Assessment.

^v Algert, S.J., Baameur, A, Renvall, M.J. Vegetable Output and Cost Savings of Community Gardens in San Jose, California". July 2014, Journal of Academy of Nutrition and Dietetics. Vol 114(7):1072-6.

^{vi} The Healthy Community Collaborative of San Mateo. 2013 Community Health Needs Assessment: Health and Quality of Life in San Mateo County. 2013. Available at: <http://smchealth.org/sites/default/files/docs/HPP/2013FullReport%28low%29.pdf>.

^{vii} The Healthy Community Collaborative of San Mateo. 2013 Community Health Needs Assessment: Health and Quality of Life in San Mateo County. 2013. Available at: <http://smchealth.org/sites/default/files/docs/HPP/2013FullReport%28low%29.pdf>.

^{viii} The Healthy Community Collaborative of San Mateo. 2013 Community Health Needs Assessment: Health and Quality of Life in San Mateo County. 2013. Available at: <http://smchealth.org/sites/default/files/docs/HPP/2013FullReport%28low%29.pdf>.