

## *Chapter 6*

# GIRDING URBAN SPRAWL WITH A SLENDER GREEN BELT

During the 1950s rapid population growth demonstrated that urban and rural land uses could no longer be treated as separate, unrelated phenomena. Terms such as “rurban,” “scatteration,” and, even more unwieldily, “metrural,” entered the popular lexicon, bespeaking an element of general confusion about how to define outward-creeping, problem-generating areas on the urban periphery. The word “fringe” took on new meaning to describe city boundaries which were ragged with suburban development.

Unprecedented, aggressive municipal annexation touched off an urban-versus-rural feud in California, confined, for the most part, to the San Francisco and Los Angeles metropolitan areas. Santa Clara County was the primary locus. There, municipal annexation to accommodate the unabated stream of westward bound migrants to the Bay Area in the post-war years escalated to intercity rivalry over territorial expansion. As cities snatched orchards and fields, farmers located on the ever-changing fringe retaliated by demanding greater zoning protection, which thus brought two state laws into conflict: the 1939 Uninhabited Territories Annexation Act and the 1937 Planning Act amendments which had given counties authority to establish rural zoning.

## ANNEXATION ISSUES AND THE GREENBELT ACT OF 1955

Municipal land grabbing, under the guise of a rightful exercise of eminent domain, was the principal urban fringe land-use issue during the early 1950s. Local political controversies raged over municipal annexation; special purpose district organization, functions, and financing; and the fiscal as well as service responsibilities of overlapping local governmental units. In 1951, the State Legislature authorized the Assembly Committee on Municipal and County Government to study local governmental relations and municipal annexation problems in urbanizing, unincorporated areas. The Assembly defended such study as necessary since local governmental relations “had been made more difficult and complex by reason of the great growth in population of California and particularly growth in population and development in the unincorporated areas of the county.”<sup>1</sup> After holding hearings in five counties — Sacramento, Napa, Kern, Alameda, and Los Angeles — the Assembly committee recommended in 1951 that the state encourage voluntary joint city–county planning. It also recommended “a comprehensive program to zone all areas of the State according to their present or intended uses.”<sup>2</sup>

Meanwhile, during the 1953 legislative session, at least fifty-six Assembly bills would have amended, expanded, or reformed in some way the state laws governing city annexation powers.<sup>3</sup> In an attempt to dispel the cloud of confusion arising from committee considerations over this assortment of bills, the Assembly resolved to hold an additional series of public hearings during the next interim period. The Committee on Municipal and County Government was again assigned to the task, and it held the

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<sup>1</sup> California, *Journal of the Assembly*, v. 4, 1951 Regular Session, House Resolution No. 230, 6496.

<sup>2</sup> California Assembly, Interim Committee on Municipal and County Government, *Fringe Area Problems in the State of California* (Sacramento, March 27, 1953), 5.

<sup>3</sup> California Legislature, *Final Calendar of Legislative Business* [hereafter cited as *Final Calendar*], 1953. No annexation-related bills were introduced in the Senate during the 1953 session. Fifty-six legislative proposals in 1953 compared to nine annexation-related bills introduced during the 1951 regular session; all were introduced in the Senate that year. The dramatic increase in the number of bills from 1951 to 1953 underscores the perceived severity of annexation problems in 1953.

first hearing in San Jose in November 1953 at the invitation of Santa Clara County government officials.

The Interim Committee, which considered its mission to be purely fact-finding, did not anticipate the emotional intensity enveloping annexation issues. Karl Belser, called upon to summarize the county view of annexation problems, noted that county land-use planning was often a futile exercise because “land use deals ha[d] completely subverted the planning and zoning regulations of the district.” Parcels annexed in self-descriptive “strips,” “fingers,” and “hooks” had rough-hewed Santa Clara County’s neat pattern of trim orchards which formerly stretched solidly across the landscape in variegated green and brown blocks. As a result, smaller communities undertook “incorporation in self-defense,” said Belser, a trend which only made the county’s job more difficult. The ultimate frustration, for him, was that both wildly expanding and self-defensively incorporating cities were using techniques “provided by [California] law,” which had been, he charged, “stressed and strained to the point of yield to accomplish the expedient purpose of the city.” California law, he concluded, rendered “overall planning on an area basis . . . practically impossible.”<sup>4</sup>

San Jose City Manager A.P. Hamann leveled the counterattack. He defended annexation, no matter how obtained, as “the only way cities or fringe areas can at the present time protect themselves from the evils [unsanitary sewerage and inadequate or non-existent fire and police protection] arising from the haphazard and unplanned growth and development.” Hamann admitted that, “as the laws are now written there is considerable confusion and doubt as to what they mean.” But his pro-city, pro-growth bias led him to complain that “there is no proceeding in which annexation opponents cannot find some technical ground upon which to contest the validity of an annexation.” San Jose and other expanding cities had, as a result, been subjected “to great cost and expense in defending their proceedings in court,” action which “delay[ed] and hinder[ed] the planning and orderly growth and development of the fringe areas.”<sup>5</sup>

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<sup>4</sup> *Journal of the Assembly*, v. 2, 1953 Regular Session, House Resolution No. 125, 3320; Assembly, Interim Committee on Municipal and County Government, *Proceedings, Meeting of the Subcommittee on Annexation and Related Problems, San Jose, November 20, 1953* (Sacramento, 1953), 16–17.

<sup>5</sup> *Proceedings*, 21–22.

There were, in reality, several laws that gave overlapping planning authority to cities and counties. In addition to the 1939 Uninhabited Territories Annexation Act, which allowed cities to override county land-use plans and zoning ordinances, other state laws authorized the organization of special districts to meet community services in unincorporated areas without authorizing such special districts to levy charges to pay for some of these services. Another statute established 500 residents as the minimum required for municipal incorporation, thereby encouraging city formation in communities that would not likely be wealthy enough to provide adequate municipal services. Moreover, cities too often seemed willing to provide water supply and sanitation services, under contract, to unincorporated areas, thereby further discouraging counties or small, outlying communities themselves from assuming the responsibility of providing municipal services.<sup>6</sup>

The Assembly continued its study of urban fringe problems throughout the rest of 1953 and most of 1954, appointing two citizen advisory committees to help formulate legislative recommendations.<sup>7</sup> The 1955 Greenbelt Act followed four years of study and intense debate over municipal annexation. Assembly Bill 2166, introduced by Santa Clara County Assemblyman Bruce F. Allen, was one of over sixty annexation-related bills proposed during the 1955 regular legislative session. The original bill would have restricted cities throughout the state from annexing lands zoned for exclusive agricultural use, but amendments made in the Assembly reduced implementation to only those counties that had, as of December 31, 1954, adopted master land-use plans including an exclusive agricultural zone classification. The amendment rendered the bill applicable only in Santa Clara County, which was the only county that could meet all the legal criteria.<sup>8</sup> Allen introduced the bill at the behest of Santa Clara County farmers

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<sup>6</sup> Ibid., 6–7.

<sup>7</sup> Karl Belser chaired the Northern California committee; Robert M. McCurdy, city manager of Pasadena, chaired the Southern California committee; Assembly, Interim Committee on Municipal and County Government, *Proceedings, Meeting of the Subcommittee on Annexation and Related Problems, Los Angeles, October 21, 1953* (Sacramento, 1953), 5, 52.

<sup>8</sup> *Final Calendar*, 1955 Regular Session; Race Davies, “Preserving Agricultural and Open-Space Lands: Legislative Policymaking in California” (Davis: University of California Institute of Governmental Affairs, Environmental Quality Series, no. 10, June

and county government officials, and he could therefore afford to trade statewide for limited application and still serve his constituency without losing valuable support among his colleagues. When the bill was signed into law on July 6, 1955, moreover, it was to have effect for only two years.<sup>9</sup>

The 1955 Greenbelt Act authorized little more than a limited and localized experiment to restrict municipal annexation through the use of exclusive agricultural zoning, but it gave the Legislature more time to evaluate the strategy. In November 1956, the Assembly Interim Committee on Conservation, Planning, and Public Works heard testimony at a hearing held in San Jose since Santa Clara was the only county to invoke the law. Landowners as well as municipal and county government officials were invited to the hearing, which the committee hoped would help the Legislature determine whether agricultural zoning was a reasonable means to foster orderly land use change on urban fringes. Much of the discussion revealed continuing battles between city and city, and cities and the county. One farmer testified that he learned only from reading the legal notice in the local newspaper that fifteen acres of his cherry orchards had been annexed to the City of Sunnyvale. The spokesman for a group of fifty farmers near Cupertino further observed that farmers, like others, often behaved

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1972), 64, 66; Rita M. Mize, "Interest Group Opinion and California Land Use Legislation" (Davis: University of California Institute for Governmental Affairs, Environmental Quality Series, no. 13, December 1972), 7. Los Angeles and Orange Counties also had amended their master land-use plans to include an agricultural land-use zone; see *California Reports on Planning*, 19, and Winston Crouch, Jack Goldsmith, Robert N. Giordano, *Agricultural Cities: Paradoxes in Politics of a Metropolis* (Los Angeles: UCLA Department of Political Science, 1964), 11–12. These were not, however "exclusive" agricultural zones; and since neither county chose the agricultural zoning route to control urban sprawl, it remains unknown whether the 1955 Greenbelt Act might have given such zoning laws greater force in Los Angeles and Orange counties during the 1950s.

<sup>9</sup> *California Statutes*, 1955, Chapter 1712; Governor's Chaptered Bill File, Chapter 1712 (1955) (California State Archives), indicates that Governor Goodwin J. Knight received letters concerning AB 2166 from the State Board of Equalization, the State Department of Public Works, the County Board of Supervisors Association, the League of California Cities, the State Bar of California, the State Chamber of Commerce, and Mather Agricultural Council, as well as from assessors, tax collectors, and taxpayer groups. The letters, however, are not in the file; and the notation does not indicate which groups supported and which opposed the bill. This curious gap in the public record can only be offered as evidence that the bill was vociferously opposed, as former assemblyman, later judge, Brice F. Allen stated.

unpredictably in the midst of a chaotic situation. In 1955, these fifty farmers therefore signed an unusual pact whereby each agreed not to subdivide his land for four years.<sup>10</sup>

Municipal government representatives again defended their annexation policies and pointed the finger of blame at the county. While Sunnyvale's city manager admitted that his city's annexation policy had been "aggressive," he nonetheless charged that agricultural zoning had not been implemented as part of the county's master plan, which, incidentally, was not officially adopted until 1960, almost four years after the hearing. Another city representative announced that he and other city officials perceived exclusive agricultural zoning to be "more an annexation barrier than . . . a preserver of prime agricultural land." This, of course, was true: Santa Clara County used agricultural zoning to control the spread of urban development. But to cities, zoning was acceptable only so long as it served to separate commercial, industrial, and residential land uses within city limits. It was not acceptable when it interfered with a city's legal privilege to extend its boundaries to capture land attractive for industrial growth, necessary for airport expansion, or desirable for revenue-producing commercial and residential areas. Local tension over municipal annexation still ran high, and the Interim Committee concluded that a state agency was needed to "umpire conflicts between county and city land use plans."<sup>11</sup>

Municipal annexation also inflamed politics in the farming areas of southeastern Los Angeles and northern Orange counties. Farmers in Southern California, however, chose to fight their battle entirely on the local level. Both counties had an agricultural land-use zone ordinance similar to Santa Clara County's, but farmers chose instead to incorporate farming communities as sixth-class cities (minimum required population, 500) zoned primarily for agriculture. The action began in mid-1955 after the city of Buena Park sought to annex, under the provisions of the 1939 statute, a strip of land upon which were located two dairies and two hog ranches. The owners of these properties managed to stall the effort with a lawsuit, but realized that their move only gave them a temporary reprieve.

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<sup>10</sup> Assembly, *Interim Committee Reports* 13, no. 14 (1955, 1957), "State Greenbelt Legislation and the Problem of Urban Encroachment on California Agriculture," 34, 56.

<sup>11</sup> *Ibid.*, 34–35.

Working through the local Farm Bureau, Orange County farmers successfully launched, in May of 1955, an incorporation drive that culminated in October, when Dairyland was officially designated a city, initially comprising “650 people, 13,000 cows, and 60,000 chickens.” In August, 1955, dairy and poultry farmers in southeastern Los Angeles County initiated a similar incorporation movement, which, after several months of controversy over whose land should be included, left the existing City of Artesia boxed in on three sides by the new City of Dairy Valley, incorporated in April 1956. The third agricultural city, Dairy City, later renamed Cypress, also came into existence in 1956 after agricultural landowners located south of Dairyland gathered forces in October 1955 and followed the lead of their compatriots to the north.<sup>12</sup>

A California Farm Bureau spokesman noted with pride that these three cities were, for all intents and purposes, Farm Bureau cities, since the mayors, members of the city councils, and practically all the residents belonged to that organization. He furthermore predicted that “cow towns,” as he called them, were the answer to the state’s urban encroachment problems.<sup>13</sup> While these events may have helped to sustain the State Legislature’s attention on municipal annexation problems, incorporating farms into agricultural cities did not, in the long run, prove any more effective than invoking the Greenbelt Act. Landowners on the urban fringes in Southern California, too, assumed the dual identity of farmer and land speculator. It was inevitable that some would sell, initiating the process that unraveled these loosely woven agricultural cities.

The Commonwealth Club, still an arena for vigorous debate in the 1950s, declared that “annexation of farm lands by competing cities for long-range future growth ha[d] developed into intercity warfare.” In May 1955, the Agriculture Section began a two-year study of agricultural zoning. This group comprised more than 100 representatives of farm organizations, government bodies, businesses, and university-based agricultural specialists; and, from 1955 to 1957, it heard thirty speakers address every possible aspect of agricultural zoning. Agricultural economists, soil scientists, planners, tax assessors, state engineers, legislators, local government

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<sup>12</sup> *California Farm Bureau Monthly* [hereinafter cited as *CFB Monthly*] (September 1955): 9; Crouch, et al., *Agricultural Cities*, 17–19, 50–53.

<sup>13</sup> *CFB Monthly* (August 1956): 9–10.

officials, farmers, and developers were invited to appear before the group. Despite exhaustive study, however, the Agricultural Section did not reach a clear consensus. Although a slim, but solid, majority endorsed agricultural zoning, a vocal minority criticized it as “a device to avoid urban planning by substituting agricultural land freezing,” as a sure means of “walking into the trap of the policy state,” and as a legal strategy that made it “comfortable for an obstructionist to prevent the growth and development of our city.”<sup>14</sup>

The furor over agricultural zoning and municipal annexation reached its peak during the 1957 legislative session, when nearly forty annexation-related bills were introduced. Senator John A. Murdy (Orange County), Assemblyman Bruce Allen, and Senator George Miller (Contra Costa County) introduced bills that would have extended and expanded the Greenbelt Law. Only Allen’s bill passed into law after it was reduced to a simple extension of the 1955 act. It once again made the Greenbelt Law applicable only in counties where exclusive agricultural zoning had been adopted prior to December 31, 1954.<sup>15</sup>

From 1959 to 1965, municipal annexation and agricultural zoning received continued, but dwindling, legislative attention. During the 1959 regular session, for example, only slightly more than twenty municipal annexation bills were introduced in both houses. As the confusion subsided, the interest group positions became clearer. In 1961, Senator Robert Lagomarsino (Ventura County) revived the attempt to expand the Greenbelt Law to any county with a master plan that included an exclusive agricultural zone classification, regardless of adoption date. His measure was sponsored by the CFBF on the recommendation of the Ventura County Farm Bureau. The bill failed, but in 1965, Lagomarsino succeeded in obtaining a statewide Greenbelt Act. Again, the CFBF sponsored the bill. To secure its passage, however, Lagomarsino and the CFBF agreed to amendments that rendered the bill’s provisions nearly harmless to any city wishing to annex agricultural land. In 1959, the Legislature upheld cities’ power to annex land under the 1939 Uninhabited Territories Act. Now, encountering stiff opposition from the League of California Cities, the Ventura

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<sup>14</sup> “Is Agricultural Zoning Necessary in California?” *Transactions* 52, no. 5 (March 1958): 69–86.

<sup>15</sup> Legislature, *Final Calendar*, 1957 Regular Session; Davies, 66–67.

County senator agreed to amend the bill by inserting a provision giving cities a three-mile limit within which they could annex land zoned for agricultural use. Although the County Supervisors Association, the CFBF, and the Agricultural Council of California supported the amended bill, the 1965 Greenbelt Act left untouched the problematic urban fringe.<sup>16</sup>

In retrospect, it is easier to see what was not so perceptible at the time: that the rural (agricultural zoning) versus urban (municipal annexation) battle waged in the State Legislature from 1951 to 1965 originated in 1917, when the Legislature gave counties a mandate to adopt rural zoning. Although the state intended to encourage county level land-use and conservation planning, it gave farmers, who controlled county governments, a weapon they later used against rapidly expanding cities. Then, when the Legislature passed the Uninhabited Territories Annexation Act in 1939, it gave cities a procedural expedient that some city officials later used to carve up the countryside in their rush to stake claims for future expansion. Once cities appreciated the muscle of the 1939 act, they guarded their power jealously. Given the strength of the organizations representing rural and urban interests in Sacramento, the California Farm Bureau Federation and the League of California Cities, the rift was bound to end in a stalemate.

## STATE LAND-USE PLANNING AND LAND CONSERVATION: RECAPITULATION

In 1953, Karl Belser addressed a special meeting of Bay Area planners and civic officials who were gathered to discuss industrial growth in the San Jose area. Belser, while serving on Detroit's planning staff during World War II, had witnessed the political, economic, and social chaos attending the sudden location of armaments factories in that city. Thus, when Ford Motor Company announced its plans for a huge assembly plant near Milpitas, Belser foresaw a similar situation developing in Santa Clara County. He nonetheless optimistically depicted the county as "one of the few remaining areas left in California" where planners could develop a "new pattern" for orderly growth which would preserve a healthy, integrated economic base built upon strong industrial and agricultural sectors. The "problem," he concluded, "[wa]s to

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<sup>16</sup> Legislature, *Final Calendar*, 1959, 1961, and 1965 regular sessions.

find a way to develop that planning.”<sup>17</sup> Belser, a relative newcomer to planning in California in 1953, did not realize how difficult it might be to coordinate city, county, and state planning activities. The postwar population explosion also created a greater need for professionally trained planners, who were emerging from the planning schools that began to appear in abundance in the late 1940s and early 1950s. Cities and counties clearly needed professional expertise to plan for future transportation, school, sanitation, and recreation needs. Urban versus rural political conflict, however, exacerbated the problems of planners who, moreover, had no real agency support within the state government. Impending chaos on the local level led these professionals to rejuvenate a long-standing effort to create a central state planning agency; but they and their supporters were never able to reverse the fragmented nature of planning laid down as state policy in 1929. From 1948, when the Office of Planning and Research lost its funding, to 1951, the state had no active, general planning agency. Then, in 1951 the Legislature rejected a bill that would have empowered the State Planning and Conservation Board to investigate state resource needs and recommend appropriate legislation to the governor and the Legislature. It passed instead a weaker bill that authorized the board to “cooperate with any interested persons or organizations in devising means to develop the natural and economic resources of the state.” The measure carried no allocation, but it did authorize the board to accept federal or state grants to carry out its planning functions, such as they were.<sup>18</sup> Under these provisions a state agency could once again engage in planning if it could find willing partners among other state agencies or local planning bodies and if it could secure federal or state grants to fund those activities. Like the old State Planning Board (1934–43), the Planning and Conservation Board had the power only to react to or facilitate the planning activities of other governmental bodies. But this time no federal funds were immediately forthcoming and no federal agencies funneled down planning suggestions.

The Legislature maintained the status quo on the issue of state planning during the mid-1950s while the Assembly Committee on Conservation, Planning, and Public Works studied the failures of past state planning

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<sup>17</sup> *San Jose Mercury*, June 5, 1953.

<sup>18</sup> Legislature, *Final Calendar*, 1951 Regular Session; *California Statutes*, 1951, Chapter 334 (SB 1091). See also *Statutes*, 1951, Chapter 1545 (SB 1085), which continued the State Planning and Conservation Board.

efforts. Interim hearings conducted in 1955, 1956, and 1957 resulted in several committee reports, the most important of which, with regard to agricultural land use, was the 1957 report, *State Greenbelt Legislation and the Problem of Urban Encroachment on California Agriculture*. After three years of study, however, the committee could only recommend that the Legislature continue the Greenbelt Act and, in addition, establish a “state agricultural lands commission” to “conduct a two-year investigation of the impact of urbanization on California agriculture.”<sup>19</sup>

The agricultural lands commission never materialized; but in January, 1958, the Assembly Committee on Conservation, Planning, and Public Works held another interim hearing to study the need and public desire for centralized state planning, especially as such planning might affect the use and disposition of agricultural lands statewide. The committee also asked the legislative counsel to prepare a summary of state planning activities. The counsel’s research staff found that of about thirty-five state agencies then engaged in physical planning of some sort, only the Planning and Conservation Board had a general planning mandate. And the board did nothing more than set policy for the Department of Finance, which functioned as a clearinghouse for county and city planning agencies seeking federal planning grants. The Planning and Conservation Board, via the Department of Finance, could be considered a central planning agency only insofar as it was the body that determined how federal planning grants would be disbursed.<sup>20</sup> So-called state planning in 1958 was therefore, not much different from state planning in 1951 or 1947 or 1929. Parochial planning was the only planning in California; any coordination among state, regional, or local planning agencies was purely voluntary.

That being the status of state planning in 1958, the Assembly Interim Committee solicited public opinion concerning the need for and the desired responsibilities of a centralized planning agency, particularly as such an agency would guide land-use planning. The hearing witnessed professional planners and the League of California Cities express mutual support for a central, research-oriented, advisory planning body. Both groups agreed that a state agency should coordinate state projects, make broad

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<sup>19</sup> Assembly, *State Greenbelt Legislation*, 11.

<sup>20</sup> Assembly, Interim Committee on Conservation, Planning, and Public Works, *Proceedings, Fresno, January 24, 1958*, 1-3, 5-7.

projections that would serve as a guide, and disseminate information to local planning agencies. In other words, they envisioned the ideal state planning agency as one with broad supervisory, but no regulatory, powers.<sup>21</sup>

Farmers and farm organization representatives, on the other hand, clearly considered planning to be the province of local governments. Some felt that, at best, a state agency should perform a limited advisory function. In other words, this group favored maintaining the status quo in state planning, which is to say no direct state involvement. The hearing revealed two things. First, a new generation of professional planners was drifting closer to its predecessors' old ally, the League of California Cities — a drift that would eventually reaffirm planning's urban bias. Second, some of the farmers who forced the issue of agricultural land preservation upon the State Legislature had second thoughts about the wisdom of their actions once they confronted the urban bias and centrist goals of state planning advocates. For instance, Roy A. Nunn, president of the Tulare County Farm Bureau, firmly stated that the 4,100 Farm Bureau families he represented "in no way endorse . . . State planning at this time."<sup>22</sup>

Objections from rural areas notwithstanding, in 1959, Senator Fred Farr (Monterey County) introduced and secured passage of a bill that replaced the State Conservation and Planning Board with a new State Office of Planning (SOP). According to Farr, the bill emerged from the Assembly Committee on Conservation, Planning, and Public Works (which conducted the January 1958 hearing in Fresno). The committee drafted the bill "in collaboration with the League of California Cities and the County Supervisors Association, the Departments of Public Works, Water Resources, and Natural Resources, all of whom strongly supported the bill before the Legislature." Farm support was conspicuously missing, but Farr nonetheless claimed that the bill encountered "virtually no opposition during the session."<sup>23</sup> The new statute authorized the State Office of Planning to develop a comprehensive general plan for the development of the state, but it did not give the office any regulatory power. Despite fears that

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<sup>21</sup> *Ibid.*, especially 96, 102, 154.

<sup>22</sup> *Ibid.*, 59.

<sup>23</sup> *California Statutes*, 1959, Chapter 1641 (SB 597); Governor's Chaptered Bill File, Chapter 1641 (1959), letter dated June 23, 1959, from Senator Fred Farr to Governor Edmund G. Brown plus miscellaneous letters.

the new planning agency (which later became the State Office of Planning and Research, or OPR) would centralize administration and regulation of planning at all levels, the office was once again tucked away in the Department of Finance and given only advisory functions. And once again, the Legislature refused to allocate funds. It was not until 1962, with the aid of federal funds, secured under the provisions of Section 701 of the 1954 Housing Act, that the SOP undertook investigations designed to provide the necessary data from which a general state plan could be developed.<sup>24</sup>

With a \$375,000 federal grant, the SOP began what it titled the State Development Plan, a four-year project that was to be completed by March 1966, after which time the director of finance and the governor were to make policy recommendations to the Legislature. Between mid-1962 and mid-1964, an agricultural study team amassed data on the trends and characteristics of California agriculture with respect to population, employment, farm size and number, farm income, value and volume of farm production, and land availability. Its findings, presented in 1964, led the SOP to “refute the hypothesis that California agriculture [wa]s imperiled by an imminent shortage of prime land. The position [that agriculture was imperiled] is tenable only if one assumes that the advancement of agricultural technology will not continue.”<sup>25</sup> Such conclusions surely dashed the hopes of those, like Karl Belser, who looked to the creation of a state planning agency to help implement a program for conserving agricultural land. It was clear that the SOP would respond to the need for state land-use planning only when the agricultural sector as a whole was threatened by the loss of arable land.

Senator Farr also authored the 1959 Open Space Act (aka Scenic Easement Act). Modeled after an easement bill that William H. Whyte co-authored for the Pennsylvania State Legislature, Farr and State Planner William Lipman drafted a bill that, in its original form, would have given

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<sup>24</sup> Thomas Cohen, “The California Office of Planning and Research: Past Efforts; Future Possibilities” (M.C.P. thesis, University of California, Riverside, 1977), 4–6; Frederick G. Styles, “A Progress Report on Regional Planning in California” in J. Herbert Snyder, ed., *The Role of the County in Regional Planning: Proceedings, Third Annual Institute on Regional Planning* (Davis: University of California, University Extension, 1964), 37–38.

<sup>25</sup> California, Department of Finance, State Office of Planning, *California Agriculture* (May 1964), especially p. 40.

the state the authority to acquire easements on properties which, for public interest reasons, were desirable as open space. Amendments, however, removed this provision from the bill. As passed by the Legislature, the Open Space Act enabled cities and counties, but not the state, to acquire temporary or permanent development rights to real property by gift, legal agreement, or expenditure of public funds to preserve “open spaces and areas.” Open space was defined in the bill as land that had “significant scenic or esthetic values, which areas and spaces if preserved and maintained in their present open state would constitute important physical, social, esthetic or economic assets to existing or impending urban or metropolitan development.”<sup>26</sup>

Thirty years of discussion, experimentation, and legislation had not appreciably changed state policy regarding planning, especially for rural, agricultural areas. State planning laws had been consolidated, and, as of 1959, there seemed to be general agreement that a state agency was necessary to coordinate various forms of planning being carried out at municipal, county, and regional levels. This policy was designed, in part, to keep the federal government from usurping state powers, but the basic premise embodied in the 1929 Planning Act remained unchanged. The 1937 Planning Act amendments, the 1955 Greenbelt Act, the 1959 act creating a second State Office of Planning, and the 1959 Open Space Act reaffirmed the state’s commitment to vesting local units with regulatory power over planning and conservation matters.

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<sup>26</sup> William H. Whyte, *The Last Landscape* (Garden City, N.Y.: Doubleday and Co., 1968), 84–85; *California Statutes*, 199, Chapter 1658.