

### 3. AGRICULTURE RESOURCES

The City of Hollister was established as an agricultural center, and much of the land use outside of the City Limits continues as agricultural use. Hollister is also located in an agricultural region, which contributes to the economic and cultural importance of agriculture in Hollister. This chapter describes the existing agriculture in the General Plan Planning Area. The General Plan Planning Area, and San Benito County as a whole, do not contain any forest land or associated forest resources. Therefore, forestry and forestry resources were not considered in the preparation of this chapter.

#### 3.1 REGULATORY FRAMEWORK

This section summarizes agriculture regulations at the State, regional, and City level.

##### 3.1.1 STATE REGULATIONS

###### 3.1.1.1 Farmland Mapping and Monitoring Program

The California Natural Resources Agency is charged with restoring, protecting, and maintaining the State's natural, cultural, and historical resources. Within it, the State Department of Conservation provides technical services and information to promote informed land use decisions and sound management of the State's natural resources. The Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP), which supports agriculture throughout California by developing maps and statistical data for analyzing land use impacts to farmland. Every two years, the FMMP publishes a field report for each county in the state. The most recent field report for San Benito County was published in 2016. The San Benito County Important Farmland 2016 categorizes land by agricultural production potential, according to the following classifications:<sup>1</sup>

- **Prime Farmland** has the best combination of physical and chemical features able to sustain long-term agricultural production. Prime Farmland has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agriculture production at some time during the four years prior to the mapping date.
- **Farmland of Statewide Importance** is similar to Prime Farmland, but with minor shortcomings, such as steeper slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Unique Farmland** consists of lesser quality soils used for the production of the State's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been farmed at some time during the four years prior to the mapping date.
- **Farmland of Local Importance** includes land which is not irrigated but is cultivated; or has the potential for cultivation.

---

<sup>1</sup> State of California Department of Conservation, Farmland Mapping and Monitoring Program, San Benito County, <https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanBenito.aspx>, accessed on August 17, 2020.

## AGRICULTURE RESOURCES

- **Grazing Land** is the land on which the existing vegetation is suited to the grazing of livestock.
- **Urban and Built-Up Land** is occupied by structures with a building density of at least one unit per 1.5 acres, or approximately six structures to a 10-acre parcel. Common examples include residential structures, industrial structures, commercial structures, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment structures, and water control structures.
- **Other Land** is land not included in any other mapping category. Common examples include low density rural developments, brush, timber, wetland, and riparian areas not suitable for livestock grazing, confined livestock, poultry, or aquaculture facilities, strip mines, borrow pits, and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as other land.
- **Water** is used to describe perennial water bodies with an extent of at least 40 acres.

### 3.1.1.2 Williamson Act

The California Land Conservation Act of 1965, better known as the Williamson Act, conserves agricultural and open space lands through property tax incentives and voluntary restrictive land use contracts administered by local governments under State regulations. Private landowners voluntarily restrict their land to agricultural and compatible open space uses under minimum ten-year rolling term contracts, with counties and cities also acting voluntarily. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use, rather than potential market value. Nonrenewal status is applied to Williamson Act contracts that are within the nine-year termination process, during which the annual tax assessment for the property gradually increases.

## 3.1.2 REGIONAL REGULATIONS

### 3.1.2.1 San Benito County General Plan

The San Benito County 2035 General Plan goals and policies related to agricultural resources are in the Land Use (LU), Economic Development (ED), Public Facilities and Services (PFS), Natural and Cultural Resources (NCR), and Health and Safety (HS) Elements. The San Benito County General Plan is the overarching planning document for unincorporated land within San Benito County, which includes agricultural lands adjacent to and within the unincorporated portions of the General Plan Planning Area. Guiding Principles in the San Benito County General Plan relevant to agricultural resources include:

- Establishing natural defined boundaries which separate cities and unincorporated communities from prime agricultural land using agricultural buffers, greenbelts, open space, and parks (LU-3.8, 4.8; NCR-4.13).
- Ensuring agriculture remains a major economic sector in the county by protecting important agricultural lands and industries and supporting their success (LU-1.5, 3.1, 3.2, 3.6, 3.10, 3.12, 3.13, 4.6, 5.6, 6.3, 9.2, 9.5; C-6.1, 6.2; NCR-1.1, 1.3, 5.15; HS-1.16).
- Encourage locally-produced and profitable agricultural related businesses (LU-3.5, 3.14; ED-1.6, 4.6, 6.4, 7.3).

## AGRICULTURE RESOURCES

- Support programs which educate the local workforce on sustainable agricultural concepts, water conservation, and alternative energy production (LU-3.3, 3.4; ED-1.3, 6.1; PFS-4.1, 4.5, 8.4, 13.10; NCR-6.3, 6.4).

### 3.1.2.2 San Benito County Code of Ordinances

Besides the County General Plan, the San Benito County Code (SBCC) of Ordinances is the primary tool that regulates agricultural protection in the county. Like the General Plan, the SBCC covers only unincorporated land in San Benito County, which includes land immediately adjacent to and within the unincorporated portions of the General Plan Planning Area. The SBCC is organized by Title, Chapter, and Section. SBCC provisions concerning agricultural lands are primarily in Title 19, Land Use and Environmental Regulations and Title 25, Zoning.

Title 19, Land Use and Environmental Regulations, of the SBCC determines that it is in the public's interest for the County to assist in preserving the agricultural economy in the county by avoiding the conversion of land from agricultural uses. This is done through the adoption of agreements between the County and owners of agricultural land to create agricultural preserves as authorized by the California Land Conservation Act of 1965. The California Conservation Act authorizes counties to establish procedures for initiating, filing, and processing requests to establish preserves. Title 19, Section 19.01.020(C) states that no person shall alter the physical boundaries of an existing agricultural preserve, nor cancel an existing contract, nor use an agricultural preserve for activities incompatible with approved agricultural activities, without the approval of the County Board of Supervisors.

Title 25, Zoning, of the SBCC establishes permitted and conditional uses for the Agricultural Rangeland and Agricultural Productive Districts. These adopted permitted and conditional uses restrict the types of activities which may occur in these Districts to ensure lands zoned for agricultural activities remain as agricultural uses. Permitted uses in both Districts include the following:

- |   |  |
|---|--|
| ▪ Crowing fowl                                      | ▪ Raising or breeding of small animals                                       |
| ▪ Grazing   | ▪ Single-family residential dwellings and one additional dwelling            |
| ▪ Agriculture                                       | ▪ Seasonal stands selling produce grown on the premises the stand is located |
| ▪ Accessory buildings and uses                      | ▪ Hobby kennels  |
| ▪ Use for the Future Farmers of America 4-H program |  |

### 3.1.3 LOCAL REGULATIONS

#### 3.1.3.1 Hollister 2005 General Plan

The City of Hollister General Plan, adopted in 2005, includes goals, policies, and implementation measures related to agricultural resources in the Open Space and Agriculture (OS) Element. As part of the General Plan Update, some existing General Plan goals, policies, and implementation measures could be amended, substantially changed, or new policies could be added. A list of policies applicable to agriculture is provided in Table 3-1 below.

## AGRICULTURE RESOURCES

TABLE 3-1 2005 HOLLISTER GENERAL PLAN RELEVANT AGRICULTURE POLICIES

Policy No.	Policy
OS1.1	Open Space Preservation. Retain and protect open space areas whenever practical through the protection of prime farmlands, the prevention of new development in areas subject to natural hazards, that serve as wildlife habitat or as visual assets for the community, and where the development of additional parks and trails is possible. Open space areas can also function as connections between neighborhoods, for example with the creation of pathways in environmentally appropriate areas.
OS1.2	Cluster Development. Wherever feasible, encourage those proposing development to cluster planned residential development, leaving open space buffers in proposed site plans, particularly on the borders of development facing agricultural uses and State Routes 25 and 156. This will diminish the potential for land use conflicts and improve opportunities for visual harmonization between agricultural and urban activities.
OS2.1	Premature Conversion of Prime Farmland. Whenever possible, minimize the premature conversion of prime farmland to nonagricultural uses by directing urban growth toward portions of the Hollister Planning Area which have not been identified as prime farmland.
OS2.2	Coordination with San Benito County to Preserve Prime Farmlands. Encourage the County of San Benito to maintain existing County land use policies that discourage urban development in rural areas within the County as a way to ensure continuing agricultural operations within portions of the Hollister Planning Area. Coordinate with the County of San Benito in efforts to maintain prime farmlands in active agricultural use whenever possible and in all efforts to maintain the continued economic viability of agriculture within the Hollister Planning Area.
OS2.3	Williamson Act Contracts. Encourage the sponsors of subdivisions on agriculturally viable land to enter and maintain prime soils of the proposed subdivision in Williamson Act contracts as a means of off-setting the loss of agricultural land.
OS2.4	Residential Development Near Agricultural Areas. Require developers to inform potential buyers of homes near agricultural areas of the possible hazards associated with the application of pesticides/herbicides and nuisances from other cultivation practices. In those cases where the County of San Benito's "Right-to-Farm" Ordinance applies to the City review of projects, homeowners shall also be informed of this ordinance by developers.

Source: City of Hollister, 2005 General Plan.

### 3.1.3.2 Hollister Municipal Code

In addition to the General Plan, the Hollister Municipal Code (HMC) regulates agricultural uses in the city. The HMC contains all ordinances for the city, and identifies agricultural land uses, regulations, and other general provisions, to ensure consistency between the General Plan and proposed development projects. The HMC is organized by Title, Chapter, and Section. Most provisions related to agricultural lands are in Title 17, Zoning. Sections related to agricultural lands in Title 17 primarily regulate signs, accessory structures, and employee dwellings as follows:

- **Section 17.20.140, *Signs on Agricultural Lands*** restricts the size, location, and content of signs which are located on agricultural lands. Signs must not exceed 32 square feet, must strictly advertise only products grown on the land the sign is placed, and must not have more than one freeway-oriented sign.
- **Section 17.22.020, *Accessory Agricultural Structures*** limits structures allowed on agricultural lands to those which process agricultural products produced on the same site and outlines limitations to roadside stands which sell agricultural products. Roadside stands must only sell products grown on the land it is located on, shall not exceed 400 square feet in floor area, shall not exceed 15 feet in height, and shall comply with Section 17.20.140 regarding signs.

**AGRICULTURE RESOURCES**

- **Section 17.22.060, *Agricultural Employee Dwellings*** ensures compatibility between agricultural employee dwellings and any adjoining residential or commercial uses is maintained. The dwelling shall not exceed four employees engaged in full-time labor on that land.

## 3.2 EXISTING CONDITIONS

The most prevalent type of farmland in San Benito County is vegetable and irrigated row crops, largely comprised of spinach, lettuce, wine grapes, broccoli, celery, and tomatoes which are arranged in rows. Common orchard crops in San Benito County include apples, walnuts, cherries, and apricot trees. The most prevalent and profitable orchard crop is wine grapes.<sup>2</sup> Standard field crops include grains, hay, nursery plants, and seeds that cover the entire field in which the crops are planted. These crops are an important source of local farm-fresh food within San Benito County, and are ever transported to several other countries on most continents including South America, Europe, Asia, Africa, and Australia.

Although the economy in the General Plan Planning Area once thrived on the cultivation of fruits, nuts, and row crops, the area has since become increasingly urban and diversified. Nevertheless, agriculture is still an important asset to the region, as evidenced by the surrounding vineyards, orchards, and vegetable crops which boost the region's economy and tourism industry. There are three primary types of farmland within the General Plan Planning Area<sup>3</sup>:

- Orchards;
- Field crops and pasture;
- Vegetable and row crops.

### 3.2.1 IMPORTANT AGRICULTURAL LAND

The San Benito Valley, which includes the City of Hollister, is considered a prime agricultural area due to its favorable soil types and climate.<sup>4</sup> As such, there is a significant amount of agricultural land both inside and outside of the General Plan Planning Area. The General Plan Planning Area includes Prime Farmland, Farmland of Statewide Importance, and Unique Farmland as classified by the State Department of Conservation and as protected by the California Environmental Quality Act (CEQA). The General Plan Planning Area also includes Farmland of Local Importance and Grazing Land; however these are not considered "farmlands of concern" under CEQA. As shown on Table 3-2, most of the agricultural land within the General Plan Planning Area is Grazing Land and pastures. Cultivated agricultural lands in the General Plan Planning Area are largely designated Prime Farmland, followed in descending acreage by Farmland of Local Importance, Farmland of Statewide Importance, and Unique Farmland. As shown in Figure 3-1, all categories of farmland within the General Plan Planning Area, except for Prime Farmland, are located adjacent to urbanized areas. Prime Farmland is located on the north, west, and south sides of

---

<sup>2</sup> San Benito County Agricultural Commissioner's Office, 2018, San Benito County Crop & Livestock Report, <https://www.cosb.us/Home/ShowDocument?id=632>, accessed on September 23, 2020.

<sup>3</sup> City of Hollister, 2005, General Plan Final Program EIR, page 4.11-1.

<sup>4</sup> City of Hollister, 2005, General Plan Final Program EIR, page 4.11-1.



**AGRICULTURE RESOURCES**

the General Plan Planning Area. Farmland and grazing lands border the entirety of the General Plan Planning Area.

**TABLE 3 -2 FARMLAND ACREAGE IN THE GENERAL PLAN PLANNING AREA**

Types of Farmland	City Limits	Sphere of Influence	Planning Area	Total General Plan Planning Area
Grazing Land	310	210	7,710	8,230
Farmland of Local Importance	333	50	2,623	3,006
Prime Farmland	633	539	4,689	5,861
Farmland of Statewide Significance	64	22	1,516	1,602
Unique Farmland	21	12	251	284

Source: ESRI, 2020; PlaceWorks, 2020; San Benito County, 2020; USGS, 2019; CA Department of Agriculture, 2016.

**3.2.2 SAN BENITO AGRICULTURAL LAND TRUST**

The San Benito Agricultural Land Trust (Land Trust) is a not-for-profit organization formed to preserve regionally significant agricultural lands and open space. The Land Trust enters into voluntary conservation easements with landowners in exchange for the landowner receiving tax advantages while also maintaining private ownership of the land. Land designated under an agricultural conservation easement is prohibited from being used for land use activities not related to agriculture and preservation of open space. The Land Trust is currently holds seven agricultural conservation easements, totaling 6,749 acres. These easements include Soap Lake, three farms, and three ranches used for grazing and protection of open space.

**3.2.3 AGRICULTURAL CONSERVATION**

Retention of important agricultural farmland has many benefits, which include availability of crop growing land that supports local economies, preserving open space, and controlling urban sprawl. As such, many federal, State, and local governments adopt mechanisms to safeguard the availability of agricultural lands, largely through conservation easements and mitigation. This section describes existing Williamson Act Contracts within the General Plan Planning Area, recent trends in the conversion of agricultural land to urban uses, and strategies jurisdictions can employ to mitigate impacts to agricultural land.

**3.2.3.1 Williamson Act Contracts**

The Williamson Act allows agricultural landowners to enter into a contract with San Benito County to commit to preservation of the agricultural uses for a ten-year term. The contract gives property tax relief to the landowner in exchange for maintaining their land with agricultural production activities. Williamson Act Contracts are automatically renewed unless a landowner files a Notice of Non-Renewal. After the

## AGRICULTURE RESOURCES

filing of a Notice of Non-Renewal, the property owner must not convert the land to non-agricultural uses for a period of ten years.<sup>5</sup>

The County of San Benito is the only entity in the region which enters into Williamson Act Contracts with landowners. In 2009, the County Board of Supervisors placed a moratorium on the creation of new Williamson Act lands due to the lack of grant payments from the State of California. The moratorium has remained in place since its adoption, which has resulted in a declining number of acres protected under Williamson Act Contracts. Since the 2008 to 2009 fiscal year, there has been a decrease in 16,200 acres of land protected by a Williamson Act Contract. An additional 440 acres were under a status of non-renewal as of the 2019 to 2020 fiscal year.<sup>6</sup> Figure 3-1 shows the active Williamson Act Contracts which account for approximately 2,133 acres of farmland in the General Plan Planning Area. Of the 2,133 acres of land designated under a Williamson Act Contract, only 21 acres are located within the SOI while none are located in the City Limits.

### 3.2.3.2 Agricultural Conversion

The growing population in the General Plan Planning Area, and in the greater San Benito County, has increased the rate of agricultural land conversion since the 1980s. As indicated in Table 3-3, the acreages for Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance have decreased by 30- 58- and 50-percent, respectively. The majority of Prime Farmland developed since 1984 was in the City Limits which was primarily converted to Urban Development. In 1984, the City Limits also included Farmland of Statewide and Local Importance which has since been developed with urban uses. In addition, land outside the City Limits, but within the Planning Area experienced the conversion of Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance to grazing, urban, and other uses since 1984.

**TABLE 3-3 SAN BENITO COUNTY AGRICULTURAL LAND CONVERSION 1984 TO 2016**

Land Use Category	1984 Acreage	2016 Acreage	1984 to 2016 Net Acreage Changed	Percent Change
Prime Farmland	38,743	26,833	-11,910	-30%
Farmland of Statewide Importance	16,871	7,107	-9,764	-58%
Unique Farmland	1,668	2,412	744	45%
Farmland of Local Importance	34,037	17,157	-16,880	-50%
Grazing Land	569,180	618,326	22,146	9%

Source: California Department of Conservation Historic Land Use Conversion Table.

<sup>5</sup> City of Hollister, 2005, City of Hollister 2005 General Plan, Chapter 6, Open Space and Agricultural Element, page 6.2.

<sup>6</sup> San Benito County Office of the Assessor, 2019, 2019 Annual Report San Benito County, <http://www.cosb.us/wp-content/uploads/2019-ANNUAL-REPORT-1.pdf>, page 10, accessed on April 30, 2020.

### 3.2.3.3 Agricultural Mitigation

Agricultural mitigation is a method by which the loss of important agricultural land is offset to reduce physical impacts to the environment. Agricultural mitigation is typically used for projects which would require the removal of large amounts of agricultural land such as road construction and expansions, utilities infrastructure improvements, or construction of large housing and commercial developments. In such cases, the developer can be required to compensate for the destruction of agricultural land in order to receive project approval.<sup>7</sup>

The San Benito County General Plan includes Policies LU-3.10 and NCR-5.15 which recommends that the loss of prime agricultural lands be mitigated at a ratio of 1:1 by direct purchases of conservation easements on lands of equal agricultural value. Applicants may opt to negotiate an in-lieu fee with the County in place of a direct purchase. The fees collected are to be used for agricultural protection or affiliated programs within San Benito County.<sup>8</sup> For new development that permanently converts Prime Farmland in Class 1 soil to non-agricultural uses, the County requires the developer to mitigate the conversion of agricultural land at a 1:1 ratio either on or off-site as part of the environmental review process for individual projects. In instances where a developer opts to pay in-lieu fees, those fees are calculated based on the appraised value of the property. The San Benito Agricultural Land Trust collects the fees to purchase and designate agricultural open space easements of the same acreage as the property for which the in-lieu fees were collected.<sup>9</sup>

The City of Hollister does not currently have an agricultural mitigation policy in place. As part of the General Plan Update, the City will need to assess whether and how to mitigate any potential impacts to farmlands of concern.

## 3.3 IMPLICATIONS FOR THE GENERAL PLAN UPDATE

Based on information contained in this chapter, the General Plan Update process should consider the following:

- Minimize conversion of agricultural lands to non-agricultural uses, particularly prime and other important agricultural lands.
- Encourage agricultural landowners to enroll in a Williamson Act Contract with San Benito County.
- Develop a program to mitigate the loss of agricultural lands where such land conversion does take place, consistent with CEQA.
- Promote agricultural tourism and community events.

---

<sup>7</sup> San Benito Agricultural Land Trust, 2018, What is mitigation?, <https://www.sanbenitolandtrust.org/protected-lands-1>, accessed April 23, 2020.

<sup>8</sup> San Benito County, July 21, 2015, San Benito County 2035 General Plan, page 3-21 and 8-10.

<sup>9</sup> Goodspeed, Arielle. Senior Planner, San Benito County Resource Management Agency. Personal e-mail communication with Torina Wilson, Project Planner at PlaceWorks. September 28, 2020.

## **AGRICULTURE RESOURCES**

- Coordinate with San Benito County and the San Benito Agricultural Land Trust in regard to the above measures.
- Incorporate policies to promote sustainable agricultural concepts, water conservation, and alternative energy production.