1	BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO		
2	A RESOLUTION OF THE SAN BENITO COUNTY) Resolution No. 2020 BOARD OF SUPERVISORS APPROVING THE)		
3 4	DIVISION OF TWO AGRICULTURAL PRESERVES) UNDER CONTRACT NUMBERS 80-16 AND 80-23)		
5	(BAUMGARTNER)		
6	WHEREAS, Counties are authorized to establish agricultural preserves and to establish		
7	Conservation Act (Cal. Government Code section 51200 et section 3. and		
8	WHEREAS, the Board of Supervisors of the County of San Benito adopted an ordinance implementing the California Land Conservation Act in the County of San Benito, now codified in the San Benito County Code, title 19, chapter 19.01, article II, commencing with section 19.01.020; and		
10	WHEREAS, County Code section 19.01.021(B) sets forth the procedural requirements for the I		
11			
12	WHEREAS, County Code section 19.01.021(B)(2) requires the Board of Supervisors to male		
13	finding that the newly created agricultural preserves will each meet the minimum acreage and inc generation requirements following division, before the Board may approve a division request; and		
14	WHEREAS, the minimum acreage requirements are 10 acres of orchards, vineyard or irrigated vegetable and field crops, 40 acres of irrigated pasture or dry-land farmed land, or 160 acres grazing land, or an approved combination of acreage in more than one of these categories, pursuant County Code section 19.01.021(D)(1)(a); and		
15 16			
17	WHEREAS, the minimum income generation requirements are \$3,500 annual gross income from t		
18	sale of agricultural commodities, produced for three (3) out of every immediately preceding five (5) consecutive year period, absent an act of God, such as an extended drought, which prevents the		
19	achievement of this standard, pursuant to County Code section 19.01.021(D)(1)(b); and		
20	WHEREAS, the owners of two (2) agricultural preserves, comprising approximately 1061+ acres of land under agricultural preserve Contract Number 80-16, and approximately 482+ acres of land		
21	under agricultural preserve Contract Number 80-23, currently operated as grazing land, requested a		
22	division and reallocation of the existing preserve into two (2) new preserves, to be comprised of approximately 1056+ acres, and 487+ acres, respectively, and reported annual gross incomes in		
23	excess of \$3,500 per year for each of the new preserves; and		
24	WHEREAS, the Agricultural Preserve Advisory Committee considered the division request, found that each of the newly created agricultural preserves will continue to meet the minimum acreage and		
25	income generation requirements following division, pursuant to the criteria of San Benito County Code section 19.01.021(B)(2)(a) & (D)(1)(a)(3)&(b), and recommends that the Board of Supervisors approve the division request; and		
26			
27	WHEREAS, the Board of Supervisors held a duly noticed public hearing to consider the division request; and		

1 2 3	testimony and evidence that was made, presented, or filed, and all persons present were given ample opportunity to hear and be heard with respect to any matter related request; and	at the hearing
4	and considered the merits of the division request.	ng, deliberated
5 6 7 8 9 10	NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Benito that it hereby finds that the proposed two (2) new preserves, to be approximately 1056+ acres, and 487+ acres respectively, will continue to meet acreage and income generation requirements set forth in San Benito County 19.01.021(B)(2)(a) & (D)(1)(a)(3)&(b), because each new preserve will contain a acres of grazing land and each will generate gross income in excess of \$3,500 per year acres of grazing land and each will generate gross income in excess of the County of San hereby approves the division request, based on its findings and determinations, and substantial excitations in the record and the Assimilation Records.	comprised of the minimum Code section more than 160 r; and n Benito that it d supported by
12	PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF THE COU	
14 15 16	Noes: Supervisor(s): Absent: Supervisor(s):	
17	By:	
19	Janet Slibsager, Clerk of the Board San Benito County Counsel's Office	
21 22 23	By: By: Shirley L. Murphy, Deputy County Coun	<u>UU</u> ounsel
,	$_{A}$	