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## COUNTY OF SAN BENITO

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**Date:** June 16, 2020  
**To:** Honorable Members of the Board of Supervisors  
**From:** Tom Slavich, Assessor  
**Subject:** LCA Staff Report for Compatible Use Request

1) COMPATIBLE USE REQUEST -

- A) Bartlett - This agricultural preserve land consists of 46 acres under LCA Contract #07-04. This is a newly planted olive orchard located about 7 miles east of Hollister on John Smith Road. Applicant requests to construct a Manager's House on the property.

Under our County Ordinance §19.01.021 (D) (1) (a) & (b) there are minimum acreage and income requirements. The minimum acreage required must consist of one of the following categories: 10 acres of orchards, vineyards or irrigated vegetable and field crops; 40 acres of irrigated pasture or dry-land farming; 160 acres of grazing land; or a combination of actual acreage in any of the categories listed, provided that the sum of the percentages in any of the listed categories equals or exceeds 100%. The minimum income requirement for an agricultural preserve is \$3,500 annual gross income from the sale of agricultural commodities.

Under our County Ordinance §19.01.023 no structures shall be constructed or placed upon land in an agricultural preserve except those related to an agricultural or compatible use. One dwelling unit shall be permitted if no dwelling unit exists. Additional dwelling units shall be limited to those necessary for the operation of the agricultural preserve.

Under our County Ordinance §19.01.023 (F) and California Government Code Section 51238.1 (Compatible Uses)

- (1) Uses approved as compatible on agricultural preserves shall be consistent with all of the following 3 principles of compatibility:
- (a) The use will not significantly compromise the long-term productive agricultural capability of the subject agricultural preserve or on other surrounding agricultural preserves.

- (b) The use will not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject agricultural preserves. Uses that significantly displace agricultural operations on a portion of the subject agricultural preserve may be deemed compatible if they relate directly to the production of commercial agricultural products on the remaining portion of the agricultural preserve or on neighboring lands, including activities such as harvesting, processing or shipping.
- (c) The use will not result in the significant removal of adjacent agricultural preserves from agricultural or open-space use.

There is currently one existing house on this property. The owners are requesting to build another home to provide the living facility for the entire family to work on the farm. They have built the infrastructure and planted 11 acres of 8000 olive trees and plan to have a flower farm as their next phase. The owners invested an overall \$150,000 (including \$25,000 for the irrigation & drip system) on this orchard.

In this situation, the additional structure will take about 1/2 acre of land (approximately 1% of the entire property) and the proposed use is incidental and not detrimental to the agricultural use of the property.

**YOUR AGRICULTURAL PRESERVE ADVISORY COMMITTEE**  
**RECOMMENDED APPROVAL OF THIS COMPATIBLE USE REQUEST**

