



3. Agriculture

The Agriculture Element is divided into the following sections:

- Agriculture Preservation (Section 3.1)
- Agriculture Productivity and Employment (Section 3.2)
- Work Plan/Implementation Measures (Section 3.3)

Key Terms

The following terms are used throughout this Element to describe agriculture issues:

Agricultural Lands. Collective term for farmlands designated as Prime, Unique, Farmlands of Statewide Importance, Farmlands of Local Importance, or Grazing Land under the California Department of Conservation's Farmland Mapping and Monitoring Program.

- **Prime Farmland.** Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields.
- **Unique Farmland.** Farmland 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.
- **Farmland of Statewide Importance.** Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture.
- **Farmland of Local Importance.** Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee. For Tulare County, this is defined as "lands that produce dry-land grains (barley and wheat); lands that have physical characteristics that would qualify for 'Prime' or 'Statewide Importance' Farmlands except for the lack of irrigation water; and lands that currently supply confined livestock, poultry and/or aquaculture operations".
- **Grazing Land.** Land on which the existing vegetation is suited for the grazing of livestock. Rangeland used for grazing serves an important function for environmental and habitat protection.

Agricultural Preserve. Designated areas that can be protected for agricultural use by either contract (such as a Williamson Act contract), easement (such as a conservation easement), or other mechanism designed to protect the agricultural use of land for 10 or more years renewed annually.

Agriculturally-Designated Lands. Land designated on the Tulare County General Plan Land Use Diagram for agriculture (Foothill Agriculture and Valley Agriculture).

Agriculturally-Related Uses. Uses that support the production of agricultural commodities (for example: agricultural supplies, commercial processing facilities, animal husbandry, or horticulture services).

California Land Conservation Act (Williamson Act) Contract. A contract between a landowner and a city or county to restrict land within an Agricultural Preserve or Farmland Security Zone to agricultural or open space uses in return for lower than normal property tax assessments. Contracts may only be executed on lands designated as agriculture preserve or farmland security zone by the Board of Supervisors. The minimum term for Williamson Act contracts are 10 years for a regular (Agricultural Preserve) contract and 20 years for a “super” (Farmland Security Zone) contract.

Under a set of specifically defined circumstances, a contract may be cancelled without completing the process of term non-renewal. Contract cancellation, however, involves a comprehensive review and approval process, and the payment of fees by the landowner equal to 12.5 percent of the full market value of the subject property.

Contracts may be terminated in full at the option of the landowner or local government by initiating the process of term non-renewal. Under this process, the remaining contract term (9 years in the case of an original term of 10 years) is allowed to lapse, with the contract null and void at the end of the term. Property tax rates increase during the non-renewal period, starting at approximately year 5 until they reach normal (i.e., non-restricted) levels upon termination of the contract.

A property owner may request a non-renewal of the contract for a portion of the land under Contract. The County must approve the “partial” non-renewal. The part of the Contract subject to the partial non-renewal continues to be in for the balance of the term.

Expired parcels are those parcels that have previously been subject to Williamson Act contract, and have since been removed from the contract through non-renewal, cancellation, or annexation.

An agricultural preserve defines the boundary of an area within which a city or county will enter into contracts with landowners. While the State typically requires that agricultural preserves include a minimum of 100 acres (Government Code (GC) §51230) Tulare County requires that preserves only include a minimum of 20 acres.

A Williamson Act Contract covers an area created within an Agricultural Preserve. To be eligible for a Williamson Act Contract, the land may be either ‘prime agricultural land’ (10 acre minimum) or ‘non-prime agricultural land’ (40 acre minimum) (GC §51222). The requirements for prime agricultural lands are included in Williamson Act, Title 5, Division 1, Chapter 7, Government Code §51201(c), and are based on soil type or allowed agricultural land uses. Non-prime land in Tulare County is generally grazing land and is limited to agricultural or agriculture-compatible uses as defined in Tulare Board of Supervisors Resolution 89-1275 (Uniform Rules for Agricultural Preserves). Farmland Security Zones (10 acre minimum) must be prime agricultural land within an eligibility zone (within three miles of the Sphere of Influence of an incorporated city). Tulare County requirements are identical to State requirements for these parcels (GC § 51296-51297.4

Agricultural Conservation Easement. A voluntary agreement between a landowner and public agency or non-profit conservation organization. The agreement legally restricts uses of the land, such as building houses on it that would reduce or destroy its potential for agricultural production. The principal objective of an agricultural conservation easement is to safeguard the productivity of farmland and the integrity of the agricultural operation. Easements may be dedicated by the landowner or purchased by the public agency or conservation organization.

Potentially-Productive Agricultural Land. Soils which within the realm of economic possibility can be altered using certain reclamation or modification practices to make them productive for essential food crops such as grain and vegetables. Included are certain Class IV soils and soils with a Storie Index of 60-80.

Williamson Act-Prime Agricultural Land. In order to be consistent with State statutes, such as California Government Code Sections 51201 and 56064, the following lands shall qualify as prime agricultural lands:

1. All land which qualifies for rating as Class I or Class II in the Natural Resource Conservation Services (NRCS) land use capability classifications.
2. Land which qualifies for rating 80 through 100 in the Storie Index Rating.
3. Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
4. Land planted with fruit or nut-bearing trees, vines, bushes, or crops which have a non-bearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the projection of unprocessed agricultural plant production not less than four hundred dollars (\$400.00) per acre.
5. Land which has returned from the projection of unprocessed agricultural plant production an annual gross value of no less than four hundred dollars (\$400.00) per acre for three of the previous five years.

Ranchette. Parcel typically 1.5 to 10 acres in size used primarily for residential use with small-scale agricultural activities as a secondary use.

Soil Quality. The capacity of a specific kind of soil to function, within natural or managed ecosystem boundaries, to sustain plant and animal productivity, maintain or enhance water and air quality, and support human health and habitation.

Urban Development Boundary (UDB). For cities, the County Adopted City UDB is an officially adopted and mapped County line delineating the area expected for urban growth over a 20-year period. This line may be coterminous to the Local Agency Formation Commissions Sphere of Influence. Land within a County Adopted City UDB may be appropriate for development.

For communities, hamlets, planned communities and other unincorporated areas, the UDB is a County adopted line dividing land to be developed from land to be protected for agricultural, open space, or rural uses. It serves as the official planning area for communities over a 20 year period. Land within an unincorporated UDB is assumed appropriate for development and is not subject to the Rural Valley Lands Plan or Foothill Growth Management Plan [RVLP Policy 1-1].



For a definition of UDBs, see Chapter 2-Planning Framework.

Value-Added Agricultural Uses. Uses or facilities that increase the value of agricultural products over the cost of the raw agricultural inputs, such as canning, drying, freezing, or packaging agricultural produce for ultimate sale to consumers.

Existing Conditions Overview

Agriculture is the most important sector in Tulare County’s economy. Agricultural lands (crop and commodity production and grazing) are also the County’s most visible source of open space lands. As such, the protection of agricultural lands and continued growth and production of agriculture industries is essential to all County residents.

Tulare County is one of the two most productive agricultural counties in the United States according to the latest recent agriculture report values (\$5.01 billion in 2008). The primary agricultural commodities in the County in 2008, based on total/gross value were milk, oranges, cattle, grapes, and alfalfa (source: 2008 Tulare County Annual Crop and Livestock Report prepared by the office of the Tulare County Agricultural Commissioner/Sealer). In 2006, over 1.3 million acres of land in Tulare County were classified as “agricultural land”, according to the California Department of Conservation. Of this land, more than 379,762 acres were classified as “Prime Farmland”. Due to conversion to other/non-agricultural uses, the amount of prime farmland in Tulare County has been declining since the Department started compiling such information in 1998. Similarly, the amount of land under Williamson Act Contracts has been declining in recent years.

i *The Animal Confinement Facilities Plan (ACFP) – Phase I (adopted by the Tulare County Board of Supervisors on April 11, 2000) contains policies and standards that specifically address the location and development of dairies and other bovine animal confinement operations in Tulare County. The adopted element is incorporated by reference into this General Plan Update document as Chapter 12 and is not being as part of the General Plan 2030 Update. A copy of the adopted element is available from the Tulare County Resource Management Agency and is also available on the internet at <http://generalplan.co.tulare.ca.us/>*

3.1 Agriculture Preservation

AG-1 To promote the long-term preservation of productive and potentially-productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that supports the viability of agriculture and further the County’s economic development goals.

AG-1.1 Primary Land Use

The County shall maintain agriculture as the primary land use in the valley region of the County, not only in recognition of the economic importance of agriculture, but also in terms of agriculture’s real contribution to the conservation of open space and natural resources.

AG-1.2 Coordination

The County shall coordinate its agricultural policies and programs with State and federal regulations to preserve agricultural lands.

AG-1.3 Williamson Act

The County should promote the use of the California Land Conservation Act (Williamson Act) on all agricultural lands throughout the County located outside established UDBs. However, this policy carries with it a caveat that support for the Williamson Act as a tax reduction component is premised on continued funding of the State subvention program that offsets the loss of property taxes.

AG-1.4 Williamson Act in UDBs and HDBs

The County shall support non-renewal or cancellation processes that meet State law for lands within UDBs and HDBs.

AG-1.5 Substandard Williamson Act Parcels

The County may work to remove parcels that are less than 10 acres in Prime Farmland and less than 40 Acres in Non-Prime Farmland from Williamson Act Contracts (Williamson Act key term for Prime/Non-Prime).

AG-1.6 Conservation Easements

The County shall consider developing an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including “Important Farmlands”), as defined in this Element. This program may require payment of an in-lieu fee sufficient to purchase a farmland conservation easement, farmland deed restriction, or other farmland conservation mechanism as a condition of approval for conservation of important agricultural land to non-agricultural use. If available, the ACEP shall be used for replacement lands determined to be of statewide significance (Prime or other Important Farmlands), or sensitive and necessary for the preservation of agricultural land, including land that may be a part of a community separator as part of a comprehensive program to establish community separators. The in-lieu fee or other conservation mechanism shall recognize the importance of land value and shall require equivalent mitigation.

AG-1.7 Preservation of Agricultural Lands

The County shall promote the preservation of its agricultural economic base and open space resources through the implementation of resource management programs such as the Williamson Act, Rural Valley Lands Plan, Foothill Growth Management Plan or similar types of strategies and the identification of growth boundaries for all urban areas located in the County.

AG-1.8 Agriculture within Urban Boundaries

The County shall not approve applications for preserves or regular Williamson Act contracts on lands located within a UDB and/or HDB unless it is demonstrated that the restriction of such land will not detrimentally affect the growth of the community involved for the succeeding 10 years, that the property in question has special public values for open space, conservation, other comparable uses, or that the contract is consistent with the publicly desirable future use and control of the land in question. If proposed within a UDB of an incorporated city, the County shall give written notice to the affected city pursuant to Government Code §51233.

AG-1.9 Agricultural Preserves Outside Urban Boundaries

The County shall grant approval of individual applications for agricultural preserves located outside a UDB provided that the property involved meets the requirements of the Williamson Act and the regulations of Tulare County.

AG-1.10 Extension of Infrastructure into Agricultural Areas

The County shall oppose extension of urban services, such as sewer lines, water lines, or other urban infrastructure, into areas designated for agriculture use unless necessary to resolve a public health situation. Where necessary to address a public health issue, services should be located in public rights-of-way in order to prevent interference with agricultural operations and to provide ease of access for operation and maintenance. Service capacity and length of lines should be designed to prevent the conversion of agricultural lands into urban/suburban uses.

AG-1.11 Agricultural Buffers

The County shall examine the feasibility of employing agricultural buffers between agricultural and non-agricultural uses, and along the edges of UDBs and HDBs. Considering factors include the type of operation and chemicals used for spraying, building orientation, planting of trees for screening, location of existing and future rights-of-way (roads, railroads, canals, power lines, etc.), and unique site conditions.

AG-1.12 Ranchettes

The County shall discourage the creation of ranchettes in areas designated Valley Agriculture and Foothill Agriculture.



Also see Chapter 4-Land Use, Policy LU-3.5: Rural Residential Designations.

AG-1.13 Agricultural Related Uses

The County shall allow agriculturally-related uses, including value-added processing facilities by discretionary approvals in areas designated Valley or Foothill Agriculture, subject to the following criteria:

1. The use shall provide a needed service to the surrounding agricultural area which cannot be provided more efficiently within urban areas or which requires location in a non-urban area because of unusual site requirements or operational characteristics;
2. The use shall not be sited on productive agricultural lands if less productive land is available in the vicinity;
3. The operational or physical characteristics of the use shall not have a significant adverse impact on water resources or the use or management of surrounding agricultural properties within at least one-quarter (1/4) mile radius;
4. A probable workforce should be located nearby or be readily available; and
5. For proposed value-added agricultural processing facilities, the evaluation under criterion "1" above shall consider the service requirements of the use and the capability and capacity of cities and unincorporated communities to provide the required services.



Also see Chapter 4-Land Use, Policy LU-2.5: Agricultural Support Facilities.

AG-1.14 Right-to-Farm Noticing

The County shall condition discretionary permits for special uses and residential development within or adjacent to agricultural areas upon the recording of a Right-to-Farm Notice (Ordinance Code of Tulare County, Part VII, Chapter 29, Section 07-29-1000 and following) which is an acknowledgment that residents in the area should be prepared to accept the inconveniences and discomfort associated with normal farming activities and that an established agricultural operation shall not be considered a nuisance due to changes in the surrounding area.



Tulare County Ordinance No. 2931, commonly known as the Right-to-Farm Ordinance, was adopted to promote a good neighbor policy between agriculturalists and other residents by making clear what rights each has when they live near one another. The ordinance is designed to protect agricultural land uses from conflicts with non-agricultural uses, as well as to help purchasers and residents understand the inconveniences that may occur as the natural result of living in or near agricultural areas.

AG-1.15 Soil Productivity

The County shall encourage landowners to participate in voluntary programs that reduce soil erosion and increase soil productivity. To this end, the County shall promote coordination between the Natural Resources Conservation Service, Resource Conservation Districts, University of California (UC) Cooperative Extension, and other similar agencies and organizations.

AG-1.16 Schools in Agricultural Zones

The County shall discourage the location of new schools in areas designated for agriculture, unless the School District agrees to the construction and maintenance of all necessary infrastructure impacted by the project.



The County's authority regarding the location of schools is limited by Government Code §53094.

AG-1.17 Agricultural Water Resources

The County shall seek to protect and enhance surface water and groundwater resources critical to agriculture.



For further information about water, see Chapter 11-Water Resources.

AG-1.18 Farmland Trust and Funding Sources

The in-lieu fees collected by the County may be transferred to the Central Valley Farmland Trust or other qualifying entity, which will arrange the purchase of conservation easements. The County shall encourage the Trust or other qualifying entity to pursue a variety of funding sources (grants, donations, taxes, or other funds) to fund implementation of the ACEP.

3.2 Agriculture Productivity and Employment

AG-2

To support increased viability of agriculture production and promote high-value, employment-intensive, and diverse agricultural production and processing in Tulare County.

AG-2.1 Diversified Agriculture

The County shall support and encourage trends in agricultural production that shift suitable land into a variety of crops that can support a more diverse agricultural sector.

AG-2.2 Market Research

The County shall encourage agricultural agencies and marketing cooperatives to research global and domestic markets for high-value crops capable of being produced in Tulare County.

AG-2.3 Technical Assistance

The County shall support efforts of the UC Cooperative Extension, the Agricultural Commissioner/Sealer, and other entities to provide technical assistance to farmers attempting to shift to higher-value crops.

AG-2.4 Crop Care Education

The County shall encourage regional workforce training programs in crop care and other related agricultural support fields.

AG-2.5 High-Value-Added Food Processing

The County shall support accelerated development of high-value-added food processing industries.

AG-2.6 Biotechnology and Biofuels

The County shall encourage the location of industrial and research oriented businesses specializing in biotechnologies and biofuels that can enhance agricultural productivity, enhance food processing activities in the County, provide for new agriculturally-related products and markets, or otherwise enhance the agricultural sector in the County.

AG-2.7 Tourist-Related Agricultural Uses

The County shall support the expansion of agricultural tourism that helps maintain sites in agricultural production, provided these activities do not negatively impact on-going agricultural operations on adjacent lands.



Also see tourism policies included in Chapter 5-Economic Development.

AG-2.8 Agricultural Education Programs

The County shall support and participate in on-going public education programs conducted by organizations such as the County Agricultural Commissioner/Sealer's Office, College of the Sequoias, UC Cooperative Extension, Farm Bureau, and industry organizations to help the public better understand the importance of the agricultural industry.

AG-2.9 Global Marketing

The County shall support and participate in appropriate efforts to market Tulare County as a premier location for the production of globally-distributed food, fiber, and energy products.

AG-2.10 Regional Transportation

The County shall work to improve regional transportation systems to support the movement of agricultural products locally, nationally, and globally.



Also see Chapter 13-Transportation and Circulation and Corridor Framework Policy C-1.5: Agricultural Enterprises.

AG-2.11 Energy Production

The County shall encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, and solar or wind farms.

3.3 Work Plan/Implementation Measures

The following table documents the Implementation Measures included with the General Plan to implement the goals and policies included in this Element.

Implementation	Implements what Policy	Who is Responsible	2012-2015	2015-2020	2020-2030	On-Going
1. The County shall take the lead to work with cities and Tulare County Association of Governments (TCAG) to establish a comprehensive agricultural land mitigation program to offset impacts of agricultural land conversion to urban uses.	AG-1.1 AG-1.6 AG-1.7	RMA, Planning				■
2. The County shall review agricultural land preservation programs and assess their effectiveness in furthering the County's agricultural goals and policies as part of an annual report.	AG-1.3 AG-1.4 AG-1.5	RMA, Planning				■
3. The County shall maintain a comprehensive database of contracted agricultural preserves located within UDBs of unincorporated communities and review these preserves at regular intervals. The purpose of the review is to determine whether any unincorporated community in the County is unduly constrained or confined by land contracted under the Williamson Act. If this has occurred, the County shall encourage the land owner to file a notice of non-renewal so that the contract on the property could be terminated nine years from that date. The Williamson Act review shall be closely coordinated with the review of UDBs.	AG-1.3 AG-1.4 AG-1.5 AG-1.8	RMA, Planning				■
4. The County of Tulare shall serve Notices of Non-Renewal of Land Conservation Contracts in conformance with California Government Code § 51245 through 51246, for properties that do not meet the minimum parcels sizes set forth under § 51222 of the California Government Code, i.e. at least 10 acres in size in the case of prime agricultural land or at least	AG-1.5	RMA, Planning				■

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Implementation	Implements what Policy	Who is Responsible	2012-2015	2015-2020	2020-2030	On-Going
40 acres in size in the case of non prime agricultural land						
5. The County shall work with TCAG and the cities to establish criteria for the locations for agricultural conservation easements.	AG-1.6	RMA, Planning	■			■
6. The County shall continue to use the Rural Valley Lands Plan Parcel Evaluation Procedure to evaluate changes to agricultural zoning as per RVLP Policy-1.1: Development Intensity. The point total shall be considered along with other relevant information to determine the establishment and expansion of UDBs only.	AG-1.7 AG-1.8 AG-1.9 AG-1.10 PF-2.2 PF-3.2 PF-4-3	RMA, Planning				■
7. The County shall coordinate with Local Area Formation Commission (LAFCo) and TCAG to closely monitor the amount of agriculture lands converted annually to urban and other non-agricultural uses. This data will be reported as a feature of the Annual Report prepared pursuant to Policy PF-7.1: Annual Review, and shall be a comparative assessment of development efficiency, such as population per acre, for each community and hamlet.	AG-1.7 PF-7.1	RMA, Planning				■
8. The County shall request LAFCo to adopt rules which discourage extension of sewer and water services into agricultural areas.	AG-1.10	RMA, Planning		■		
9. The County shall consider implementing an Agricultural Buffer Program which will help stabilize edge conditions, protect agricultural operations, and moderate the untimely conversion of farmland to urban development. To do so, the County shall identify interested stakeholder groups, including the Tulare County Farm Bureau, the Building Industry Association, the Department of Pesticide Regulation, and others to conduct workshops to resolve the following types of implementation issues: a. Distance: to be determined, b. Stabilization of edge	AG-1.11	RMA, Planning; Agricultural Commission er/Sealer	■			■

Implementation	Implements what Policy	Who is Responsible	2012-2015	2015-2020	2020-2030	On-Going
<p>condition,</p> <p>c. Types of operation,</p> <p>d. Types of land uses (i.e. schools, etc.)</p> <p>e. Building orientation,</p> <p>f. Planting of trees for screening,</p> <p>g. Location of existing and future rights-of-way,</p> <p>h. Types of uses allowed inside the buffer-zone,</p> <p>i. Unique site conditions,</p> <p>j. Responsibility for maintenance,</p> <p>k. Scale of development,</p> <p>l. Mechanism for exemptions, and</p> <p>m. Implementation targeted for 2010-2015.</p> <p>When implemented, all new discretionary development shall be required to provide an agricultural buffer transition area.</p>						
10. Whenever new or updated community, hamlet, sub-area or redevelopment plans are contemplated, existing non-conforming uses shall be identified as a part of the planning effort.	AG-1.13 PF-1.10	RMA, Planning				■
11. The County shall compile and provide information to the local real estate industry to help make the public aware of the right-to-farm provisions in the County.	AG-1.14	RMA, Planning				■
12. During the General Plan referral (GPR) and California Environmental Quality Act (CEQA) processes for new schools in agricultural areas, the County shall indicate to the School District which roadways and other public facilities and services require further analysis and cost considerations.	AG-1.15	RMA: Planning, Roads, and Engineering				■
13. The County shall amend the Zoning Ordinance to provide for agriculturally related energy production industries.	AG-2.11	RMA, Planning				■
14. The County shall continue to use an Agricultural Advisory Committee as the formal advisory body for issues relating to agricultural zones and agriculture in Tulare County.	Chapter 3	Agricultural Advisory Committee				■

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Implementation	Implements what Policy	Who is Responsible	2012-2015	2015-2020	2020-2030	On-Going
15. The County shall consider the implementation of an Agricultural Conservation Easement Program (ACEP) to help protect and preserve agricultural lands (including "Important Farmlands"), as defined in Policy AG-1.6.	AG 1.6	RMA, Planning		■		

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