

SAN LUIS OBISPO COUNTY AGRICULTURE ELEMENT

1998 AGRICULTURE AND OPEN SPACE ELEMENT

SAN LUIS OBISPO COUNTY GENERAL PLAN

AGRICULTURAL POLICIES (AGP)

AGP22: Major Agricultural Cluster Projects (not available in Coastal Zone)

- a. **Properties that are partly or entirely within five miles of the urban and village reserve lines designated in the LUO and that meet the minimum area criteria can apply for a major agriculture cluster.**
- b. **The maximum number of parcels allowed in a major agricultural cluster project shall be equivalent to the number of primary dwellings normally allowed on the parcels that would result from a conventional land division in the Agriculture land use category based on the minimum parcel size criteria specified in Figure 2-2. (Major agricultural cluster projects may include a reduction in the number of parcels down to 26% of the maximum potential allowance if proposed by the applicant in order to mitigate potential impacts of the project.)**
- c. **All resulting agricultural parcels must meet the minimum parcel size criteria of Figure 2-2 and must be covered by a permanent agricultural open space easement.**
- d. **All resulting residential parcels are entitled to one dwelling per parcel.**
- e. **Whether or not an EIR must be prepared will be determined by the CEQA “initial study.”**
- f. **Consistent with the provisions of the existing agricultural cluster ordinance in the LUO, areas of the site intended for agricultural production must be permanently protected by a recorded open space easement and be placed in a Land Conservation Act (Williamson Act) contract.**

Discussion: The Board of Supervisors adopted the agricultural cluster ordinance in 1984 as a tool available to inland property owners to “encourage the preservation of agricultural lands...for the continuing and enhanced production of food and fiber...” As an incentive, the ordinance states that it is the Board’s policy to “encourage the use of clustering by allowing the number of cluster parcels to equal the number of dwelling units normally permitted on a standard agricultural land division” (LUO Section 22.04.037).

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The existing ordinance provides for the development of residential cluster divisions on large properties in the Agriculture land use category located outside the coastal zone. In order to apply for an agricultural cluster project, these properties must be at least 160 acres in size if located within one mile of the urban reserve line of San Miguel, Paso Robles, Atascadero, San Luis Obispo, Arroyo Grande and Nipomo, and the Creston village reserve line, and up to 2,560 acres at five miles from an urban or village reserve line. The existing ordinance also requires that the clustered lots be within the five mile boundary if other portions of the project site exceed five miles, and also mandates that an environmental impact report (EIR) be prepared for any proposed ag cluster project.

The purpose of this policy is to make several proposed amendments to the existing ordinance to provide more incentives for its use, as well as to make a distinction between “major” and “minor” ag cluster projects so that minor ag cluster projects could become available to land owners in the coastal zone. Major ag cluster projects can be expected to be more intensive projects. Therefore, it is reasonable to continue to limit these types of projects to within five miles of the specified urban and village reserve lines. The less intensive minor ag cluster projects envisioned by AGP 23 offer another option to land owners within the five mile area as well as in the outlying rural areas of the county (greater than five miles), including in the coastal zone, to achieve some added development density over what they could achieve with a standard land division, in return for protecting and enhancing their agricultural operation.

If major ag cluster projects are to be an alternative for proposed divisions of agricultural properties in the areas around the specified communities, several important revisions to the existing ordinance should be considered, as follows:

1. The minimum acreage currently required to apply for a major agricultural cluster project should be amended to require that the resulting agricultural parcel(s) meet the minimum parcel size standards specified in Figure 2-2 and be placed in a Williamson Act ag preserve contract as specified in the county Rules of Procedure (in accordance with the existing provisions in Land Use Ordinance Section 22.04.037j(5), the parcel(s) would also be covered by an open space easement that exists as long as the clustered residential lots exist).
2. Add the urban reserve line of the City of Santa Maria to the list of specified communities around which a major ag cluster project can be proposed where the candidate site is located outside the coastal zone, thereby

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adding this tool as an option in the rich agricultural area of the Santa Maria and Oso Flaco Valleys.

3. Revise the mandatory requirement for an EIR as follows:
 - a. Eliminate the mandatory EIR and instead allow the CEQA "initial study" process to determine whether an EIR should be prepared. The initial study should closely examine the potential impacts on the long-term protection of the agricultural, environmental and biological resources, as well as the availability of and potential impacts on resources such as water, traffic, air quality, schools and other public services and facilities.
4. For projects where portions of the project site lie outside the specified five mile boundary, revise the ordinance to eliminate the current requirement that the proposed cluster lots be located within the five mile limit. Instead, allow the proposed clustered lots to be located anywhere on the project site that will have the least impacts on the agricultural operations.

Implementation:

1. The Department of Planning and Building should prepare amendments to the LUO as described above to implement the policy.

Timeframe: 18 months from plan adoption.