

CHAPTER 2: THE AGRICULTURE ELEMENT

A. AGRICULTURAL RESOURCES

Fertile soils and ground water resources, combined with moderate climate, form the essential ingredients for agriculture. Examples include the rich irrigated croplands of the Arroyo Grande and Cienega Valleys, the award winning wines made from the vineyards of the Edna Valley and the Paso Robles area, the orchards in the Nipomo Valley, the extensive dry land farming of the north county, and the cattle grazing lands in the coastal hills and interior valleys. These are but some of the unique, diverse and valuable agricultural resources to be found in San Luis Obispo County.

While it is understood that there are many types of agriculture and many facets to the agricultural industry, **the focus of this document is on the land resource as the most important resource to the long-term protection of agriculture in San Luis Obispo County.**

WHAT IS AGRICULTURAL LAND?

The following general description of the main types and uses of agricultural land in this county were developed in consultation with the County Agricultural Commissioner and the Agricultural Liaison Board as best describing the types of agricultural lands in San Luis Obispo County. The descriptions form the basis for the system used in this Agriculture and Open Space Element to determine which lands should be included in the Agriculture category shown on the land use categories map in the pocket at the back of the document. this includes land designated (zoned) Agriculture in the Land Use Element and in this element, as well as other lands being used for production agriculture.

It should be noted that any lands that are under Williamson Act agricultural preserve contracts have been automatically included in the Agriculture category shown on the map in this element. The validity of how these lands qualify for preserve status is not being questioned here. If there is any question as to whether a particular site or property ownership should continue to be included in a Williamson contract, that review will occur under the terms of the county's "Rules of Procedure to Implement the California Land Conservation Act of 1965" as adopted by the county Board of Supervisors.

In the following descriptions of agricultural lands, the Natural Resources Conservation Services (NRCS) land capability rating of soils from Class I through VIII generally reflects the quality of soils for various agricultural uses. A general description of these soil classes is found in the next section of this chapter. A more detailed description of agricultural land and an explanation of the criteria used in mapping agricultural lands in this plan are contained in Appendix C.

Irrigated Lands

Row Crops Terrain and Soils: These lands are characterized by various types of vegetables, seed crops, orchards, and other irrigated specialty crops. In valley bottom lands, uses included irrigated field crops and other irrigated specialty crops. Property sizes generally range from 10 acres to hundreds of acres. The topography of these areas consists of nearly level valley bottom lands. The soils are mainly in land capability Classes I and II, but may include some Class III land that has been traditionally or is currently used for row crop production.

These areas support the most intensive farming. The farming operations involve labor-intensive use of equipment and chemicals and much vehicle traffic. They are often close to populated areas because these lands have historically been the easiest to develop. Partly because of that, these areas need special recognition to assure that the land will remain in agricultural use.

Specialty Crops and Forage Lands: These areas are characterized by irrigated orchards and vineyards such as wine grapes, avocados, citrus, and apples. Irrigated uses such as alfalfa and pasture may also be found in these areas. The topography is gently rolling and rolling, on slopes between five and 30 percent. The soils consist mainly of Land Capability Classes III and IV. Property sizes generally range from 20 to a few hundred acres.



Dry Farm Lands

Dry land farming covers a broad range of properties that are primarily cultivated for an annual crop, but also may include some orchard operations. Parcels are normally large in order to be productive units. Farming activities are seasonal. Dry farm lands are divided into two types of croplands, mixed croplands and dry croplands, described below.

Mixed Croplands: Mixed croplands consist of two different types of terrain and crops. One type of mixed cropland is found in valleys with good soils but insufficient water for major irrigated uses. Such areas are characterized by mixed agricultural uses such as dry farm grain and hay and scattered irrigated crops. The other type of mixed cropland is found in areas of higher than average rainfall such as the easterly slopes of the Santa Lucia Range where dry farm orchards and some vineyards occur.

Mixed croplands are characterized by dry farm orchards and vineyards and specialty or high value field crops. The topography of these cropland areas typically range from flat to rolling on slopes between zero and 30 percent. The soils consist mainly of Land Capability Classes III and IV. Property sizes generally range from 40 acres to several hundred acres.



Dry Croplands: These areas are characterized by grain and hay production that is widespread in the northeastern part of the county. Barley, wheat and oat hay are the principal crops. Other crops include dry beans and safflower. Dry croplands may also include grain stubble fields and intervening non-cultivated areas that provide seasonal forage for livestock. The topography of these areas is generally flat to rolling on slopes between zero and 30 percent. The soils consist mainly of Land Capability Classes III and IV. Class VI land has also been commonly used for grain production. Property sizes generally range from 80 to several thousand acres.

Rangelands for Grazing

Grazing lands account for a large percentage of privately owned land in the county. Cattle ranching is the predominant use on these lands. The topography is mainly rolling and on steep slopes between 30 and 75 percent. Rangelands may also include small intervening valleys and ridgetops that have limited use or potential as farmland. The soils consist mainly of Land Capability Classes IV, VI and VII, but may also contain small intervening areas of other land capability classes. Property sizes generally range from 100 acres to thousands of acres, depending on the carrying capacity of the rangelands.



SOILS

As can be seen from the above description of the types of agricultural lands, soil characteristics are critical for agriculture. An understanding of the soils and their properties is an essential factor in developing appropriate agricultural land use patterns and policies. Soils, coupled with climatic conditions and the availability of water, largely determines whether agriculture is feasible and, if so, what kind of crops are possible.

To date, the Natural Resources Conservation Services (NRCS) has completed detailed soil surveys for the northern and coastal portions of the county, as well as the Cuyama Valley area that was included in a soil survey for Santa Barbara County. A survey has not yet been completed for the eastern Carrizo Plain area.

Each of the NRCS soil survey reports contains a general soil map that depicts 14 or 15 soil units that have a distinct pattern of soils, relief and drainage that represent a unique natural landscape. A copy of each of the three general survey maps are included in Appendix C of this document. Persons interested in more detailed information should contact the nearest NRCS office. Individual property owners who wish specific information about their property should contact the NRCS and review the detailed mapping in each of the soil surveys, or consider having detailed soils analyses prepared for their property.

The following is a general description of the eight soil capability classes as defined by the NRCS, followed by a brief description of the type of crops that may be typically found on those soils in San Luis Obispo County. Irrigation capability is required to be designated as Class I or II soil in the following descriptions. These irrigated soils are commonly referred to as "prime soils." See Appendix C for a more detailed explanation of the crop descriptions and mapping criteria that were used in the preparation of this document.

Class I soils have few limitations that restrict their use. These soils are typically used for vegetables, seed crops, orchards, and other irrigated specialty crops and irrigated field crops.

Class II soils have minor to moderate limitation that reduce the choice of plants or that require moderate conservation practices. Uses are very similar to those found on Class I soils.

Class III and IV soils have moderate to severe limitations that reduce the choice of plants, or that require special conservation practices, or both. In some situations, the Class III soils may be used for some of the crop types that are typically found on Class I and II soils, but are more typically used for specialty crops, forage lands, mixed croplands, and dryland field crops. Irrigated Class IV soils are commonly used for vineyards.

Class V soils are not likely to erode but have other limitations, impractical to remove, that limit their use.

Class VI soils have severe limitations that make them generally unsuitable for cultivation. These soils have commonly been used for rangeland and dryland grain production.

Class VII soils have very severe limitations that make them unsuitable for cultivation. These lands are primarily used as rangelands for grazing.

Class VIII soils and landforms have limitations that nearly preclude their use for commercial crop production. However, some grazing occurs on these lands.

The conservation of our soil resources is essential to the future of the county. Unfortunately, a combination of actions are constantly occurring that have an adverse effect on this resource. Soil erosion is occurring due to natural processes, but also due to man's actions on the land through urbanization, inappropriate removal of vegetation, overgrazing, cultivation of steep slopes, and the continuing development of rural properties where landowners are not aware of sound conservation practices.

The **Conservation Element** of the county general plan addresses soil resources in more detail and contains a number of recommendations for soil conservation. Of particular importance to this Agriculture and Open Space Element are the following policies found in the Conservation Element:

- “5. Urban development on prime agricultural land should be avoided. Agricultural zoning should be applied to lands worthy of agricultural preservation to insure that agricultural uses will continue. Agricultural contracts under the Land Conservation Act should be made available whenever possible and use of contracts on qualified properties should be encouraged...
6. Strict standards should be used to prevent unwise grading in the County. Established grading standards should be re-examined; efforts should be made to improve County grading requirements and policies...
8. Removal of groundcover in advance of development should be controlled...
9. Proper standards for construction of drainage facilities should be established. The alteration of natural drainage patterns should be minimized...
11. Development of areas having fragile soils should be discouraged.
13. Overgrazing should be discouraged, and good grazing practices should be encouraged through advisory and incentive programs.

15. Conversion of grazing land to cultivated land should be avoided in areas susceptible to severe soil erosion...Lands officially designated as key ecological areas should be preserved."

[Source: Environment Plan, Conservation Element, 1974.]

HYDROLOGY

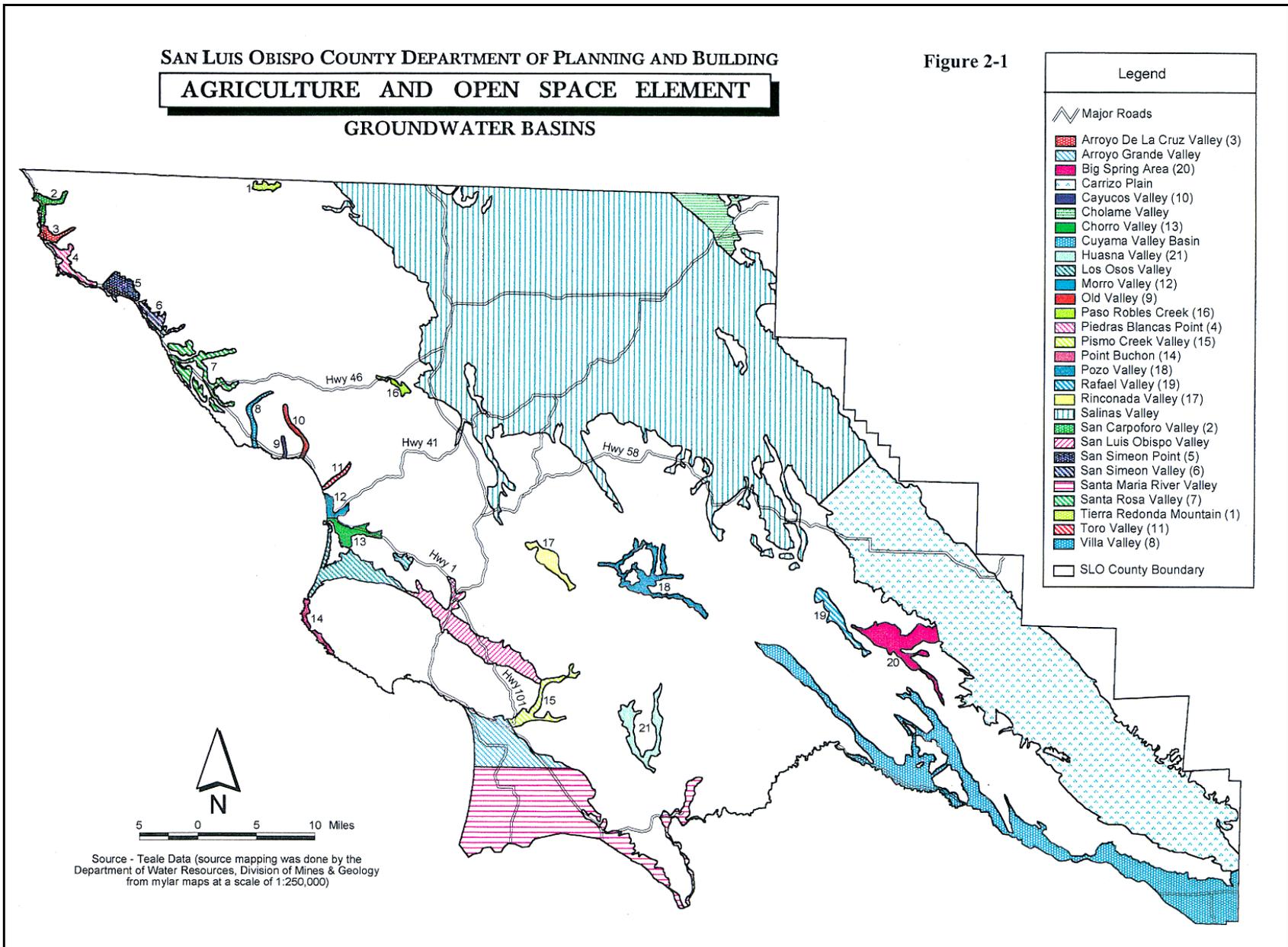
In the relatively arid climate of San Luis Obispo County, water is a valuable resource that is available in limited quantities. There is a fine balance between available supplies and various demands. The county should, within the limits of its authority, ensure that actions by individuals or agencies are consistent with maintaining this balance. Individuals and agencies should also be encouraged to take actions that will enhance this equation by increasing supplies or reducing demands. This balance between supplies and demands can be strengthened if, through the review of development proposals that have the potential for adversely affecting the water balance, appropriate mitigation measures are established, based on the following considerations:

1. Storage of water in or under the watershed should be maximized, thereby minimizing discharges that are lost out of the watershed.
2. Recharge of groundwater basins should be preserved and enhanced by protecting stream bed gravels that are a major source of recharge from sediment deposition. Other alluvial areas should be protected from impervious surfaces or compaction.
3. Water that is extracted from storage should be properly used in a manner that maximizes its beneficial use and that minimizes evaporative losses.

In addition to the above concerns for water quantity, water quality is equally important. Therefore, water that is targeted for groundwater recharge or surface impoundment should be protected from excessive nutrient and salt loading.

Surface Water

Reservoirs fed by surface waters provide roughly 40 percent of the water supply for the county. There are four major rivers in the county: Salinas, Nacimiento, Cuyama and Santa Maria rivers. Lesser streams include Santa Rosa, Chorro, San Luis Obispo and Arroyo Grande creeks. There are also numerous wetlands located in various areas of the county. There are several major watersheds, including the Salinas River system in the central and much of the eastern portion of the county, and the Cuyama Valley which includes portions of Santa Barbara, Kern and Ventura counties.



Groundwater

Groundwater is found within younger alluvium deposited in river valleys, and older alluvium and marine sediments. The small coastal groundwater basins are generally composed of younger deposits, while many of the larger inland basins also contain older alluvium. These groundwater basins provide about 60 percent of the water supply for the county.

The California State Department of Water Resources (DWR) has identified San Luis Obispo County as part of the Central Coastal Hydrologic Study Area (HSA), which includes San Benito and Monterey counties to the north and Santa Barbara County to the south. A total of 40 groundwater basins were identified in this multi-county study area, of which 29 groundwater basins are wholly or partly within San Luis Obispo County. Figure 2-1 shows the groundwater basins in the county. There are four large groundwater basins covering hundreds of square miles each: Paso Robles, Carrisa Plain, Cuyama Valley and Santa Maria basins. There are 20 smaller basins covering less than 50 square miles each, such as: Arroyo Grande Valley-Nipomo Mesa, San Luis Obispo Valley and Chorro Valley.

B. AGRICULTURAL ISSUES

WHY PROTECT AGRICULTURAL LANDS?

- ** The State of California, through the Food and Agriculture Code and State planning law, has found the preservation of agricultural lands to be of major importance to the future well being of the people of California.
- ** It is the policy of San Luis Obispo County to protect and encourage agricultural operations as stated in the county general plan and in the right-to-farm ordinance.
- ** There is a finite amount of land with the necessary characteristics that will enable the production of food and fiber, the basic necessities of life.
- ** Once agricultural land is converted to non-agricultural use, it is virtually impossible to remove the non-agricultural use and convert the land back to agricultural production.
- ** The agricultural industry is a major component of the San Luis Obispo County economy.
- ** Retaining land resources keeps options open for future agricultural activities as the industry changes over time.
- ** Agriculture provides productive open space that contributes to the rural character of the county.

- ** Retaining land in agriculture can have a secondary benefit of retaining other open space resources such as riparian lands, important habitat, and scenic quality.
- ** The open space qualities of agricultural lands contribute to the high quality of life and add to the livability of our communities.
- ** Broad expanses of agricultural land can contribute to the long-term protection of important ecosystems and natural communities.
- ** A strong commitment to agriculture will reduce the pressure to convert productive lands to urban uses, thereby reducing urban sprawl.

Protecting agricultural lands is of long-term importance to the county, state and nation. There is continuing and increasing pressure to convert the rural areas of the county to rural residential homesites. Agriculture can periodically find itself in a poor economic position due to market fluctuations, or adverse natural conditions such as a drought. However, the strong market for rural land in this county and many other parts of the state is a more long-term threat. This is being driven, in part, by the difficulties presented by estate planning and inheritance taxes that often lead to the parcelization of agricultural lands. The pressure for conversion of these lands is also being driven by the desire of many people to escape the pressures of living in the major urban centers. Conversion is also being driven by the desirability of enjoying a rural lifestyle while still being able to connect to the business world through the ever-increasing technical advances of the telecommunications age.

The 1990 Rural Settlement Study Phase I Report evaluated development activity in relation to the agricultural lands that have been identified through the State Farmland Mapping Program. Based on that review, it is important to protect agricultural land now because:

- ** Over 90 percent of the County's "prime" agricultural land occurs in areas that have been experiencing development activity through tract maps, parcel maps and residential building permits;
- ** Almost all of the "unique" agricultural land is located in areas experiencing development;
- ** Over 60 percent of the lands of "local importance" occur in areas where development activity has occurred; and
- ** Lands defined as being of local "potential" have experienced the most development. Because these lands are widely dispersed around the county, it makes it difficult to identify areas that could be easily protected in the future except through a careful review of individual projects on a case-by-case basis.

If the protection of agricultural land is not given a high priority now, the industry may not be able to withstand the pressure to convert to other uses and move on. Farmers who have spent

generations on the land and who want to see their families continue to enjoy that lifestyle, and who have a commitment to producing food and fiber for the rest of society, may no longer be able to withstand the pressure to sell the family farm. The long-term result will be the loss of productive lands for future generations, as well as the loss of the history and lifestyle that provides the rural character that is San Luis Obispo County.



What are the Issues Affecting Agricultural Lands?

- * **The county's agricultural industry is constantly changing and evolving.**

While more traditional land uses prevail in the more arid eastern portions of the county, thousands of acres have been removed from production as part of the federal conservation reserve program. While it is possible that these acres may eventually be returned to agricultural production, it is also possible that they may not return to their prior use of dry farm grain, but instead be put into some other form of agricultural activities. Areas closer to the coast are being affected by population growth and a trend towards more intensive agricultural uses. As the type of agriculture changes, whether it be from dry land farming to vineyards, or a shift to specialty crops, there is a need to establish policies governing agricultural land use which are flexible and can respond to changing needs and opportunities.

- * **Population growth can create pressure for speculative investment in agricultural land for conversion to non-agricultural uses.**

The county's moderate year-round climate, quality educational facilities and other amenities create a desirable environment that draws people to the area and create conflicts at the urban/agriculture interface. Antiquated, small-lot subdivisions typify these problems. These old subdivisions underlying rural and agricultural areas are sold as individual lots and developed as rural homesites in areas without adequate public services. These rural homesites increase conflicts with surrounding agricultural operations in numerous ways.

- * **A number of parcels in the Agriculture land use category are too small to support most production agricultural uses.**

There are approximately 2,750 parcels that are smaller than 20 acres, totaling about 16,700 acres, which are in the Agriculture category (zone) as designated in the Land Use Element of the general plan. There are another approximately 2,100 parcels, totaling about 6,200 acres, which are 10 acres or less in size. These properties, with a range of farming activities, are what are commonly referred to as "ranchettes" or "hobby farms."

As a positive characteristic, these "ranchettes" enable the property owners to engage in some form of agricultural activity. They also allow the residents to experience a rural lifestyle and may enable their children to participate in such activities as 4-H and Future Farmers of America. While these parcels may also provide some amount of transition from urban to production agricultural lands, or function as community separators between the urban areas, these smaller parcels are too small to provide long-term protection of agricultural land resources.

Because these small parcels comprise the greatest interface between urban/suburban uses and production agricultural land uses, they provide the greatest likelihood of leading to incompatibilities between agriculturalists and their suburban or urban neighbors. These parcels have historically presented the largest number of complaints about agricultural practices that make it increasingly difficult to conduct the business of farming. Therefore, a major focus should be on preventing further breakdown of agricultural lands into these types of small ownership patterns.

- * **Estate planning issues among members of agricultural families, or the necessity of paying estate taxes, are frequently acting as the pressure forcing the sale or parceling of farms.**

The pressure for parceling agricultural lands among heirs can be substantial. There is often the need to be fair to all family members by providing separate and equal interests in the estate, rather than the heirs all sharing an undivided interest in the land. However, property buyers seeking small rural acreages are willing to pay prices for rural homesites that are many times greater than what the land is worth for agricultural purposes. Parceling of the farmland into rural homesites increases the market value of that land measurably, putting further pressure on adjoining or nearby lands to be converted to non-agricultural uses. Those landowners who choose not to convert are affected by the higher selling prices of the converted lands because increased land values result in higher property, gift and inheritance taxes when the farmland is sold or transferred.

- * **Many of the lands better suited to agriculture are located near urban areas and are experiencing increasing conflicts between agricultural practices and urban neighbors.**

Even though the county has a strong Right-to-Farm ordinance that contains a clear statement that agriculture is a favored use, more people at the urban/agriculture interface leads to more complaints about conventional agricultural practices. As the density of population adjacent to agricultural lands increases, conflicts can arise between farmers who are continuing routine agricultural practices that produce noise, dust or other annoyances for their non-farming neighbors. These complaints, in the long run, can be detrimental to agriculture's ability to remain viable. Therefore, it will continue to be important to maintain a strong agricultural "right-to-farm" ordinance, as well as strong policies that will ensure appropriate buffers between new development and ongoing agricultural operations.

- * **Water is becoming an increasingly scarce resource.**

Water is the life blood of agriculture. Groundwater has been the dominant historical water supply for agriculture in San Luis Obispo County, largely because of its low cost. Changes in agriculture itself (such as a shift from dry farming to grapes) have increased groundwater use. Well permits can be obtained easily by any property owner without well output control. Increased population and the desirability of the county for recreational and tourist-related activities creates still more competition for limited groundwater resources.

San Luis Obispo County has committed itself to a path that requires active preservation of local water supplies, including groundwater and water imported from local reservoirs such as Lopez Lake and Lake Nacimiento. Land use decisions have traditionally focused on surface areas; however, the land's contribution to groundwater and surface water supplies should also be evaluated.

The amount of water that can be harvested in any watershed is a function of the geology, geography, and proximity to water storage facilities (both underground and on the surface). Rather than just focusing on the merits of proposed developments relative to their scale and location, the developments should also be reviewed for their contribution to or degradation of water supplies from a cumulative, watershed perspective. Development that produces impervious surfacing over porous soils or produces silts that clog groundwater recharging stream gravels should be mitigated or redesigned to reduce these impacts. The traditional methods of valuing land and its usage should be expanded to include the optimization of groundwater recharge and surface impoundment.

The effects of land use decisions are not only an issue for agriculture. The effects of the decisions will also have potentially significant effects on the carrying capacity of natural systems, as noted in the discussion of open space issues in chapter 3 of this element. Open space resource such as coastal stream habitats and other sensitive environmental resources throughout the county can be adversely affected if the assessment of water issues is not expanded to look at the larger picture in the context of watershed planning and management.

* **Agriculture is affected by many aspects of the local, national and international economy.**

Farm debt, fluctuating farm commodity prices, competition in world markets, and operational costs all impact agriculture viability. Diversification and development of uses complementary to agricultural activities may provide opportunities for farmers and ranchers to compete within the agricultural industry, and help to protect agricultural lands for future generations.

* **While more than half of the agricultural acreage in the county is under Williamson Act conservation contracts, the terms of some of those contracts may not adequately protect agricultural land.**

The county has steadfastly maintained a strong commitment to the Williamson Act program. However, some of the early areawide preserves may not provide sufficient long-term protection of agricultural lands.

The original Edna Valley, Nipomo Valley and Estrella agricultural preserves, and part of the Shandon preserve, have a minimum parcel size of 40 acres. These preserve areas with the 40 acre minimum parcel size total approximately 57,200 acres. The original Adelaida

agricultural preserve, approximately 21,600 acres, has a minimum parcel size of 80 acres. Those parcel sizes may now be too small for properties to sustain long-term agriculture. Under the county's current Rules of Procedure, much of the dry farm or grazing lands in those preserves would currently require a 160 or 320 acre minimum parcel size.

Moreover, early preserve contracts do not prohibit separate sale of existing parcels of record that are smaller than the agricultural preserve minimum parcel sizes. The result could be the sale of individually-owned parcels in these locations for residential purposes.

Clearly, there is no single solution to such a wide range of issues. Nor are the solutions only local ones. Many issues associated with agriculture may only be resolved through policies at the state or national level. However, the county should define its agricultural land use policies in order to protect agricultural land resources for the future.



C. AGRICULTURAL GOALS, POLICIES, IMPLEMENTATION MEASURES AND PROGRAMS

INTENT

Through the following goals, policies, implementation measures and programs, it is the intent of San Luis Obispo County to promote and protect the agricultural industry of the County, to provide for a continuing sound and healthy agriculture in the county, and to encourage a productive and profitable agricultural industry. This can be done by:

1. Supporting increased sales of crops and livestock products produced by farmers, ranchers and processors of food, fiber and flowers in this county;
2. Supporting the efforts of the county's agricultural industry in developing and enhancing domestic and international markets for San Luis Obispo County products;
3. Supporting the creation of value added products and the development of new consumer products; and
4. Supporting long-term productivity and sustainability of the county's farms and ranches by conserving and protecting the soil, water and air which are agriculture's basic resources.

This chapter focuses on the agricultural resources of the county while recognizing that other valuable open space resources such as wetlands, riparian vegetation, or scenic resources can exist on those agricultural lands. Therefore, the goals, policies and implementation measures in this chapter address agriculture first, but also address the protection of open space resources on private lands designated Agriculture by the LUE and this element and on other lands used for production agriculture. Open space resources found on public lands and private non-agricultural lands are addressed in chapter 3, The Open Space Element.

AGRICULTURAL GOALS (AG)

AG1: Support County Agricultural Production.

- a. **Support and promote a healthy and competitive agricultural industry whose products are recognized in national and international markets as being produced in San Luis Obispo County.**
- b. **Facilitate agricultural production by allowing a broad range of uses and agricultural support services to be consistently and accessibly located in areas of prime agricultural activity.**

- c. **Support ongoing efforts by the agricultural community to develop new techniques and new practices.**
- d. **Develop agricultural permit processing procedures that are rapid and efficient. Do not require permits for agricultural practices and improvements that are currently exempt. Keep the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources and sensitive habitats.**

AG2: Conserve Agricultural Resources.

- a. **Maintain the agricultural land base of the county by clearly defining and identifying productive agricultural lands for long-term protection.**
- b. **Conserve the soil and water that are the vital components necessary for a successful agricultural industry in this county.**
- c. **Establish land-use policies in this element that support the needs of agriculture without impeding its long-term viability.**

AG3: Protect Agricultural Lands.

- a. **Establish criteria in this element for agricultural land divisions that will promote the long-term viability of agriculture.**
- b. **Maintain and protect agricultural lands from inappropriate conversion to non-agricultural uses. Establish criteria in this element and corresponding changes in the Land Use Element and Land Use Ordinance for when it is appropriate to convert land from agricultural to non-agricultural designations.**
- c. **Maintain and strengthen the county's agricultural preserve program (Williamson Act) as an effective means for long-term agricultural land preservation.**
- d. **Provide incentives for landowners to maintain land in productive agricultural uses.**

AG4: Encourage Public Education and Participation.

- a. Encourage ongoing public education programs by such organizations as the County Department of Agriculture, U.C. Cooperative Extension, Farm Bureau and industry organizations, to provide information about agriculture in San Luis Obispo County and help the public better understand the importance of the agricultural industry.**
- b. Encourage public participation through the public hearing process in the on-going development of county plans, policies, and ordinances affecting agricultural lands. Utilize the resources of such organizations as the County Agricultural Liaison Board, community advisory groups, and conservation organizations.**

AGRICULTURAL POLICIES (AGP)

The policies to attain the preceding goals are interrelated, therefore, they are addressed under the following headings: use of agricultural lands; resource conservation and management; protection of agricultural lands; and protection of open space resources on agricultural lands. These policies apply primarily to land designated Agriculture on the land use designations map in this element, unless otherwise specified. The policies are intended to be consistent with adopted policies, standards and ordinances of the Local Coastal Program (LCP) and are in addition to all applicable LCP policies, standards and ordinances.

To the maximum extent possible, the following policies, implementation measures and programs try to balance protection of open space resources and the needs of production agriculture, and minimize the impacts to ongoing production agriculture. It is the intent to **not** require permits for agriculturally-related projects that are currently exempt, and to **keep** the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources and sensitive habitats. The policies and recommended implementation measures apply to discretionary land use permits for new development (see Glossary for definition of development) and proposed land divisions.

Policies regarding the use of agricultural lands.

AGP1: Public Education.

- a. Support and participate in on-going agricultural education programs aimed at informing the general public about our agricultural industry.**

Discussion: If the goals for agriculture as stated in this element are to be effectively accomplished, there should be a commitment to on-going public education about the importance and role of agriculture in this county. There are a variety of public and private agencies that participate in education programs focused on agriculture, including but not limited to the County Agriculture Department, U.C. Cooperative Extension, San Luis Obispo County Farm Bureau, Cal Poly State University, numerous agricultural industry groups, and others. The county should continue to participate in such programs.

Implementation: The county Department of Agriculture, in coordination and cooperation with U.C. Cooperative Extension, other public and private organizations and educational institutions, should remain in a leadership role of providing public education about the agricultural industry in the county.

Timeframe: Ongoing.

AGP2: Public and Private Lands.

- a. The agricultural policies and implementation measures in this element shall apply equally to public as well as private lands.**

Discussion: The purpose of this policy is to recognize that the agricultural policies and implementation measures apply equally to public as well as private projects. When public agencies propose projects, the agencies are in a position of setting a positive example for the rest of the community. Since the following policies and implementation measures are part of the county general plan, the plans and programs of county agencies, school districts and other special districts should be consistent with them.

Implementation/Timeframe: Ongoing through the review of development proposals and the review of agency projects for conformity with the adopted county general plan.

AGP3: Right-to-Farm Ordinance.

- a. This element reaffirms the county's Right-to-Farm Ordinance, Title 5 of the County Code, as an effective means to let the public know that the use of real property for agricultural operations is a high priority and favored use. The Right-to-Farm Ordinance requires disclosure statements between sellers and**

buyers of properties at the time of property transfer and through inclusion of disclosure statements on all discretionary land use permit applications administered by the County Department of Planning and Building.

- b. Encourage the County Agriculture Department to: (1) maintain an outreach information program to make the local real estate industry and the public aware of the Right-to-Farm Ordinance and the disclosure provisions on property transactions, and (2) continue mediating issues relating to the Right-to-Farm Ordinance.**

Discussion: Many purchasers of land in agricultural areas are initially attracted by the country environment. Only after they move into the agricultural area do they become aware of the intensity of agricultural activities. Purchasers may complain to government authorities or their elected officials about annoyances from agricultural activities. The purpose of this policy is to minimize such complaints by requiring disclosure of more facts about land in agricultural areas and their potential use when properties change ownership.

Implementation:

- 1. The County shall follow the provisions in Title 5 of the County Code regarding the right-to-farm ordinance.**

Timeframe: Ongoing.

- 2. The County Department of Agriculture should maintain an outreach information program to make the local real estate industry and the public aware of the disclosure provisions on property transactions.**

Timeframe: 12 months from plan adoption.

AGP4: Agricultural Use of Small Parcels.

- a. Encourage the establishment of small-scale agriculture uses, specialty crops, and specialized animal facilities on existing small land parcels in the Agriculture land-use category.**

Discussion: The purpose of this policy is to encourage agricultural uses and discourage rural residences as the principal use on existing small agriculturally-zoned parcels. The Land Use Element and Land Use Ordinance already recognize and encourage these uses as appropriate and allowable uses in the Agriculture land use category. This will encourage the best use of agricultural land and will help minimize conflicts with surrounding agricultural uses and agriculturally-zoned parcels.

Implementation: In order to better make people aware of the benefits of locating operations devoted to specialty crops and specialized animal facilities (as defined in the LUE and LUO) in agricultural areas of the county, the Agriculture Department, the Department of Planning and Building, and agricultural organizations and agencies should advise existing and prospective owners of smaller agricultural properties about the benefits of locating these uses on properties designated Agriculture, rather than in residential areas where land is likely to be more expensive and land use conflicts are more likely to occur between the agricultural activities and residential neighbors. This policy is to be implemented through day-to-day public contact with persons who desire to establish small-scale agricultural specialty uses on property they already own or are considering for purchase.

AGP5: Residential Density.

- a. Allow residential density of two primary dwellings on each existing legal parcel of 20 acres or larger in the Agriculture land-use category. On parcels of less than 20 acres, allow one primary and one farm support dwelling.**
- b. Allow farm support quarters consistent with the standards of the LUO.**
- c. See AGP 21 for the allowed density when proposing land divisions to create new parcels on lands containing Class I and II irrigated soils.**

Discussion: In item a., the first portion of this policy would not alter the number of primary residences currently allowed by the Land Use Ordinance on parcels larger than 20 acres and designated Agriculture. However, the second portion of item a. would add the ability of having a secondary dwelling on parcels less than 20 acres in size as a way to increase housing flexibility and options for the farm family, but would require that the second home meet the requirements for farm support quarters. Part b. of the policy gives recognition to the existing provisions of the LUO that allow the establishment of farm support quarters, and provides housing options and flexibility for farm operators. Part c. of the policy clarifies that the residential density must be consistent with the requirements of AGP 21 when a land division is proposed on property that contains Class I and II irrigated soils.

Implementation: The Department of Planning and Building should propose amendments to the LUO to allow residential density in the Agriculture land use category consistent with this policy and the discussion above.

Timeframe: 12 months from plan adoption.

AGP6: Visitor Serving and Retail Commercial Use and Facilities.

- a. Allow limited visitor serving and incidental retail use and facilities in agricultural areas that are beneficial to the agricultural industry and farm operators and are compatible with long-term agricultural use of the land. Such uses shall be clearly incidental and secondary to the primary agricultural use of the site and shall comply with the performance standards in the LUO.**
- b. Locate the visitor serving and incidental retail use off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses.**

Discussion: This policy recognizes the increasing need of farmers and ranchers to diversify their on-site activities from production through the marketing of their agricultural products. On-site and area-specific promotion and marketing of local agricultural products can also enhance local tourism.

Implementation: Both the LUE (Table ‘O’, Allowable Uses) and LUO allow a variety of uses accessory to agricultural operations, such as a winery tasting room, a bed-and-breakfast, or a restaurant. The accessory uses must be clearly incidental and secondary to the primary agricultural use of the site and must comply with performance standards in the ordinance. The types of uses and the effectiveness of the performance standards for their establishment should be monitored over time and, if necessary, future amendments proposed that will further enhance the agricultural operations by the establishment of accessory uses.

Timeframe: On-going.

AGP7: Service Commercial-Type Uses.

- a. Allow limited service commercial-type uses where needed to support local agricultural production.**
- b. Locate the service commercial-type uses off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses.**

Discussion: Most service commercial-type uses needed in agricultural areas are already allowed; for example, farm equipment repair services, veterinary services, rental and farming services using heavy equipment, and bulk supplies that cannot be transported easily between urban and rural areas. These types of uses are included in the land use

definitions of Ag Processing, Farm Equipment and Supplies, Food and Kindred Products, Small Scale Manufacturing, Warehousing, and Wholesaling and Distribution.

Service commercial-type agricultural support services are normally located in areas designated as Commercial Service or Industrial, most often located in the urban areas of the county. However, the purpose of this policy is to encourage agricultural support service uses that may need to be located within agricultural areas, but to make sure that the location of those uses complies with standards that protect or enhance long-term agriculture in the area.

Implementation: Review the existing standards in the LUO and CZLUO and, where necessary, propose amendments to those standards to require that land use permit applications for service commercial-type uses in support of agriculture comply with specified performance standards such as: siting related to agricultural uses; access; water supply and recharge areas; fire protection service; setbacks and screening. These standards would apply to uses that are included within the definitions of Ag Processing, Farm Equipment and Supplies, Food and Kindred Products, Small Scale Manufacturing, Warehousing, and Wholesaling and Distribution.

Timeframe: 12 months from plan adoption.

AGP8: Intensive Agricultural Facilities.

- a. **Allow the development of compatible intensive agricultural facilities that support local agricultural production, processing, packing, and support industries.**
- b. **Locate intensive agricultural facilities off of productive agricultural lands unless there are no other feasible locations. Locate new structures where land use compatibility, circulation, and infrastructure capacity exist or can be developed compatible with agricultural uses.**

Discussion: Agriculture's needs are the primary determinates of the location of agricultural facilities. Intensive agricultural facilities include many different types of uses that have varied requirements as to location, site characteristics, water, sanitary service and waste disposal, as well as a variable degree of potential conflicts with residential and other urban land uses. Examples of such uses are livestock feedlots, dairies, hog farms, poultry operations, mushroom production, greenhouses, aquiculture facilities, feed and grain mills, meat-packing plants, other types of food processing plants, breweries, wineries, produce packing sheds, packing and packaging materials, ice manufacturing, and transportation facilities for agricultural products and supplies.

This policy recognizes that additional intensive agricultural facilities may be needed to support local agriculture. However, not all such uses may be appropriate on all locations

where they might be proposed. Finding suitable locations for such facilities where development will be compatible with surrounding uses is important to both agriculture and the surrounding uses. Accordingly, the county should actively assist in finding appropriate locations in agricultural, industrial or commercial service areas.

The LUE and LUO have appropriate standards for the location of such uses. However, one such type of use not referenced as an allowed use would be a brewery. Under existing county standards, wineries can be established using grapes either grown on-site or imported from another site. While hops are not yet an established crop in this county, breweries could become similar to wineries if more locally grown product becomes available so as to make establishment of a brewery feasible. Standards in the LUO should establish the requirements for developing a brewery by spelling out such factors as requiring that a majority of the raw products needed are grown in San Luis Obispo County, the type of land use permit required, how the site is to be developed, and the type of access required to the site.

A review of the Standard Industrial Classification (SIC) system shows that wineries, breweries, and the manufacturing of other types of spirits are included in the definition of Food and Kindred Products. However, under the existing LUE/LUO, breweries are not referenced as a use that could be established in this county. Therefore, the LUE/LUO should be amended to include breweries as a conditional use.

Implementation:

1. The Department of Planning and Building should work with representatives of the agricultural industry, individuals and community groups to identify appropriate development standards for the placement of intensive agricultural facilities that are directly related to agricultural production, processing, packing and support industries.

Timeframe: Ongoing.

2. The Department of Planning and Building should propose amendments to the LUE to include breweries in the definition of "Food and Kindred Products." The LUO should also be amended to incorporate appropriate development standards for breweries, such as but not limited to requiring that a majority of the raw products needed are grown in San Luis Obispo County, the type of land use permit required, how the site is to be developed, the type of access required to the site, as well as a provision that breweries shall not be located on agricultural lands unless there are no other feasible alternative locations available. Further definition of what constitutes a winery and accessory activities should also take place.

Timeframe: 24 months from plan adoption.

3. The Department of Planning and Building should propose amendments to the LUO by adding development standards for uses included in the land use definition of "Food and Kindred Products" (as defined in Framework for Planning) similar to those standards already in place for wineries that will ensure compatibility with the rural and agricultural character of the area.

Timeframe: 24 months from plan adoption.

Policies regarding resource conservation and management.

AGP9: Soil Conservation.

- a. **Encourage landowners to participate in programs that reduce soil erosion and increase soil productivity. Promote coordination between the Natural Resources Conservation Service, Resource Conservation Districts, Consolidated Farm Services Agency, Morro Bay State and National Estuary, and other agencies and organizations.**
- b. **Emphasize the long-range benefits of proper drainage control and tillage, cropping, soil amendment, and grazing techniques to minimize soil erosion.**
- c. **Assure that roads and drainage systems on county-controlled properties and facilities do not negatively impact agricultural lands and that the roads and systems are properly maintained.**

Discussion: Loss of topsoil is a threat to the continued productivity of agricultural lands. The purpose of this policy is to minimize the loss of topsoil by encouraging broad-based cooperation between property owners, ag operators, agencies and organizations that will lead to effective soil conservation practices on farmlands and on county-controlled properties.

Implementation:

1. The County Department of Agriculture should participate in educational efforts regarding soil conservation developed cooperatively by the Resource Conservation Districts, Consolidated Farm Services Agency, U.C. Cooperative Extension, the U.S. Natural Resources Conservation Service, and the Morro Bay State and National Estuary Programs. Educational efforts should utilize all available information and avoid duplication of effort.
2. These standards and methods should also be applied to lands and facilities owned and operated by the County to set a positive example for soil conservation.

Timeframe: Ongoing.

AGP10: Water Conservation.

- a. Encourage water conservation through feasible and appropriate “best management practices.” Emphasize efficient water application techniques; the use of properly designed irrigation systems; and the control of runoff from croplands, rangelands, and agricultural roads.**
- b. Encourage the U.C. Cooperative Extension to continue its public information and research program describing water conservation techniques that may be appropriate for agricultural practices in this county. Encourage landowners to participate in programs that conserve water.**

Discussion: Land area, the water falling on it, and groundwater stored beneath its surface are inseparable in determining agricultural values and productivity in the County. Other than the land itself, water is the most precious resource for agriculture. Conserving water can benefit agriculture by reducing groundwater pumping. Uncontrolled runoff can contribute to soil loss, reduced water quality in streams, increased impact on riparian habitat, decreased opportunity for groundwater recharge and degradation of the general productivity of the watershed.

Implementation:

- 1. Encourage farmers and ranchers to periodically conduct irrigation efficiency analyses, such as those provided by the U.S. Natural Resources Conservation Service mobile irrigation lab program, or an equivalent. If financially feasible, the County should consider funding assistance.**
- 2. The County Department of Agriculture should participate in educational efforts regarding water conservation developed cooperatively by the Resource Conservation Districts, Consolidated Farm Services Agency, U.C. Cooperative Extension, and the U.S. Natural Resources Conservation Service. Educational efforts should utilize all available information and avoid duplication of effort.**
- 3. Conservation methods should also be applied to lands and facilities owned and operated by the County to set a positive example for water conservation.**
- 4. County departments should facilitate the approval of water conservation, surface water retention, improvement of ground water recharge areas and artificial recharge structures by providing applicants for such structures with information identifying which local, state and federal agencies must be contacted regarding such projects.**

Timeframe: Ongoing.

AGP11: Agricultural Water Supplies.

- a. Maintain water resources for production agriculture, both in quality and quantity, so as to prevent the loss of agriculture due to competition for water with urban and suburban development.**
- b. Do not approve proposed general plan amendments or rezonings that result in increased residential density or urban expansion if the subsequent development would adversely affect: (1) water supplies and quality, or (2) groundwater recharge capability needed for agricultural use.**
- c. Do not approve facilities to move groundwater from areas of overdraft to any other area, as determined by the Resource Management System in the Land Use Element.**

Discussion: The purpose of this policy is to strongly promote agricultural uses. Where urban development uses groundwater supplies, surrounding agricultural uses are often eventually displaced. By maintaining groundwater supplies primarily for irrigated agriculture uses, the county can encourage continued and expanded agricultural uses. In addition, this could reduce the chances that urban and suburban development will diminish recharge, deplete agricultural water supplies, degrade water quality, or make those supplies uneconomical for agriculture to use.

Implementation:

- 1. The Department of Planning and Building should propose amendments to the guidelines for general plan amendments in Framework for Planning of the LUE to reference this policy as it applies to groundwater supplies.**

Timeframe: 18 months from plan adoption.

- 2. The Department of Planning and Building should propose amendments to the LUO, CZLUO and the Real Property Division Ordinance to establish standards to ensure that proposed land divisions and discretionary land use permit projects for non-agricultural purposes in rural areas do not adversely affect water supplies, watershed yields or water quality for existing or expanded agricultural uses. The standards should be based on approved groundwater basin/resource capacity studies, or other studies done in connection with the environmental review process.**

Timeframe: 24 months from plan adoption.

- 3. On a watershed basis, County Planning, Engineering and Agricultural Departments will prepare a proposed work program to conduct or facilitate preparation of up-to-**

date groundwater basin/resource capacity studies that identify water supplies and drainage requirements (i.e., future demand vs. delivery capacity, trends, watershed yields, safe yields, surface drainage channels and salt sinks) relating to the needs of agriculture and other uses. The proposed work program and subsequent studies will be prepared in consultation with the county Water Resources Advisory Committee, U.C. Cooperative Extension and the Natural Resources Conservation Service,

Timeframe: Proposed work program submitted to Board of Supervisors within 12 months of plan adoption.

4. Recommend to LAFCO denial of proposed annexations to incorporated cities or special districts which would adversely affect existing agricultural water supplies and which would be inconsistent with preceding implementation measures.

Timeframe: Ongoing through review of proposed annexations.

5. The county Environmental Health Division should initiate an information program to fully identify the potential beneficial uses and potential hazards of reclaimed water.

Timeframe: 24 months from plan adoption.

6. The County Engineering Department, Agriculture Department, U.C. Cooperative Extension, and production agriculture representatives should advise the Planning and Building Department on matters involving agricultural water supplies, demand and water quality effects on crops.

Timeframe: Ongoing.

AGP12: Pest, Vertebrate, and Weed Management.

- a. **Assure that pests such as squirrels and noxious weeds are managed on county owned properties so as to avoid impacts on agriculture.**
- b. **Encourage the use of integrated pest management techniques to manage pests, vertebrates, and weeds on both public and private lands.**
- c. **Support and promote programs that help landowners learn pest control methods, utilizing the expertise of the U.C. Cooperative Extension and the County Agriculture Department.**

Discussion: This policy emphasizes the importance of managing pests on private and county-controlled properties. Pests can have a detrimental effect on agricultural operations, including increased costs to manage pests. In order to minimize concerns about possible environmental and health effects of herbicides and other chemicals, the county should promote integrated pest management techniques.

Implementation:

1. The county should support continued funding of pest and vertebrate control programs, including integrated pest management techniques, on county properties and facilities where needed to prevent significant effects on agriculture or public health, and encourage private property owners to participate in these programs.
2. Encourage other local, state and federal agencies and organizations to work cooperatively with the county pest, vertebrate and weed management programs.
3. Encourage the County Agriculture Department and U.C. Cooperative Extension to provide public education information about pest management programs.

Timeframe: Ongoing.

AGP13: Agricultural Material Composting.

- a. **Encourage the composting and re-use of agricultural commodities and materials.**
- b. **The county should carefully evaluate and work cooperatively with appropriate state and federal agencies, local organizations and land owners to determine whether and under what circumstances bio-solids are appropriate for land disposal.**

Discussion: Composting of agricultural wastes and by-products offers an opportunity to return resources to the agricultural operation. It also offers a way to reduce the impacts on available space in landfills and reduce air pollution from agricultural burning. An agricultural composting activity is exempt from permit requirements if green or animal material is produced and composted on site, and a similar amount of compost is returned to the site or another property operated by the agriculturist. Agricultural materials composting operations and facilities are regulated through the California Code of Regulations and the Public Resources Code which are enforced by a number of different governmental agencies.

The county should evaluate the issues associated with land applications of bio-solids (sludge). If it is determined that there are benefits to agriculture to allow such

applications, guidelines should be prepared to specify how and where such materials may be applied. The county Agricultural Commissioner, Environmental Health Department and the Department of Planning and Building should work cooperatively with U.C. Cooperative Extension, the Regional Water Quality Control Board, waste generators, land owners, researchers and environmental organizations to carefully evaluate this issue to determine the appropriate actions to take.

Implementation:

1. Composting should be encouraged through voluntary action of landowners and operators.

Timeline: Ongoing.

2. The Board of Supervisors should ask the county Agriculture and Environmental Health Departments, with public participation and input, to develop recommendations as to whether and under what circumstances bio-solids can be used on agricultural lands.

Timeline: 12 months from plan adoption.

3. The county should continue to participate in public educational programs concerning issues associated with land application of bio-solids.

Timeline: Ongoing.

Policies regarding the protection of agricultural lands.

Sales of existing lots in rural subdivisions and other substandard-size parcels scattered throughout the county can result in major adverse impacts on agricultural land use. Many areas containing small parcels are still owned and operated as large farms and ranches. Some of these areas are protected for the term of land conservation contracts because the contracts prohibit conveyance of individual parcels or groups of parcels that are smaller than the minimum parcel sizes applied to agricultural preserves. However, many small parcels are not given that protection through agricultural preserve contracts. Many of these parcels could also become available for sale if the land owners decide to file a notice of non-renewal of an ag preserve contract in order to be able to offer the parcels for eventual sale. The impacts on agriculture could be serious and long-term.

Agricultural land owners should be encouraged to enter into land conservation contracts. However, additional protection programs are needed that are focused on productive agricultural resources and cost effective to implement.

The following policies focus on agricultural land protection by addressing agricultural preserves, lot line adjustments, transfer of development credits (TDC's), and other conservation tools and strategies that may be useful in protecting agricultural resources.

AGP14: Agricultural Preserve Program.

- a. Encourage eligible property owners to participate in the county's agricultural preserve program.**

Discussion: Through 1995, cropland and grazing lands involved approximately 1,160,400 acres (including acreage in the Conservation and Reserve Program) or 55 percent of the total county area (2,122,240 acres) and accounted for approximately 74 percent of privately-owned lands in the county. The agricultural preserve program continues to be the primary program for long-term protection of agricultural land in the county. A Land Conservation Act (Williamson Act) contract provides tax incentives for land owners to participate in the program in exchange for agreeing to keep their properties in large parcels and in agricultural uses for minimum terms of 10 or 20 years, depending on property location. A contract reduces property taxes to reflect the production value of agricultural land, thereby promoting long-term agricultural use.

The county has a strong agricultural preserve program. Between 1980 and January 1, 1998, approximately 109,200 acres have been added to the contracted lands. However, there has still been pressure to convert agricultural land to non-agricultural use. Since adoption of the Land Use Element/Land Use Ordinance system in 1980, over 3,000 acres of land have been rezoned from the Agriculture category to non-agricultural land use categories in the unincorporated areas of the county.

The pressure for conversion can also be seen in statistics compiled by the California Department of Conservation, the agency that oversees the state's Williamson Act program. Those statistics show that while the county had approximately 769,200 acres under Williamson Act contract as of January 1, 1998, notices of non-renewal are filed on approximately 8,000 acres of these contracted lands.

The county should continue to support incentives to encourage land owners to participate in the agricultural preserve program. These incentives can include such things as the continued subsidization of application processing fees for new agricultural preserves, as well as timely processing of land use permit applications for agriculturally-related development on lands under agricultural preserve contracts. Detailed policies to maintain and strengthen the agricultural preserve program are described in the county "Rules of Procedure to Implement the California Land Conservation Act of 1965," as adopted by the Board of Supervisors.

The state legislature has also recognized that additional incentives are needed to expand options for landowners who wish to gain longer term farmland protection than otherwise available through a conventional Williamson Act contract. Amendments to the Land Conservation Act in 1998, added a new option called a “farmland security zone.” Under this amendment to the Act, land owners may voluntarily rescind an existing contract in order to simultaneously enter into a new contract designating the property as a farmland security zone. The term of the contract shall be not less than 20 years, with an automatic annual one year extension of the initial term unless a notice of nonrenewal is filed by the owner.

Lands covered by a contract in a farmland security zone will receive additional protection through tax valuation provisions in the Revenue and Taxation Code, application at a reduced rate of any special tax approved by the voters for urban-related services, limitations on the annexation of lands under such a designation and contract to a city or special district, and a prohibition against a school district declaring local zoning regulations inapplicable to lands to be used or acquired by the district. The county should amend its Rules of Procedure to incorporate this legislation, inform holders of existing Williamson Act contracts of this new option and assist any interested owners in applying it to their land.

In another tax-related matter, family farmers should be made aware of the opportunity to measurably reduce federal death taxes by electing to use Internal Revenue Service Section 2032A (Special Use Valuation). A summary of qualifications for that section is included in the county Rules of Procedure referenced above.

Implementation:

1. As an incentive for land owners to participate in the agricultural preserve program, the county should continue to provide a subsidy to the application filing fees for processing applications to establish agricultural preserves. In addition, the Department of Planning and Building shall provide timely processing of land use permit applications for agriculturally-related development on land subject to Williamson Act contract.

Timeframe: Ongoing.

2. The County Agricultural Preserve Review Committee should consider, and recommend to the Board of Supervisors, proposed amendments to the county Rules of Procedure to incorporate recent changes to the Land Conservation Act (Williamson Act) that provide for the creation of “farm security zones,” and recommended procedures by which a landowner may voluntarily enter into a new contract designating the property in such a zone.

Timeframe: 12 months from plan adoption.

AGP 15: Transfer of Development Credits (TDC).

- a. Continue to utilize a voluntary TDC program to help protect agricultural resources by guiding development to more suitable areas.**

Discussion: The adopted TDC program is applicable in the inland areas of the county, not in the coastal zone. As noted in Framework for Planning of the LUE, a TDC program is a planning tool that "...allows the right to develop (called credits) to be separated from one site (the sending site) and moved to another (the receiving site). The transfer of the credits reduces the development possible on the sending site and increases the development possible on the receiving site." The program is "...voluntary, incentive-based, and market-driven between willing sellers and willing buyers. Land owners are not obligated to use this technique to request an amendment to the general plan or to subdivide property in conformance with existing regulations."

Framework for Planning contains an important statement about the objectives of the TDC program, as follows:

"The primary purpose of the TDC program is to promote appropriate settlement patterns while maintaining an overall level of development within the service capacities of transportation and other public service systems. As a countywide program it endeavors to: protect both land with agricultural capability and the business of agriculture itself; reduce development potential within land divisions or other areas that do not have adequate services for residents; protect important or extraordinary natural areas, habitats or cultural resources; reduce development potential in areas that may have the potential for landslides, fires, or other hazards; and reduce air quality impacts associated with locating residential development distant from jobs, schools, shopping and recreation."

The TDC program can be an effective way to direct growth and development away from agricultural areas, thereby reducing potential conflicts with agricultural activities. This voluntary program can also help the owner of agricultural lands achieve the value of the potential development without having to sell the property or otherwise develop it. Use of the TDC program may also offer potential tax benefits to the property owners, but that will depend on the circumstances of each ownership.

The TDC ordinance is adopted in the Land Use Ordinance which sets out the procedures and standards for its use. The county should continue to encourage landowners to consider using the TDC ordinance as another available tool to meeting their needs. Amendments should also be proposed to the Local Coastal Plan that would allow the use of TDC's in the coastal zone.

Implementation:

1. Ongoing through the voluntary action of land owners.
2. Prepare proposed amendments to the LCP that would add the voluntary TDC program as an available land use tool in the coastal zone.

Timeframe: 18 months from plan adoption.

AGP16: Agricultural Land Conservation Programs.

- a. **Encourage and support efforts by non-profit and other conservation organizations to protect agricultural lands and maintain agricultural production.**
- b. **Consider establishing a limited county program to acquire conservation easements or development rights from willing land owners. Such programs should encourage maximum flexibility for agricultural operations.**

Discussion: There are a number of organizations active in farmland protection programs. Private non-profit conservation organizations include the San Luis Obispo Land Conservancy, The Nature Conservancy, and the American Farmland Trust.

The San Luis Obispo Land Conservancy provides assistance to land owners interested in protecting agricultural, aesthetic and ecological values on their land. They offer counseling and assistance in establishing conservation easements, transfer of development credits, estate donation, and other conservation programs.

The American Farmland Trust (AFT) is a national organization dedicated to the conservation of productive farmland. AFT increases public awareness of agricultural issues, provides technical assistance to government agencies and private organizations, and engages in individual farmland conservation real estate transactions.

The Coastal Conservancy is a state agency also actively engaged in farmland preservation programs in California coastal counties. The Coastal Conservancy has been active in San Luis Obispo County, working on projects with incorporated cities, as well as in the unincorporated areas of the county.

In 1998, the county was successful in securing a grant from the Agricultural Land Stewardship Program (see discussion in chapter 1) to assist in the investigation of the potential impacts of antiquated subdivisions on areas of intensifying agriculture. The grant funding will enable the compilation of a database of the antiquated subdivisions in areas of the county where agricultural intensification is occurring, especially vineyards, so as to assess the potential impact to agriculture if the underlying lots are developed with non-

agricultural uses. When completed, that evaluation should help provide further direction to the goals and policies of this general plan element, as well as to the Land Use Element. The county should continue to actively pursue participation in this grant program as future funds become available to address agricultural issues.

The following acquisition strategies are examples of some of the measures that could be carried out by conservation organizations or by the county. In all cases they should be accomplished between willing buyers and sellers. **In those limited instances where the County may be an active participant, the primary focus of these strategies should be on purchase of easements and development rights, rather than the outright purchase of agricultural lands.** While any of the potential programs could have costs and operational concerns, there may be some limited application in appropriate circumstances, although public purchase may be the most problematic due to limited public funds.

The following strategies are not an all-inclusive list and other creative methods will need to be developed and implemented over time.

Purchase of Development Rights and Conservation Easements. The purchase of development rights (PDR) from a willing seller retires development potential through deed restrictions, leaving land owners all other rights of ownership except the right to sell homesites or to establish other types of development, for which the rights have voluntarily been extinguished. Land owners may receive income and estate tax benefits, in addition to protecting local agricultural areas from conversion to other uses. However, there could also be tax penalties due to capital gains tax.

Land owners can also choose to enter into conservation easements to protect agricultural land. A "Bargain Sale Conservation Easement" allows the land owner to receive cash income, but provides a way to offset increased capital gains tax.

See Appendix J for a further discussion of these programs.

Purchase and Resale or Lease with Restrictions. This strategy involves purchasing land and placing restrictions on its use and development. The land is then resold at a reduced market price that reflects the land use restrictions. The end result is equivalent to purchase of development rights. This concept may be more appropriate for entities other than the County to enter into.

Fee Simple Purchase and Lease-Back. This strategy protects farmland through outright purchase. Both real property and estate tax problems can be solved for farmers who sell their land to a public agency or conservation organization. Fee simple purchase can be very costly. This strategy should be considered the lowest priority by the County and may be most appropriate for other conservation organizations to pursue.

Long-term Conservation Lease. Where agricultural lands also contain open space resources that are worthy of protection, such as riparian habitat, scenic qualities, etc., but the land owner is not interested in selling the property or the development rights, an alternate approach may be to enter into long-term conservation leases. Similar to the provisions of a Williamson Act contract, such a lease could offer protection of the resources for an extended period of time, while also offering the property owner a revenue stream that will enable maintenance of the agricultural activities. The lease could be held by a conservation organization, with the term of the lease automatically renewed annually for another year similar to a Williamson Act contract. This, and other creative methods of resource conservation, should be explored more fully.

Implementation:

1. The Department of Planning and Building, in cooperation with the county Agriculture Department and U.C. Cooperative Extension, should assist agricultural and conservation organizations in developing and implementing programs to conserve agricultural land. The agencies should prepare a public information brochure for distribution to the agricultural community making them aware of the advantages of participating in such programs.

Timeframe: 12 months from plan adoption.

2. In cooperation and coordination with conservation organizations and other jurisdictions, the county should explore the possibility of establishing a program to protect agricultural lands by purchasing development rights and conservation easements from willing sellers, by offering long-term conservation easements, or through other innovative programs.

Timeframe: To be determined by Board of Supervisors after plan adoption.

3. The County should actively pursue grant funds under provisions of the Agricultural Land Stewardship Program Act of 1995, to assist with the implementation measures contained in this Agriculture and Open Space Element.

Timeframe: Ongoing after plan adoption.

AGP17: Agricultural Buffers.

- a. **Protect land designated Agriculture and other lands in production agriculture by using natural or man-made buffers where adjacent to non-agricultural land uses in accordance with the agricultural buffer policies adopted by the Board of Supervisor (see Appendix D).**

Discussion: New residential and other non-agricultural uses that are proposed adjacent to agricultural land or uses may result in land use conflicts. Residential and other non-agricultural uses can be adversely affected by odors, noise, dust and pesticide use. Farmers and ranchers are affected by resident complaints and lawsuits, pilferage of vegetables and fruits, increased incidence of trespass, theft and vandalism, disturbance of livestock by dogs and people, introduction of plant and animal pests and diseases harmful to agricultural uses, increased potential for fire on dry farm and grazing lands, and competition for available water resources.

The LUO contains a number of location and setback standards to separate existing residential areas and uses from potentially incompatible agricultural uses such as feedlots, poultry ranches, or hog farms. In addition, the Board of Supervisors has adopted policies for establishing buffers between agricultural areas and non-agricultural development in order to minimize possible land use conflicts. A further modification to those policies should be considered that would include a provision for public disclosure that a buffer has been applied to a property as part of the county's approval of a discretionary land use permit. The disclosure would provide notice to prospective buyers and sellers that such a restriction applies.

Implementation:

1. The County Department of Agriculture shall review applications for land division, lot line adjustments, land use permits and proposed general plan amendments for consistency with the agricultural buffer policies adopted by the Board of Supervisors (see Appendix D).

Timeframe: Ongoing.

2. The Department of Planning and Building, the County Department of Agriculture, and agricultural industry groups should develop proposed amendments to the Agricultural Buffer Policy establishing a disclosure process (similar to that found in the Right-to-Farm Ordinance, Title 5 of the County Code) that would inform potential buyers and sellers of properties that, as part of the county's approval of a discretionary land use permit, an agricultural buffer has been applied to a property.

Timeframe: 24 months from plan adoption.

AGP18: Location of Improvements.

- a. Locate new buildings, access roads, and structures so as to protect agricultural land.**

Discussion: This policy is intended to ensure that new facilities will be sited so that the most productive agricultural land will be kept available for agricultural production. On such land, allowable uses should generally be limited to those that are most directly related to agricultural production. Such limitations are found in existing inland LUE planning area standards that limit uses in the Arroyo Grande, Nipomo and Oso Flaco Valleys.

Implementation: Consistent with Agricultural Goal AG1d, no new permitting requirements are proposed for agricultural development that is currently exempt. The required level of permit processing for non-exempt projects should remain at the lowest possible level consistent with protection of agricultural resources. The Department of Planning and Building should:

- 1.** Propose amendments to the LUO as needed to establish standards for projects requiring discretionary approval on irrigated lands or dry farm lands by either (a) locating new buildings, structures and roads on a very limited portion of the total site area, or (b) locating such improvements on the least productive portions of the property, or (c) locating such roads so they do not bisect farm fields, or (d) locating facilities outside sensitive habitats consistent with AGP 25, unless the discretionary review shows there is no practical alternative for siting the proposed facility.

Timeframe: 24 months from plan adoption.

- 2.** Propose amendments to Framework for Planning and applicable planning area standards in area plans to limit allowable uses on row crop terrain and soils (as discussed earlier in this chapter under the heading “What is agricultural land?”) to those uses that are most directly related to agricultural production (see Appendix J for an example of allowable uses).

Timeframe: For Framework for Planning, 24 months from plan adoption. For area plans, as part of scheduled updates, or 18 months from plan adoption for area plans not scheduled for updating in that time frame.

AGP19: Consolidation of Public and Private Land Holdings.

- a. Encourage consolidation of publicly and privately owned lands that will facilitate both better management of public lands and better operation of farms and ranches.**

- b. Encourage the sale or trade of isolated publicly-owned parcels that are contiguous to privately owned lands designated Agriculture. Use voluntary merger or lot line adjustment processes so there is no increase in the number of privately owned parcels.**

Discussion: Los Padres National Forest and Bureau of Land Management (BLM) lands include scattered parcels in agricultural areas. Likewise, private in-holdings occur within these federal lands. The county should encourage consolidation of land holdings; for example, through land trades between private land owners and federal, state or local government agencies. However, land that is transferred from public to private ownership should not contain significant scenic, recreational or biological resources.

Implementation: The county Department of Planning and Building, with assistance from the county Agriculture Department, should work with the U.S. Forest Service, BLM and appropriate state and county agencies to prepare a complete inventory of parcels under federal, state or county ownership that are suitable for agricultural use and would be appropriate for consolidation and transfer from public to private ownership. Consult with adjacent private property owners before any transfers occur from public to private ownership.

Timeframe: 36 months from plan adoption.

AGP20: Agricultural Land Divisions.

- a. Where a division of agricultural lands is proposed, a contiguous cluster division consistent with AGP 22 or 23 is an alternative to a conventional “lot split” land division.**
- b. Where a land division is proposed, the proposed parcels should be designed to ensure the long term protection of agricultural resources.**

Discussion: Where lands can qualify for subdivision based on the parcel size criteria described in AGP 21, the use of agricultural cluster divisions consistent with AGP 22 and 23 may be the preferred alternative over the conventional "lot split" land divisions. Agricultural cluster divisions provide a way to protect lands for continued and enhanced agricultural production, particularly if the homes are clustered in a compact, contiguous manner which reduces the agricultural/residential interface.

When any division of agricultural land is proposed, the county Agriculture Department should carefully review the proposal. The primary concern should be that the resulting parcels will maintain the land resources, so they will have a strong likelihood of remaining in long-term sustainable agriculture.

To encourage the use of a cluster design, there should be an increase in the number of parcels that will provide a sufficient incentive to the land owner to choose the cluster approach. In return for that increase, areas of the site intended for agricultural production are permanently protected by a recorded open space easement, as well as being placed in a Land Conservation Act (Williamson Act) contract that will provide long-term protection of the agricultural resources.

There will be circumstances where a land owner proposes a conventional division of agricultural land and does not wish to accomplish an increase in the number of parcels, or the owner believes the conventional design best meets the agricultural goals for the property. For such a project, the Agriculture Department's review should include consideration of designated building envelopes, as well as a possible limitation on the number of residences that can be established on the proposed parcels. Since the proposed parcels would also be reviewed against the criteria found in Figure 2-2, the resulting parcels would qualify for an agricultural preserve (Williamson Act) contract for further protection of the agricultural resources. Other agricultural or conservation easements on the agricultural portions of the proposed parcels should also be considered.

Implementation:

1. The Department of Planning and Building should propose amendments to the LUO and CZLUO to implement this policy.

Timeframe: 18 months from plan adoption.

2. During the CEQA-required environmental review of discretionary land divisions, where the land contains sensitive environmental features and involves active agricultural production or has the potential for agricultural production, the value of the environmental resources should be weighed against the value of agricultural production.

Timeframe: Ongoing through the review of development projects.

AGP21: Minimum Parcel Size Criteria for the Division of Agricultural Lands.

- a. **Minimum parcel sizes for the proposed division of land designated Agriculture shall be based upon the existing and potential use of the land for cropland and grazing. Minimum parcel size standards for the creation of new parcels are shown in Figure 2-2.**

Discussion: The purpose of this policy is to revise the method of determining minimum parcel sizes for new land divisions to emphasize protection of the agricultural land resource for long-term crop production and grazing uses. The existing LUO contains

three methods for determining minimum parcel sizes for proposed divisions of land in the Agriculture category: (1) size based on existing agricultural use; (2) size based on land capability; and (3) size based on Williamson Act contract.

This policy would be implemented in two ways: increase the minimum parcel size from 20 to 40 acres for land under existing irrigated uses; and increase the minimum parcel size from 20 to 40 acres for lands designated as Class I or II soils. To accomplish this, amendments should be adopted for both the LUO and the county agricultural preserve Rules of Procedure.

When proposed parcel sizes are based on existing agricultural uses, the minimum parcel sizes should be large enough to sustain farming practices and minimize incompatibility between adjacent agricultural uses. To accomplish this, the minimum parcel size for lands with existing irrigated crops should be increased to a 40 acre minimum, up from the current 20 and 30 acre minimums in the LUO.

However, there should also be the flexibility to achieve new parcels as small as 20 acres, provided the proposed land division can meet specific criteria that will ensure the long-term viability of the new parcels to remain in production agriculture. The criteria should include the following: the soils must be Class I or II irrigated; there must be at least 18 acres of the 20 acre parcel planted with irrigated row crops, speciality crops, orchards or vineyards; there must be a production water source in place; there should be only one primary residence; and the created parcels must go into a Williamson Act contract in accordance with the county Rules of Procedure.

Implementing this policy would also require another amendment to the LUO. Under the use test, the existence of specialized animal facilities as the basis for a proposed land division should be eliminated. These types of uses, such as large scale horse ranches, feedlots, auction facilities, etc. (see definition in LUE Framework for Planning), are often not dependent on the land resource and may be shorter-term uses.

Finally, the “averaging test” should also be eliminated. This existing LUO provision allows the use of the average size of abutting parcels to be used to determine the minimum parcel size for the proposed land division of agricultural land. This practice results in agricultural properties breaking down based on smaller adjacent parcels, rather than making sure that the proposed parcels will enable long term agricultural productivity.

Implementation: The Department of Planning and Building should propose amendments to the LUO, CZLUO and the agricultural preserve Rules of Procedure to accomplish the following:

1. Incorporate this policy, as described in the above discussion, including the minimum parcel size standards for creation of new parcels, as shown in the

following Figure 2-2. Eliminate specialized animal facilities as a basis for proposed division of agricultural lands.

2. Eliminate the averaging test that determines minimum parcel sizes based on the average size of adjacent parcels in the Agriculture land use category.
3. Apply the minimum parcel size standards in Figure 2-2 to proposed land divisions in existing and new agricultural preserves and land conservation contracts, unless a larger minimum parcel size is specified in an existing Williamson Act land conservation contract.
4. Refer proposed divisions of agricultural lands to the County Department of Agriculture for review as to whether the proposed parcels can be expected to be sustainable agricultural parcels.
5. Require that divisions of agricultural lands include covenants, conditions and restrictions (CC & R's) that notify subsequent owners that they are purchasing land in an agricultural area and that the county supports its "Right-to-Farm Ordinance" for protection of agricultural operations.

Implementation: 18 months from plan adoption.



**FIGURE 2-2
MINIMUM PARCEL SIZE (ACRES) FOR NEW LAND
DIVISIONS OF LANDS DESIGNATED AGRICULTURE (1)**

Natural Resource Conservation Service Land Capability Classification(2)	Irrigated(2,3,4)	Non-irrigated(2)
I, II (3)	40 acres; 20 acres if planted	---
III, IV	40	160
VI, VII	40 w/orchards or vineyards	320
VIII	---	320

Notes:

1. The parcel sizes in this table represent the minimum sizes allowable. Discretionary review of proposed land division applications may result in parcel sizes larger than those listed in the table.
2. For lands under Williamson Act contracts where portions of the property have different land capability ratings and agricultural uses, minimum parcel size(s) is determined per the county Rules of Procedure to Implement the California Land Conservation Act of 1966 (see Appendix A).
3. Land must be irrigated to qualify for an NRCS rating of Class I or II. Refer to the Glossary for the definition of irrigated. See Appendix C for a definition of irrigated lands as used in this element, as well as the general soil maps published by the USDA.
4. Proposed parcels may be as small as 20 acres if the following criteria are met:
 - a. the proposed parcels must be Class I and II soils, irrigated;
 - b. there must be at least 18 acres planted in irrigated row crops, specialty crops, field crops, orchards or vineyards;
 - c. there must be a production water source installed;
 - d. each proposed parcel will be limited to one primary residence; and
 - e. the resulting parcels must enter into a Williamson Act agricultural preserve contract in accordance with the county Rules of Procedure.

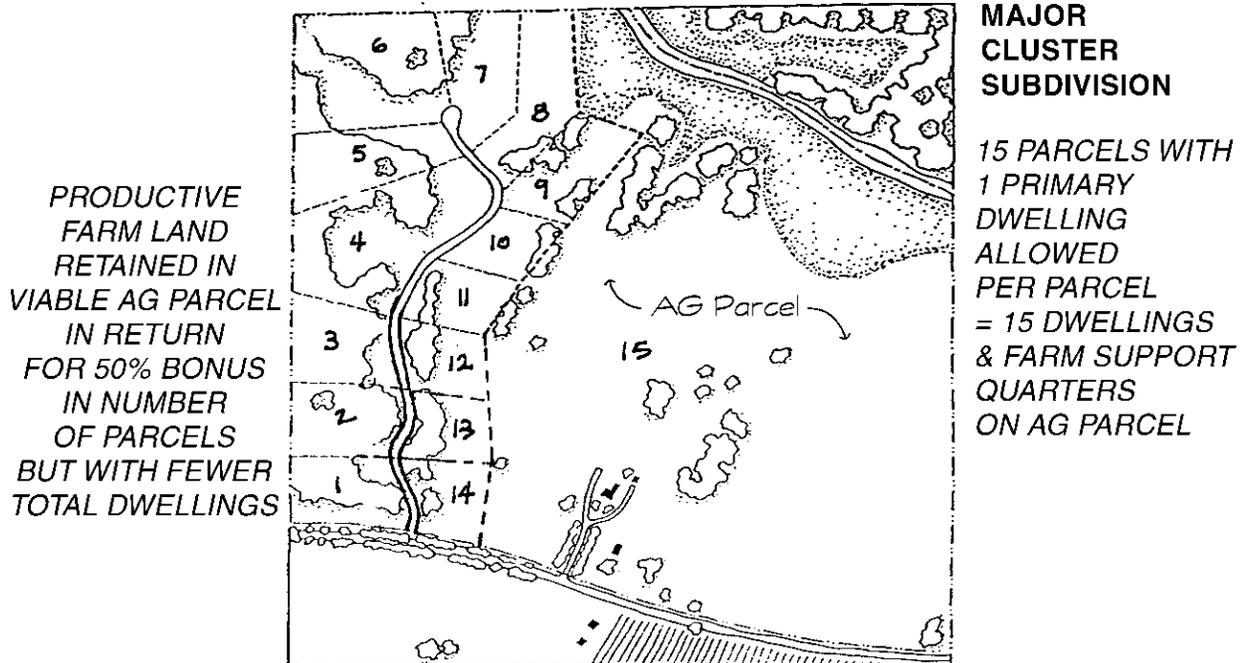
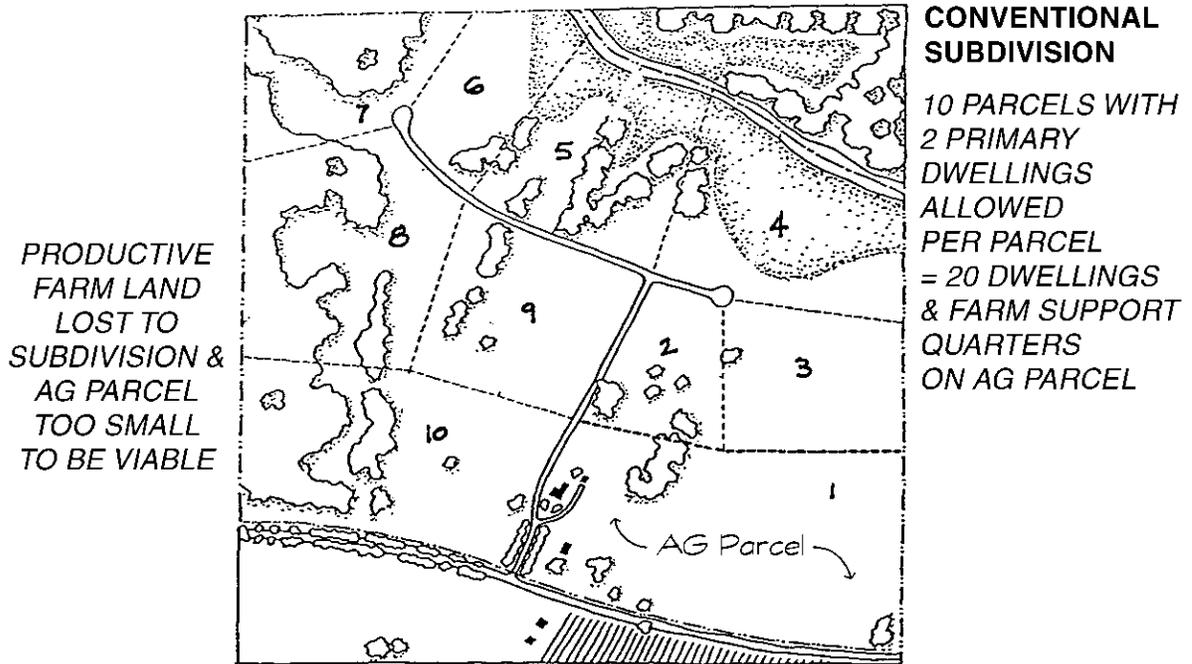
AGP22: Major Agricultural Cluster Projects (not available in Coastal Zone)

- 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). See Fig. 2-3 for an illustration of the cluster project concept.

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

FIGURE 2-3



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 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.

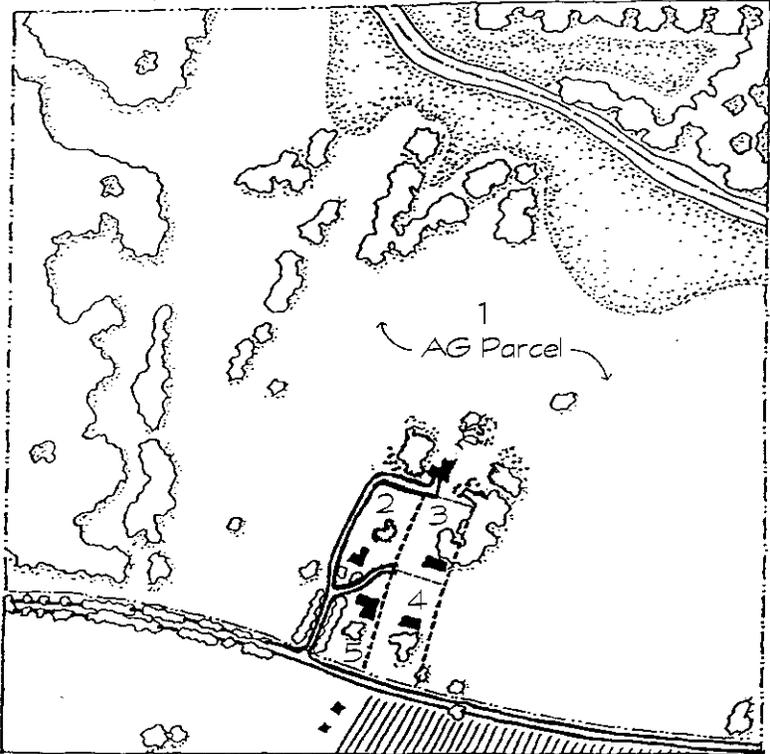
Timeframe: 18 months from plan adoption.

AGP23: Minor Agricultural Cluster Projects.

- a. **Properties throughout the county, including the coastal zone, can apply for a minor agriculture cluster project.**
- b. **The maximum number of parcels allowed in a minor agricultural cluster project shall be equivalent to the number of 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, with an increase of at least one more parcel or up to a maximum 25% increase in the number of parcels that could be achieved with a conventional land division.**
- c. **All resulting agricultural parcels must meet the minimum parcel size criteria specified in 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.**

Discussion: This policy is proposed to be applicable throughout the county, including the coastal zone. This policy would allow the use of a cluster design for agricultural land divisions where the applicant wants to propose a project less intense than a major cluster division as described in AGP22 above. Since the Coastal Act and the county's Local Coastal Plan place so much emphasis on the long-term protection of coastal agriculture, making this design tool available in the coastal zone is an important addition to the CZLUO. See Figure 2-4 for an illustration of the minor cluster project concept.

FIGURE 2-4



PROPERTY QUALIFIES FOR 4 PARCELS IF CONVENTIONAL SUBDIVISION.

*MINOR CLUSTER PROJECT:
4 PARCELS WITH ONE PRIMARY DWELLING
+ 1 PARCEL (25% DENSITY BONUS) FOR AG PARCEL.*

One of the reasons for this policy is to encourage agriculturalists to stay on the land and not sell the family farm. For example, agriculturalists often have a legitimate business need to subdivide land for financing purposes. In addition, they may need a limited number of small homesites for members of the agricultural family so that they can stay on the land for the long-term. At the present time, the only option available to these agriculturalists is to propose a conventional land division that may actually prove more harmful than beneficial to the long-term protection of the agricultural resources.

The implementation for this policy addresses those needs by providing for creation of a limited number of small parcels. Another benefit of this policy is that by encouraging cluster division, agricultural lands can be permanently protected for continued and enhanced agricultural production.

Many agriculturalists feel that there are not enough incentives or flexibility in the current land use regulations to encourage property owners to subdivide land using a cluster approach instead of a conventional land division. As a result, cluster land divisions are rarely used, even though the cluster division may be the most appropriate to protect agricultural resources.

The implementation of this policy addresses those concerns by providing for smaller parcel sizes and some density bonus, but not requiring that such projects meet the same requirements as a major agricultural cluster project (see AGP 22). The most important differences between the major and minor agricultural cluster project would be: minor cluster projects would be available for use anywhere in the county, including the coastal zone, and not be limited to within five miles of an urban/village reserve line; and minor cluster projects would receive a straight 25 percent density bonus, or at least one more lot than could be achieved with a standard land division.

In exchange for the increase in the number of parcels and the flexibility offered by the minor agricultural cluster approach, the agricultural lot(s) shall meet the minimum parcel size standards specified in Figure 2-2 and be placed in a Williamson Act agricultural preserve contract in accordance with the county Rules of Procedure, and should also be covered by a permanent agricultural open space easement as described for major agricultural cluster projects. CC&R's would be applied to the non-agricultural clustered lots to notify the purchasers that those lots are located in an agricultural area and that the county supports its "Right-to-Farm" ordinance for protection of agricultural operations. The cluster project application would also be given priority processing as a further incentive to the applicant.

Implementation: The Department of Planning and Building should propose amendments to the LUO and the CZLUO to establish standards for minor agricultural land divisions consistent with this policy and as described above.

Timeframe: 18 months from plan adoption.

AGP24: Conversion of Agricultural Land.

- a. Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:**
 - 1. Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Liaison Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe.**
 - 2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.**
 - 3. Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.**
 - 4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.**

Discussion: The purpose of this policy is twofold: to protect agricultural land at the urban fringe by limiting the expansion of urban development; and to discourage urban/suburban sprawl by preventing "leapfrog" development into the agricultural areas of the county.

Agricultural land is often converted to other uses for a variety of reasons, including: urban growth pressures, rising land values and speculation, competition between urban and agricultural uses, the desirability of large-lot rural homesites, subdivision of agricultural properties into parcels too small to sustain agricultural uses, piecemeal LUE amendments to non-agricultural land use categories, and a lack of policies that clearly define under what circumstances agricultural lands should be converted to other uses and land use designations in the general plan. This conversion of agricultural land has the potential to seriously erode the long-term protection of agricultural resources.

Even with the strong Williamson Act program in the county, there has been pressure to convert agricultural lands to other non-agricultural uses. Since adoption of the LUE in 1980, over 3,000 acres of land have been rezoned from the Agriculture category to non-agricultural land use categories in the unincorporated areas of the county.

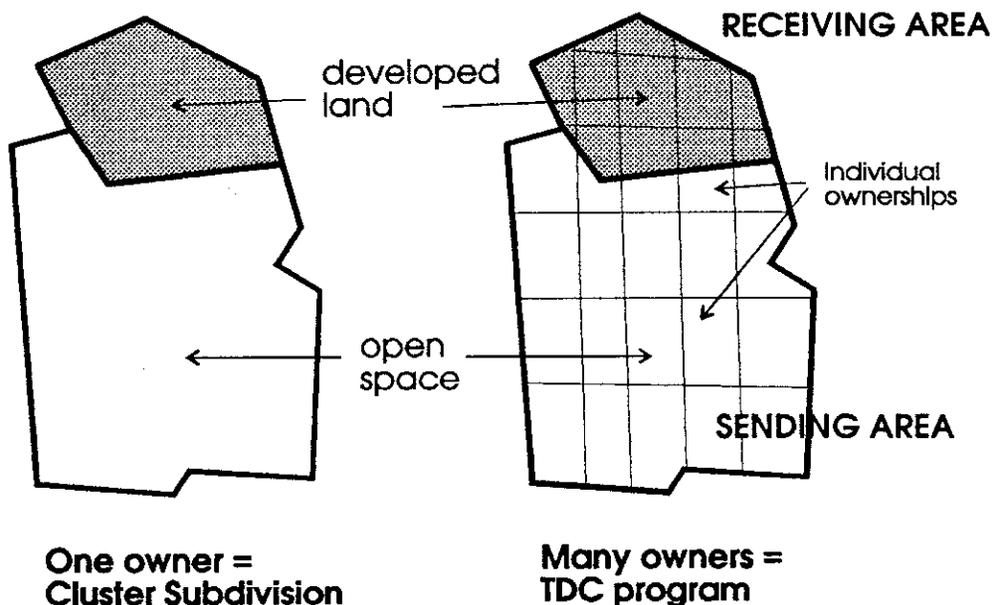
Statistics from the state Department of Conservation's farmland mapping program show that in the period between 1984 and 1995 (the last year for which statistics are available), there was an overall decrease in agricultural land of about 14,800 acres. There was a net

increase of Prime Farmland due to intensification (primarily irrigated vineyards); however, the net acreage of Farmland of Statewide Importance also declined by 783 acres.

The LUE contains a number of general goals that focus on the environment, distribution of land uses, phasing of urban development, and the provision of public services and facilities. Consistent with those goals, specific criteria should be developed for when it may be appropriate to convert agricultural lands to other uses. The criteria should include, but not necessarily be limited to, the following:

- ** Do not expand existing urban or village areas until such areas are largely built-out, or until such time as additional land is needed to accommodate necessary uses or services that cannot otherwise be accommodated within the existing urban or village area.
- ** Urban or village expansion should occur only where contiguous to an existing urban/village reserve line, as shown in the concept diagram in Figure 2-5, or where an entirely new urban or village area is needed in order to direct development away from surrounding agricultural or open space resources.
- ** Where urban expansion is to occur, it shall be annexed to an incorporated city or an existing community services district/county service area. The annexation shall occur only where the clustered development from rural property is to be located adjacent to the urban area, or when higher density development is to occur and where such development is consistent with resource and service capabilities and orderly extension of urban services.
- ** Where agricultural land is proposed for conversion to urban/suburban uses, give consideration to the protection of agricultural lands in the following priority order: row crop terrain and soils, specialty crops and forage lands, dry farm lands, and rangelands for grazing.

FIGURE 2-5



** Approve land for conversion from Agriculture to non-agriculture designations based upon a detailed site specific evaluation and consistency with the following findings:

- a. the land does not meet the criteria for inclusion in the Agriculture designation in this plan or the Land Use Element; and
- b. agricultural production is not feasible due to some physical constraint (such as soil infertility, lack of water resource, disease), or surrounding incompatible land uses; and
- c. adjacent lands are already substantially developed with uses that are incompatible with agricultural uses; and
- d. the conversion to non-agricultural uses shall not adversely affect existing or potential agricultural production on surrounding lands that will remain designated Agriculture; and
- e. there is an over-riding public need for the conversion of the land that outweighs the need to protect the land for long-term agricultural use, such as the orderly expansion of an incorporated city or community.

- ** Approval of land conversions from agriculture to non-agricultural land uses will include a finding that the conversion will not materially reduce groundwater recharge.

Implementation:

1. In cooperation with the incorporated cities and service districts, consider the criteria described in the above discussion to develop policies and implementation measures that will provide for the protection of agricultural lands as well as appropriate urban expansion.
2. Based on the results from item #1 above, consider proposed amendments to Framework for Planning of the LUE that incorporates those policies and implementation measures into the guidelines for general plan amendments and revise the purpose and character statements for the Agriculture category so they are consistent with those criteria.

Timeframe: 24 months from plan adoption.

3. The Local Agency Formation Commission (LAFCO), in cooperation with the incorporated cities and service districts, should develop and adopt standards, criteria and procedures consistent with this plan and the LUE to be used in making decisions on proposed annexations and expansions of cities and service districts that may affect agricultural lands.

Timeframe: LAFCO adoption 18 months from adoption by the county of the criteria specified in item #1 above.

4. Refer proposed general plan amendment requests and proposed annexations and expansions of service districts to the County Department of Agriculture and affected community advisory groups whenever the proposal involves potential conversion of agricultural lands.

Timeframe: Ongoing.

Policies regarding the protection of open space resources on agricultural lands.

As noted in Chapter 1, this element seeks to equally address and balance agricultural and open space issues. This chapter, the Agriculture Element, has its primary focus on the agricultural resources of the county. However, it is recognized that productive agricultural lands can also contain valuable open space resources such as unique or sensitive habitat for plants and animals, wetlands, riparian vegetation, or scenic lands that are so important to defining the character of San

Luis Obispo County. Therefore, the following policies and implementation measures address the protection of open space resources on private lands designated (zoned) Agriculture in the LUE and in this element, as well as lands in other designations being used for production agriculture.

Many of these open space topics are also addressed in Chapter 3: The Open Space Element, where the focus is on the treatment of those resources on public lands and private non-agricultural lands. Therefore, the reader may also wish to review that chapter for additional background information and discussion.

To the maximum extent possible, the following policies, implementation measures and programs try to balance protection of open space resources and the needs of production agriculture, and minimize the impacts to ongoing production agriculture. It is the intent to **not** require permits for agriculturally-related projects that are currently exempt, and to **keep** the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources and sensitive habitats. The policies and recommended implementation measures apply to discretionary land use permits for new development (see Glossary for definition of development) and proposed land divisions.

AGP25: Unique or Sensitive Habitat.

- a. **Encourage private landowners to protect and preserve unique or sensitive habitat.**
- b. **For new development requiring a discretionary permit and for proposed land divisions, protect unique or sensitive habitat affected by the proposal through the following measures:**
 1. **Site the proposed development so as to avoid significant impacts on the habitat or significant impacts on the agricultural operations. Provide for adjustments in project design where alternatives are infeasible, more environmentally damaging, or have a significant negative impact on agriculture.**
 2. **When significant impacts are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEQA.**

Discussion: Consistent with the existing requirements of CEQA, the environmental review of discretionary permits on lands containing both agricultural and open space resources should make every effort to balance the mitigation of potential impacts on the open space resources with the needs of the agricultural operation so that both resources are equally protected. Early consultation with applicants can help define how the potential mitigation measures might affect the agricultural operation. In those instances where significant

impacts on the open space resources are identified, county approved mitigation measures shall be implemented consistent with the existing requirements of CEQA.

Implementation/Timeline: On-going through CEQA review of discretionary projects.

AGP26: Streams and Riparian Corridors.

The following policies apply to watercourses shown by a solid or broken blue line (“blue line” streams) on the latest U.S. Geological Survey (USGS) quadrangle maps and their associated riparian vegetation. As noted earlier in this chapter, the county’s LCP shall take precedence over these policies where the LCP addresses these issues.

- a. Encourage private landowners to protect and preserve stream corridors in their natural state and to restore stream corridors that have been degraded. Provide information and incentives to eliminate overgrazing in stream corridors. Encourage off-stream livestock watering sources.**
- b. For new development requiring a discretionary permit and for land divisions, protect streams and riparian habitat affected by the proposal through the following measures:**
 - 1. Consistent with the requirements of the Regional Water Quality Control Board’s Basin Plan, establish a grading and building setback of 30 feet from the top of the steam bank. Locate buildings and structures outside the setback. Do not remove riparian vegetation within 30 feet of the top of the stream bank. Provide for adjustments when the applicant demonstrates that such setbacks would have a significant negative impact on the agricultural viability of the site, or where alternatives are infeasible or more environmentally damaging, and the adjustments are acceptable to the Regional Board.**
 - 2. Require appropriate erosion control measures during and following construction.**
 - 3. Consistent with state and federal requirements, allow steam alterations for water supply and flood control projects, road maintenance, maintenance of existing channels, or improvement of fish and wildlife habitat if there are no practical alternatives.**
 - 4. Consistent with state and federal requirements, assure that stream diversion structures protect habitats.**

5. **When significant impacts to stream or riparian resources are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEQA.**

Discussion: Streams and riparian corridors are found throughout San Luis Obispo County. They are not only important resources in their own right, they often contribute to the health of the agricultural operation occurring on the same lands.

Mitigation of potential impacts on these resources is addressed through many state and federal programs and regulations, as well as development standards found in county plans and ordinances. In an effort to reduce or eliminate conflict between these regulations, the setback distances and other standards found in this policy are proposed to be consistent with the standards found in the Regional Water Quality Control Board Basin Plan.

The mitigation of impacts on streams and riparian corridors is to be evaluated through the review of discretionary projects. Where significant impacts are identified, county approved mitigation measures will be implemented under the provisions of CEQA.

Implementation:

1. The county Planning and Building Department, in consultation with the Agriculture Department, Regional Water Quality Control Board, California Department of Fish and Game, U.S. Fish and Wildlife Service, U.C. Cooperative Extension and the Resource Conservation Districts, should prepare public information materials regarding techniques for preserving and/or restoring riparian corridors.

Timeframe: 18 months from plan adoption.

2. Review all blueline streams shown on the current U.S.G.S. 7.5 minute quadrangle maps as appropriate to determine which should be in the Sensitive Resource Area Combining Designation, recognizing that not all blue line streams may be streams.
3. Prepare proposed amendments to the LUO and Title 21 to establish criteria development standards to implement this policy as described above.

Timeframe: 24 months from plan adoption.

AGP27: Natural Area Preserves.

Where the County considers the establishment of a proposed Natural Area Preserve that may include agricultural lands, or be adjacent to agricultural lands, the following policies shall apply:

- a. **Designation and management of a proposed Natural Area Preserve under OSP 20 and OSP 21 shall not interfere with agricultural uses on private lands that are either within or adjacent to the proposed preserve.**
- b. **If the County purchases agricultural land from a willing seller for inclusion within a Natural Area Preserve, the County shall offer to lease the land for continued agricultural use, with priority being given to the seller or to an adjacent owner.**
- c. **The county shall take all reasonable measures to prevent trespass and damage to adjacent property owners.**

Discussion: On September 1, 1992, the San Luis Obispo County Board of Supervisors adopted the Natural Area Plan, as previously approved by the County Parks and Recreation Commission. The plan contains goals and management strategies intended to “Provide guidelines for the creation of site specific management plans for maintaining the delicate and sensitive biosystems at County operated Natural Area Preserves” (emphasis added).

Consistent with the Natural Area Plan, the decision to acquire any lands for Natural Area Preserves rests with the Board of Supervisors. The site specific management plans for any preserves are to be approved by the County Parks and Recreation Commission prior to implementation. A more complete discussion, including policies for Natural Area Preserves, is found in Chapter 3: The Open Space Element, so the reader may wish to review that material for a more detailed discussion of the topic. Appendix B contains a copy of the adopted Natural Areas Plan that includes a description of each proposed preserve, including maps, approximate acreage, features, management objectives and restrictions, and other pertinent information.

Proposed Natural Area Preserves are intended to be created on lands operated by the County. The preserves described in the Natural Areas Plan may contain some lands suitable for agricultural uses, or may be adjacent to lands in agricultural use. The intent of this policy is to recognize that while it is important to consider establishment of Natural Area Preserves, the potential impact on agricultural uses should also be considered.

Implementation: On-going through implementation of the Natural Areas Plan by the County Board of Supervisors and the Parks and Recreation Commission.

AGP28: Major Ecosystems.

If the county considers the establishment of a network of Major Ecosystems as described in the Open Space Element (see chapter 3 and OSP 13 and OSP 14), the following factors shall be considered for how such a system may interact with agricultural lands:

- a. **Designation and management of a Major Ecosystem under OSP13 and OSP 14 shall not interfere with agricultural uses on private lands that are either within or adjacent to the Major Ecosystem.**
- b. **Landowners should be encouraged to adopt range and farmland management programs that will maintain and enhance the land as well as maintaining and protecting habitat and ecosystems.**
- c. **Any development of lands adjacent to an identified core area of a Major Ecosystem that requires a discretionary permit must follow CEQA to guide the types and uses and intensity of development so as to be consistent with the biological diversity and natural processes of the Major Ecosystem.**

Discussion: All land is part of a larger ecosystem. The actions taken on a parcel of land will affect surrounding lands in that larger ecosystem.

An ecosystem can be simply defined as all the components of a biological community and the physical environment, and the interactions among and between them. Since ecosystems are made up of many components, the challenge is to maintain the balance between those components. Giving priority to one component over another could inadvertently result in negative impacts to both.

Agricultural lands are also part of an ecosystem. The actions taken in support of agricultural activities will have an impact on the ecosystem. Likewise, actions taken to conserve an ecosystem will have an impact on agricultural lands and activities. Chapter 3: The Open Space Element, contains a more detailed discussion of ecosystems and a series of policies for their protection, including the possible designations of Major Ecosystems (see OSP 13 and 14).

Ecosystems are more than just the sum of their various components, involving a complex system of linkages between plants, animals, their environment, and humans. The key to maintaining the health of an ecosystem is to maintain the complex system of linkages in the ecosystem wherever possible. Large expanses of agricultural lands offer the potential to maintain those linkages while also continuing a viable and healthy agricultural industry in the county.

Implementation: On-going through the policies described in this element.

AGP29: Wildlife Corridors.

- a. **Identification or designation of a wildlife corridor under OSP15 shall not interfere with agricultural uses on private lands.**

- b. Encourage landowners to adopt range and farmland management practices that will not interfere with the migration of wildlife through their properties.**
- c. When evaluating development proposals that require discretionary permits, identify and protect on-site wildlife corridors as part of the CEQA process.**

Discussion: As discussed in AGP 28, one of the keys to healthy ecosystems is maintaining the linkages that exist within the system. Wildlife corridors are an important part of those linkages. In many instances, agricultural operations offer the capability for wildlife movement. Often, the landowners recognize the importance of these corridors and incorporate them into their management practices. The county, along with agricultural industry groups and educational organizations, should continue to offer encouragement to landowners to recognize the importance of wildlife corridors as a component of their farm management practices.

When a landowner proposes development that will require approval of a discretionary land use permit, the project will be subject to an environmental review process under CEQA. It is during the CEQA review that on-site wildlife corridors should be considered so that a project will have minimal impact on any such corridors, and to ensure that maintenance of the corridor(s) will have a minimal impact on the on-going agricultural operation. Typically, no regulatory conditions are imposed on the agricultural operation.

Implementation: On-going through the CEQA review of discretionary projects.

AGP30: Scenic Resources.

- a. Designation of a scenic corridor through the public hearing process as described under OSP24, and its subsequent management as described in OSP25, shall not interfere with agricultural uses on private lands.**
- b. In designated scenic corridors, new development requiring a discretionary permit and land divisions shall address the protection of scenic vistas as follows:**
 - 1. Balance the protection of the scenic resources with the protection of agricultural resources and facilities.**
 - 2. When selecting locations for structures, access roads, or grading, the preferred locations will minimize visibility from the scenic corridor and be compatible with agricultural operations.**
 - 3. Use natural landforms and vegetation to screen development whenever possible.**

4. In prominent locations, encourage structures that blend with the natural landscape or are traditional for agriculture.

Discussion: One of the major attributes of San Luis Obispo County is its splendid scenic quality, and agriculture is a major contributor to that quality. It is the bucolic rural setting that is attractive to so many of the county residents, property owners and visitors, and contributes to the quality of life enjoyed by all.

A drive along scenic rural roadways is one of the many aspects of this county enjoyed by many people. OSP 24 and 25 in Chapter 3: The Open Space Element, establish policies for the evaluation of proposed county scenic corridors and the type of standards that should be applied to development in designated scenic corridors along public roads and highways. Where a designated scenic corridor passes through or along agricultural lands, establishment of the scenic corridor should not impact normal agricultural operations.

If the landowner along a county designated scenic corridor applies for a development application for a discretionary land use permit or land division, the CEQA review of the proposed project should seek to balance the protection of the scenic qualities along the corridor with the needs of the agricultural resources and facilities. The purpose of this policy is to provide direction as to how that balance should be accomplished without unduly restricting the agricultural operation. In those instance where the land owner establishes uses that are exempt from land use regulations, or applies for a ministerial land use permit, this policy provides guidance that the county encourages the landowner to voluntarily incorporate into the development proposal.

Implementation: Ongoing through the CEQA review of discretionary land permit applications, and through voluntary actions of land owners establishing uses that are exempt from permits or only need a ministerial permit.

AGP31: Recreational Use of Agricultural Lands.

- a. Encourage recreational uses on privately-owned lands on a case-by-case basis where such uses are compatible with on- and offsite agriculture and with scenic and environmentally sensitive resources.**

Discussion: The county general plan has long encouraged owners of rural properties to establish recreational opportunities on their lands where it is feasible and compatible with the agricultural and rural setting. This policy further recognizes that recreational uses can be an important part of the rural setting and should be developed so they are compatible with agricultural and environmental resources.

Implementation: Ongoing through the CEQA review of development proposals that require a discretionary land use permit, and through information provided to land owners for their voluntary use as they establish uses that are either exempt from permit requirements or need only a ministerial permit from the county.

AGP32: Trail Access to Public Lands.

- a. **In accordance with the County Trails Plan, access trails shall not conflict with agriculture or environmentally sensitive resources.**
- b. **Provide sufficient policing and maintenance so that trails do not result in trespass or in damage to sensitive resources, crops, livestock, other personal property, or individuals.**

Discussion: This policy is the companion to OSP 29 and OSP 30 regarding trails on private and public lands, including trails used by off-highway vehicles (OHV's). This policy gives support to the creation of trails in agricultural areas, as long as the establishment of the trails do not adversely impact agricultural activities and are between willing buyers and sellers. In all cases, establishment of trails shall conform to the requirement of the adopted County Trails Plan.

Implementation: Ongoing through implementation of the adopted County Trails Plan.

AGP33: Archaeological and Cultural Sites.

- a. **When reviewing discretionary development, protect sensitive archaeological and cultural sites by avoiding disturbance where feasible.**
- b. **If sensitive sites cannot be avoided, mitigate the impact of development to the maximum extent feasible.**

Discussion: Archaeological and cultural resources are found throughout the county, in all types of land use designations in the general plan. The purpose of this policy is to recognize that these important resources need to be treated with care as property owners conduct activities on their lands. The Land Use Ordinance contains development standards that may apply if the landowner applies for development permits. Particular attention will be paid to these resources if the landowner applies for a discretionary land use permit or land division, but compliance with state and federal regulations is required whether or not a permit might be required from the county.

Implementation: Ongoing through compliance with existing county, state and federal standards regulating the handling of these resources, and through the CEQA review of proposed discretionary land use permits and land divisions.

AGP34: Historical Resources.

- a. **When initiated by landowners, protect the character of significant historical features and settings by implementing the recommendation for historical resources found in the Historic Element of the Environment Plan.**

Discussion: The Historic Element of the Environment Plan, an element of the county general plan, provides guidance for the handling of historical resources. The Land Use Ordinance also contains standards that may apply when a landowner applies for development permits on a property containing historical resources. As with archeological and cultural resources, historical resources occur throughout the county in many different land use designations in the general plan. This policy gives further recognition to the importance for protecting these resources that are a critical piece of county history.

Implementation: Ongoing through voluntary actions of landowners, and through the CEQA review of proposed discretionary land use permits and land divisions.

