

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building		(2) MEETING DATE April 11, 2006		(3) CONTACT/PHONE Jim Lopes, Planner III (805) 781-5975	
(4) SUBJECT Recommendation to require an environmental impact report for Dally/Viborg General Plan / Land Use Ordinance amendment LRP2004-00018. A request to change the land use category from Agriculture to Residential Rural on a 44-acre parcel to enable a cluster subdivision, and a request on an adjacent 15.6 acre parcel in the Residential Rural land use category to change the minimum parcel size from 20 acres to 5 acres. The two sites are located southeast of the intersection of Neal Spring and South River Roads, approximately 2.5 miles south of Paso Robles.					
(5) SUMMARY OF REQUEST The Environmental Coordinator has determined that the proposed project may result in significant impacts associated with agricultural resources, cumulative air quality and land use and that an environmental impact report should be prepared. This environmental determination is based on the Initial Study, which was prepared in accordance with the California Environmental Quality Act.					
(6) RECOMMENDED ACTION The Environmental Coordinator recommends that your Board require that an Environmental Impact Report be prepared for the proposed General Plan amendment.					
(7) FUNDING SOURCE(S) Application Fee		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A <input type="checkbox"/> NO					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Agriculture Department, Air Pollution Control District, Public Works, Environmental Health, CDF/County Fire, California Department of Fish and Game, and the City of El Paso de Robles					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) 1 st			(14) LOCATION MAP <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A		
(15) AGENDA PLACEMENT <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Hearing (Time Est. _60 min_) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est.			(16) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input checked="" type="checkbox"/> N/A		
(17) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(18) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		

(19) ADMINISTRATIVE OFFICE REVIEW
<p><i>OK Leslie BDM</i></p> <p><i>CS</i> <i>(4/11/06)</i></p>



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

TO: BOARD OF SUPERVISORS

FROM: JAMES LOPES, PLANNER III

VIA: ELLEN CARROLL, ENVIRONMENTAL COORDINATOR *W for EC*

DATE: APRIL 11, 2006

SUBJECT: RECOMMENDATION TO REQUIRE AN ENVIRONMENTAL IMPACT REPORT FOR DALLY/VIBORG GENERAL PLAN / LAND USE ORDINANCE AMENDMENT LRP2004-00018. A REQUEST TO CHANGE THE LAND USE CATEGORY FROM AGRICULTURE TO RESIDENTIAL RURAL ON A 44-ACRE PARCEL TO ENABLE A CLUSTER SUBDIVISION, AND A REQUEST ON AN ADJACENT 15.6 ACRE PARCEL IN THE RESIDENTIAL RURAL LAND USE CATEGORY TO CHANGE THE MINIMUM PARCEL SIZE FROM 20 ACRES TO 5 ACRES. THE TWO SITES ARE LOCATED SOUTHEAST OF THE INTERSECTION OF NEAL SPRING AND SOUTH RIVER ROADS, APPROXIMATELY 2.5 MILES SOUTH OF PASO ROBLES.

RECOMMENDATION

The Environmental Coordinator recommends the Board of Supervisors require that an Environmental Impact Report (EIR) be prepared for the proposed General Plan amendment.

DISCUSSION

Project History

The applicants, Robert Dally and Ole Viborg, have submitted a joint request for their adjacent properties. The request by Robert Dally is to change the land use category from Agriculture to Residential Rural on his 44-acre site to enable a cluster subdivision of seven 2.5-acre parcels and one open space parcel of 26.5 acres. Ole Viborg requests to delete a Land Use Ordinance planning area standard from a 15.6-acre site that is within the Residential Rural land use category. The standard requires a 20-acre minimum parcel size unless the site is used as a receiver site for the Transfer of Development Credits (TDCs), in which case the standard allows a seven-acre minimum parcel size. Without this standard, the normal Land Use Ordinance five-acre limitation would apply and likely allow three parcels of approximately 5.2 acres each. The two sites are located southeast of the intersection of Neal Springs and South River Roads, approximately 2.5 miles south of Paso Robles, and 4 miles northeast of Templeton at Vineyard Drive (See maps in Exhibit A).

ES

The application was authorized for processing by the Board of Supervisors. As required by the California Environmental Quality Act (CEQA), an Initial Study was completed.

Environmental Issues

The Initial Study was conducted for all of the subjects required by CEQA, and it determined that the proposed project may have a significant adverse effect on agricultural resources and on land use, as described below:

Agricultural Resources

The application by Robert Dally to change from AG to RR on a 44-acre site would enable a standard subdivision into eight 5-acre parcels. An alternative cluster land division could result in seven clustered residential parcels and one open space lot of at least 26.4 acres, or six clustered residential parcels and a designated residential site on the open space parcel. Any of these subdivisions could include the existing residence at the northwest corner of the site. The applicant has presented a concept for a cluster land division of a 5-acre lot with the existing residence; five 2.5-acre lots and one 26.5-acre open space parcel with a residential site (see Exhibit B). The applicant envisions vineyards on approximately 5 acres of the open space lot, smaller one- to 1.5-acre vineyards on the clustered lots, a limitation of building areas to one acre, and formation of a farm cooperative through Covenants, Conditions and Restrictions (CC&Rs). A brief summary of the agricultural issues include the following:

1. Approximately 39 of the 44 acres is considered prime soil if irrigated, for which adequate water resources appear available. This type of soil is considered land of Statewide Significance. If at least 20 acres were grown in vineyards and/or orchards, this parcel would potentially qualify for an Agricultural Preserve contract. However, the proposed subdivision to create a 26.5-acre open space parcel would create a direct significant adverse impact on the agricultural sustainability of the site by reducing its size and economic viability below the threshold considered viable for vineyard or orchard production.

The applicant's recent proposal to place small-scale vineyards on the open space and clustered lots would be consistent with rural residential development but not a viable production operation, even if coordinated among neighbors. Their establishment and operation would be dependent on several small-lot owners and not subject to County regulations, which do not extend to regulating CC&Rs. A County-mandated intensification of agricultural operations is not considered a feasible mitigation measure either, because it is conjectural whether and how well it would be implemented. Agricultural buffers to protect the new residences would be necessary with any subdivision, and they would reduce the production land area further.

2. Indirect impacts from the proposal are also expected on agricultural resources in the immediate area and the region in general. The proposed General Plan amendment follows by a decade a similar request on three parcels, including the Viborg property, to change from the Agriculture category to Residential Rural, which was approved with specific density limitations that require transfer of development credits (TDC) to off-set the increase in number of residential



parcels. Approval of this application would signal to surrounding property owners and other investors that it is appropriate policy to convert smaller Agriculture parcels to rural residential uses, albeit with small hobby farms or ranches in this area, to the full extent allowed by the Land Use Ordinance and no off-setting reduction of density somewhere else (through TDC). The Neal Springs Road corridor west of the site is characterized by similar Agriculture parcels, as is South River Road north of Neal Springs.

Agricultural preserve contracts exist on adjacent and nearby properties, as shown in Exhibit A. Approval of the application is considered to be a significant growth-inducing impact on these properties and within the region in general since it would signify the acceptability of such a conversion. The concept of clustered or standard Residential Rural subdivisions of underutilized agricultural land could be a very attractive land investment strategy. It also would likely influence the price of Agriculture category land upward, putting more pressure on farmers and ranchers to proceed with this strategy.

Land Use - Background

The Initial Study concludes that the loss of agricultural resources and increased Residential Rural development would be inconsistent with the Land Use Element and the Clean Air Plan, as departures from existing policies that cannot be minimized to less-than-significant levels with standard mitigation measures, so they need to be addressed in an EIR. The extent of Residential Rural land and development within the north county is a result of subdivision practices in the early 20th Century to create small orchard properties, which in that era were marginally productive and viable as family farms, or as speculative subdivisions to sell rural homesites to distant buyers. The pattern of these subdivisions was ineffectually regulated at the time and resulted in a loose network of hodge-podge tracts. Other subdivisions were created as the Dally property, at larger parcel sizes that created enough land area which today can still provide a partial, if not complete, family farm income. These larger parcels are designated by the Agriculture and Open Space Element and by the Land Use Element in the Agriculture or Large Lot Rural category, to indicate their primary land use capability.

Land Use Element

Development of the Residential Rural areas for non-agricultural uses creates a rural residential setting that is well-known for its separation from community life, distance from urban and family services, employment and other needs. The necessity to commute for some if not all of these needs creates social and environmental impacts, through the frequent and lengthy vehicle trips to destinations that result in air pollution, inordinate service costs such as for public safety and fire protection, road repairs, and utility extensions. Although rural development is popular in the county for its life style and privacy, it is not considered constructive to support expansion of low-density zoning by the land use policies in the Land Use Element. The applicant's proposals are inconsistent with the following character policies for the Residential Rural category (emphasis added in *italics*):

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1. Areas of *existing* small-acreage parcels no more than three miles from urban reserve lines that are *not commercially viable for agriculture*, where the average parcel size within any contiguous area is below 19 acres.
2. Areas with *marginal* agricultural soils.
3. Areas where growth will not be *premature* with respect to utility and public service capacities,
4. Areas where public services *demands* are limited.

The proposal to remove the parcel from the Agriculture category is inconsistent with the description of the category's purpose and character, noted below:

1. To recognize commercial agriculture as a *desirable* land use
2. Areas where a combination of soil types, topography, water supply, existing parcel sizes and good management practices will result in the *protection of agricultural land* for agricultural uses.
3. To recognize that *agricultural activities on a small scale* can supplement income from other sources, particularly where older subdivisions have resulted in parcels smaller than would currently qualify for new subdivisions within the Agriculture category.
4. Support conversion of agricultural lands to other uses *only* when such conversion would be appropriate or because the continuing agricultural productivity of a specific site is infeasible.
5. Areas with *prime* agricultural soils.
6. Lands that may be eligible for *agricultural preserve* within the rules of procedure.

The proposal is also inconsistent with Land Use Element guidelines for land use category amendments:

1. The goals of the Land Use Element related to the proposal, to:
 - a. Minimize the generation of air pollutants from projected growth by implementing land use policies that...*minimize travel distance and trip generation*.
 - b. Maintain a distinction between urban and rural development by providing for rural uses outside of urban and village areas which are *predominately agriculture, low-intensity recreation, residential and open space uses*, which will *preserve and enhance the pattern of identifiable communities*.
 - c. *Encourage the protection of agricultural land* for the production of food, fiber and other agricultural commodities.
 - d. Design and maintain a land use pattern and population capacity that is *consistent with the capacities* of existing and programmed public services and facilities.
2. The purpose and character statements of the Agriculture and Residential Rural categories, as stated above.
3. Consideration of *protecting* prime agricultural soils for potential agricultural use.
4. Whether resulting development would be *consistent with surrounding parcel sizes* and ownership patterns.
5. Whether the amendment is needed to provide a *sufficient supply of land* for the population of the area that is projected within planned resources, services and facilities.

Clean Air Plan

The Clean Air Plan is adopted with land use strategies recommended to address the cumulative effects from increased rural residential development in areas without commercial services or employment centers. The Air Pollution Control District has provided comments in the attached letter (Guise; March 15, 2006) that are summarized below:

1. The proposal will conflict with strategies to encourage urban growth as the way to protect clean air and permit convenient travel within and among communities.
2. It will continue to foster dependency on private vehicle use as the only viable means of access to essential services and other destinations.
3. The proposed in rural residential development will expand a dispersed development pattern that increases reliance on automobile travel, which, combined with longer trips, results in more air pollution.
4. The north county is a concern where the meteorological conditions combined with increased emissions may result in increased incidences of the state ozone standard.
5. Growth should occur within urban reserve lines of cities and unincorporated communities. Rural areas of the county should be maintained as open space, agricultural lands and very low density residential development (20-acre or larger parcel size).
6. New growth should be planned at densities that enable transit use to be effectively utilized, to reduce private vehicle trips and travel distance.

EIR Required

Based on the Initial Study (see Exhibit C), the Environmental Coordinator determined that the proposed amendments will create potentially significant impacts to agricultural resources and cumulative air quality, and significant inconsistencies with existing land use policies; therefore an environmental impact report (EIR) is required. The applicant disagreed with the EIR determination (see March 3, 2006 email letter from Robert Dally in Exhibit B) and requested this matter be brought to the Board of Supervisors, as provided in the County CEQA Guidelines.

The determination of whether to prepare a Negative Declaration or an EIR is subject to the "fair argument" test, according to previous judicial decisions. If a fair argument can be raised on the basis of "substantial evidence" in the record that the project may have a significant adverse environmental impact—even if evidence also exists to the contrary—then an EIR is required. An EIR provides a more detailed review of the project, quantifies physical effects on the environment, recommends mitigation measures and evaluates alternatives to the project.

OTHER AGENCY INVOLVEMENT/IMPACT

The Agriculture Department and Air Pollution Control District have provided input on the Initial Study, attached in Exhibit C. As part of the Initial Study, other agencies were contacted: County Public Works, County Environmental Health, CDF/County Fire, California Department of Fish and Game, and the City of El Paso de Robles.



FINANCIAL CONSIDERATIONS

The applicant would fund preparation of the EIR.

INTENDED RESULTS

An EIR would identify and evaluate mitigation measures and project alternatives that could reduce potential impacts to the maximum extent feasible regarding agricultural resources, land use impacts and other identified topics.

ATTACHMENTS

Exhibit A: Maps: project location; proposed conceptual subdivisions

Exhibit B: Correspondence

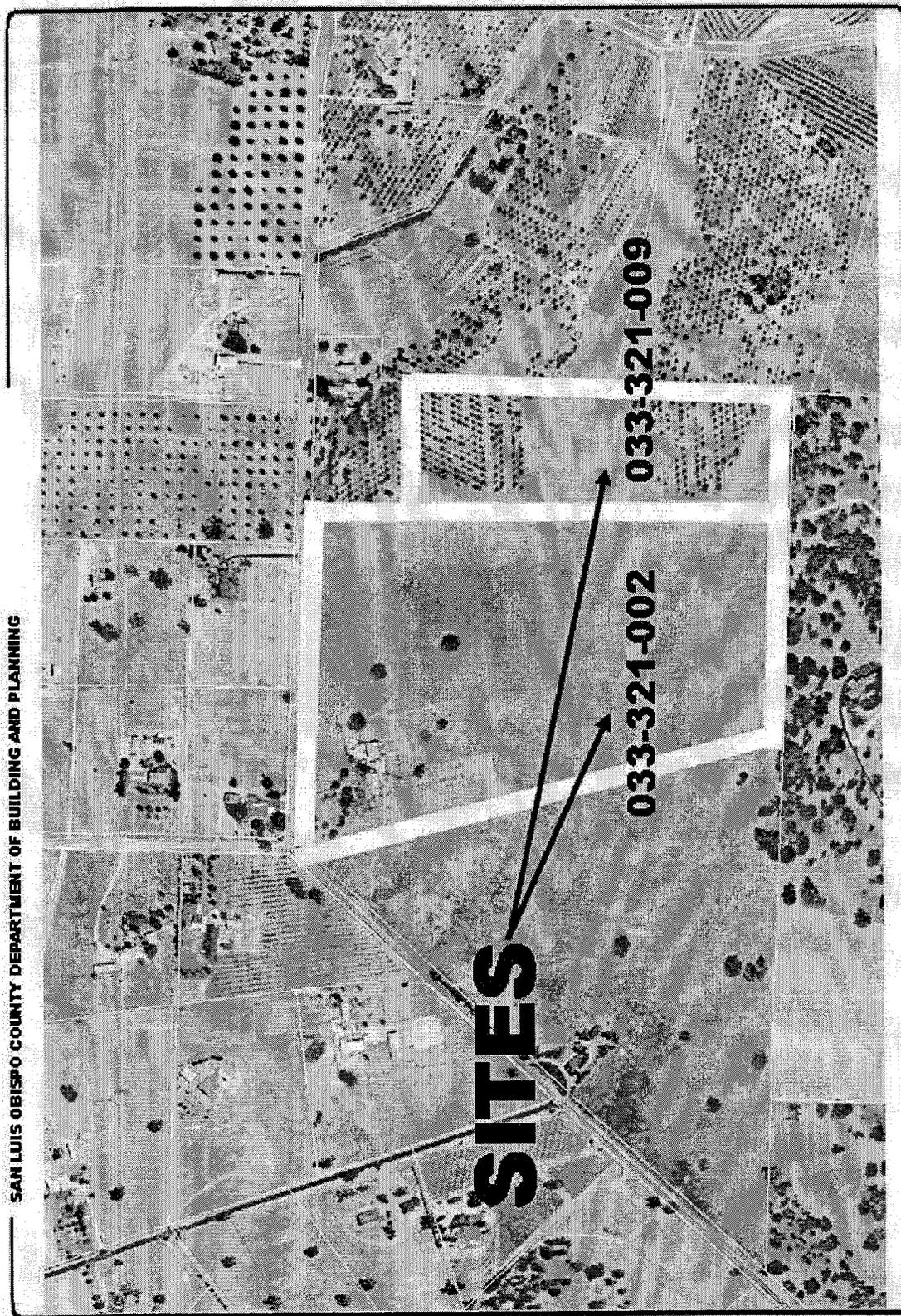
- Email from Robert Dally dated 3/3/2006
- Ag Plan from Robert Dally dated 3/3/2006
- Application letter from Robert Dally dated 1/7/2005
- Email from Robert Dally dated 5/11/2005
- Email from Robert Dally dated 8/10/2005
- Letter from Bill White dated 8/11/2005
- Email from Robert Dally dated 1/27/2006

Exhibit C: Initial Study and Correspondence

Report prepared by James Lopes and reviewed by John Nall, Principal Environmental Specialist

A handwritten signature or set of initials, possibly 'CS' or 'CN', written in black ink in the bottom right corner of the page.

Exhibit A: Maps and
Graphics

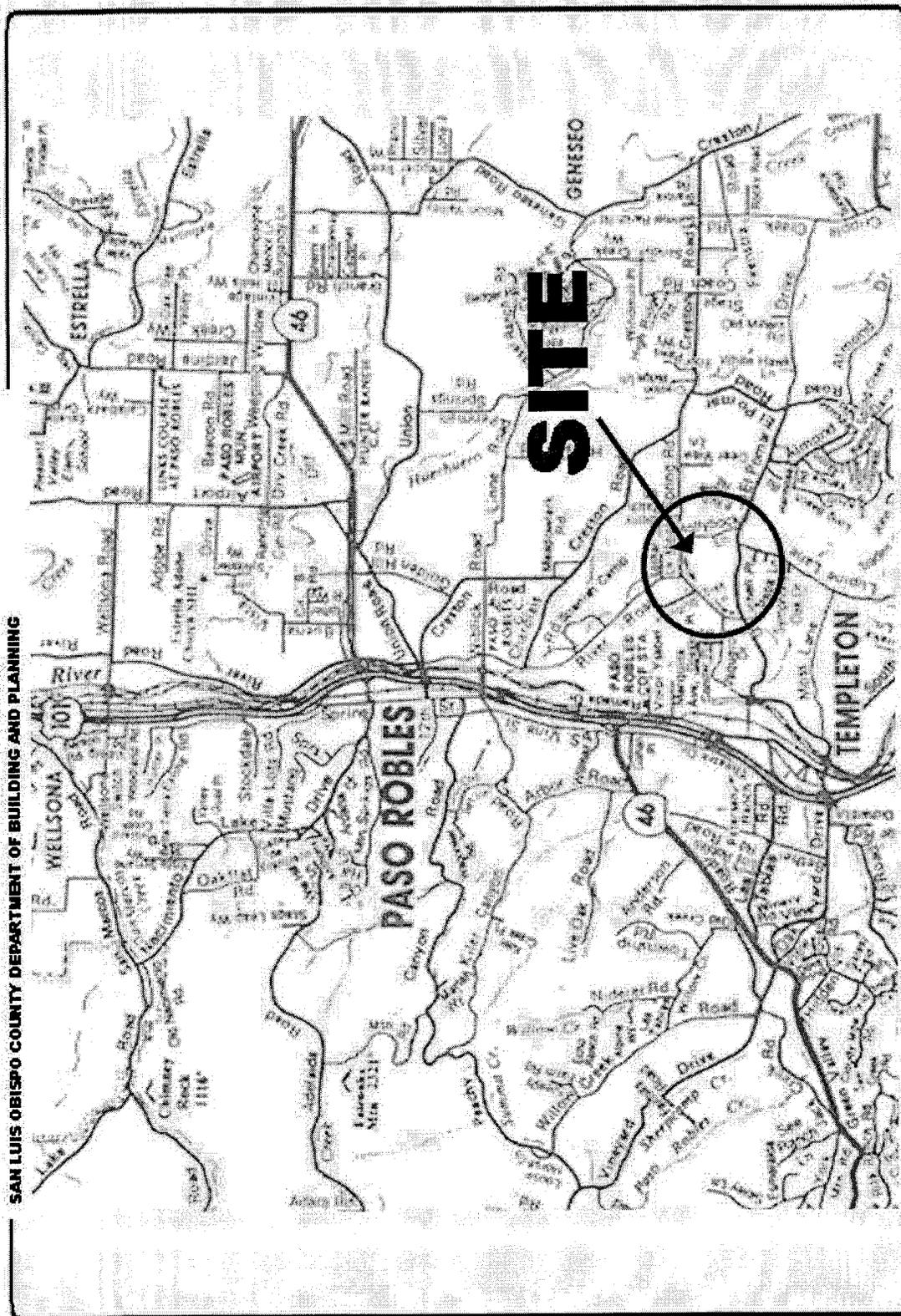


SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

EXHIBIT
Aerial Photograph



PROJECT
General Plan Amendment
Dally LRP2004-00018



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

EXHIBIT

Vicinity Map



PROJECT
General Plan Amendment
Dally LRP2004-00018

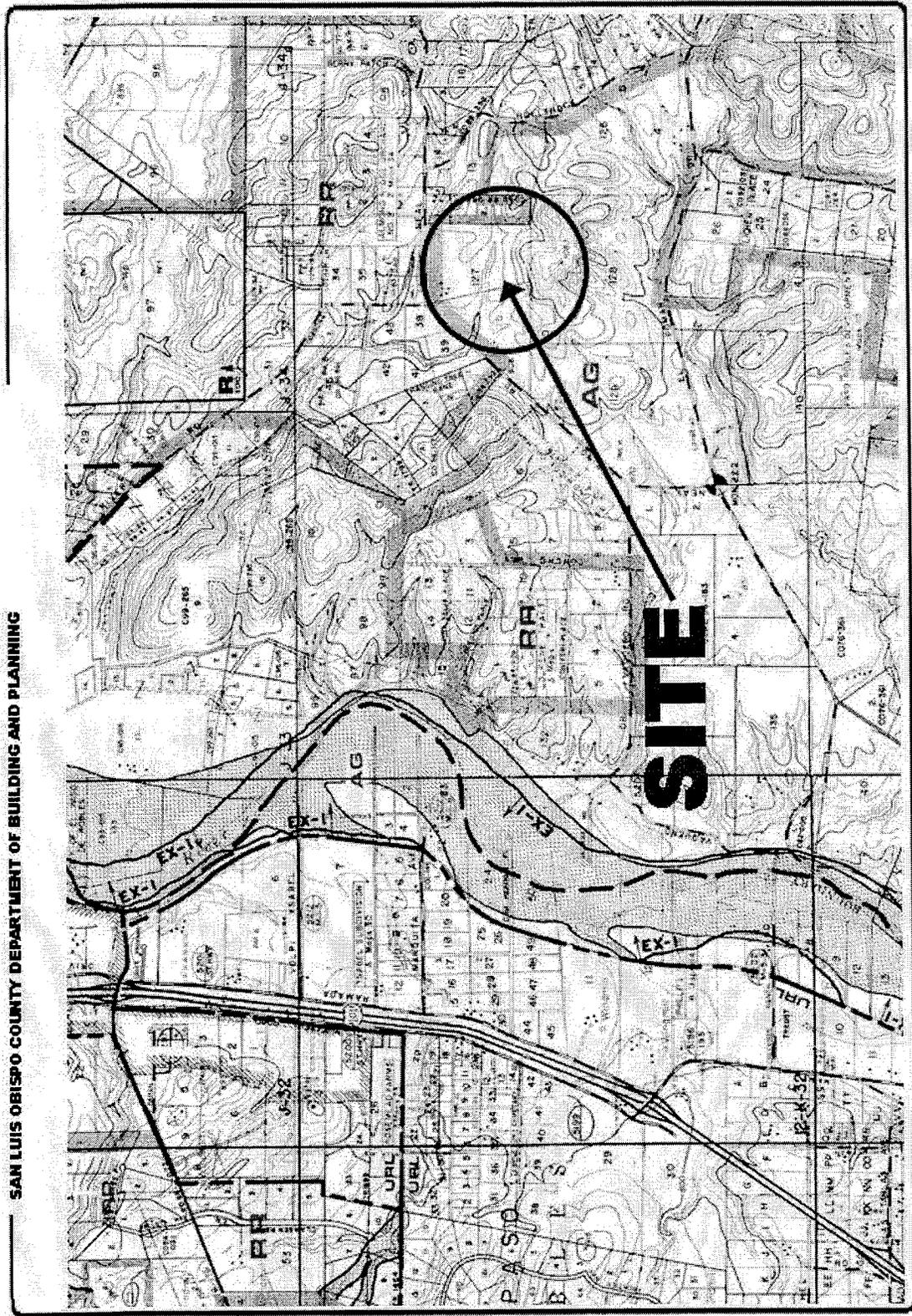


EXHIBIT
Land Use Category Vicinity



PROJECT
General Plan Amendment
Dally LRP2004-00018

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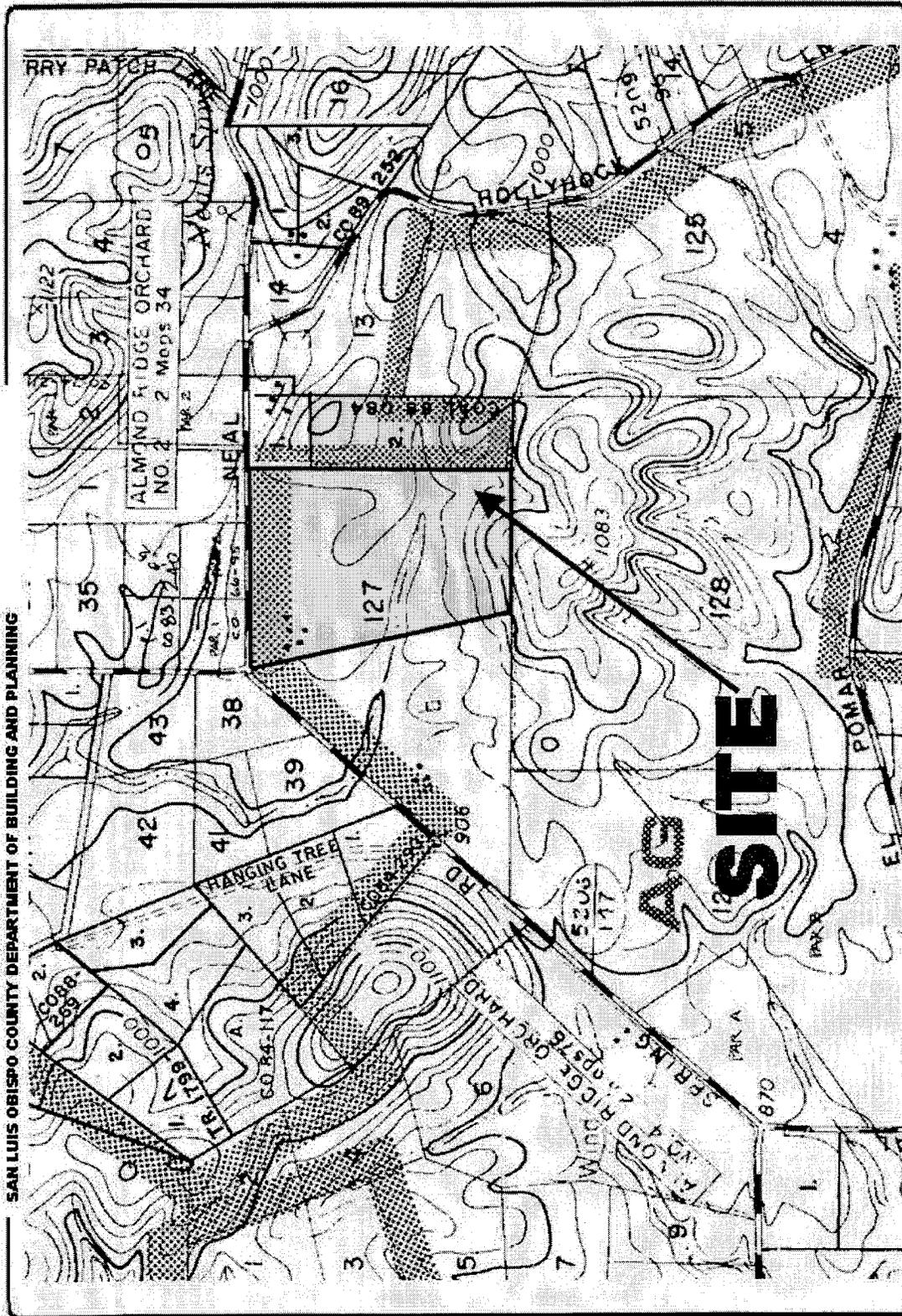
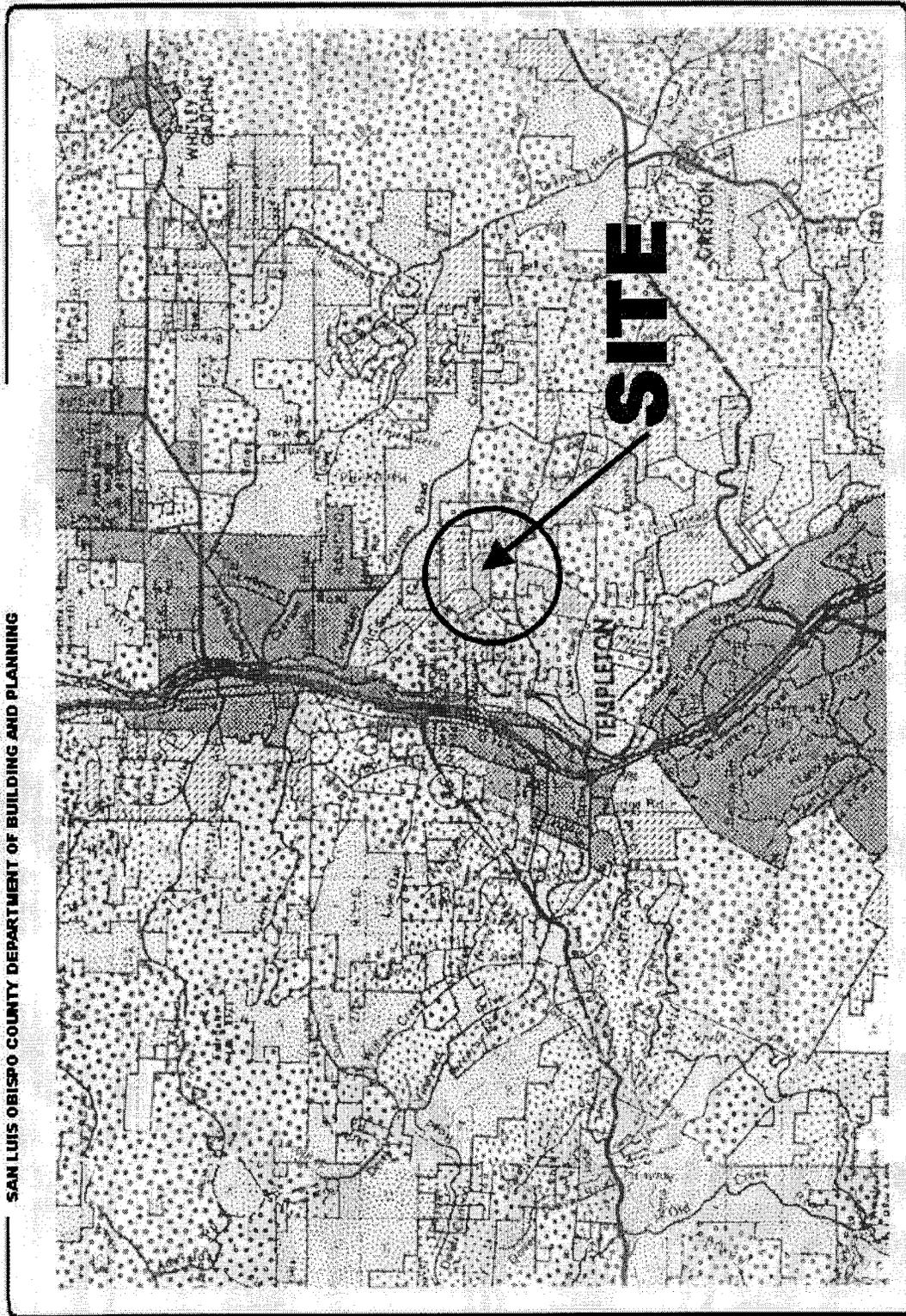


EXHIBIT
Land Use Category



PROJECT
General Plan Amendment
Dally LRP2004-00018



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

EXHIBIT

Agriculture & Open Space Element Plan



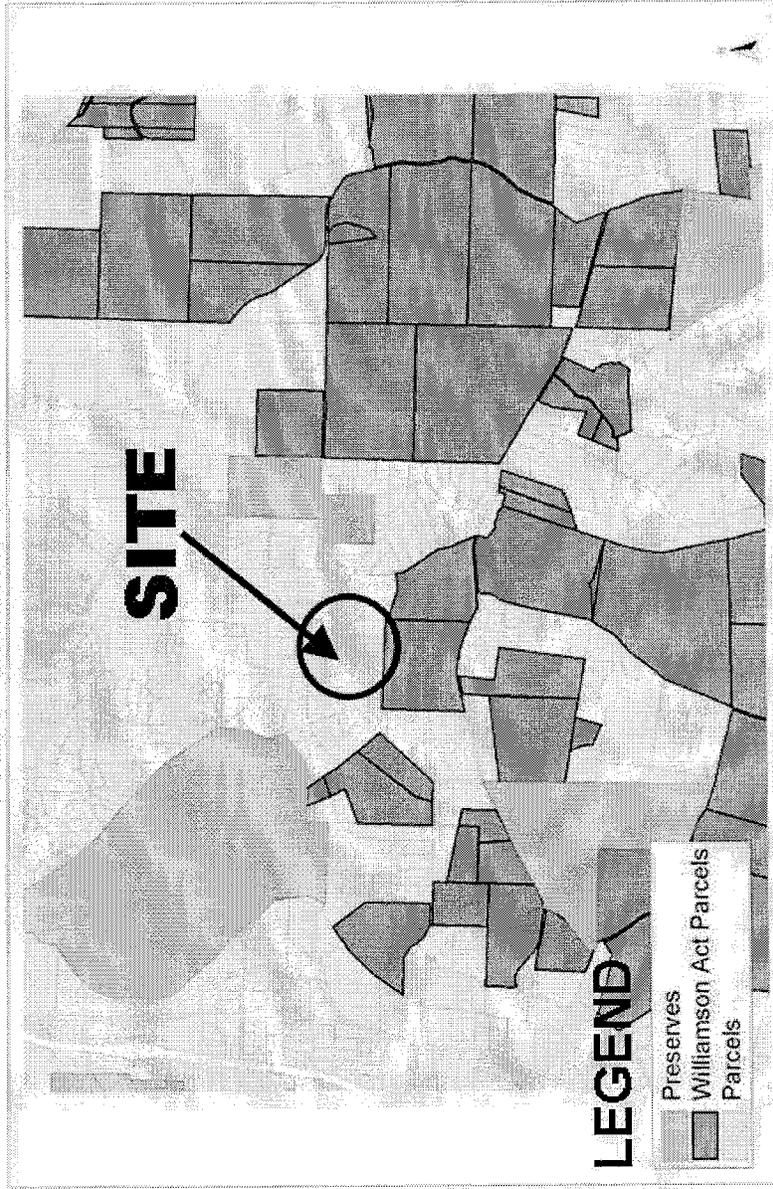
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General Plan Amendment
Dally LRP2004-00018

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SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

Williamson Act Parcels



PROJECT

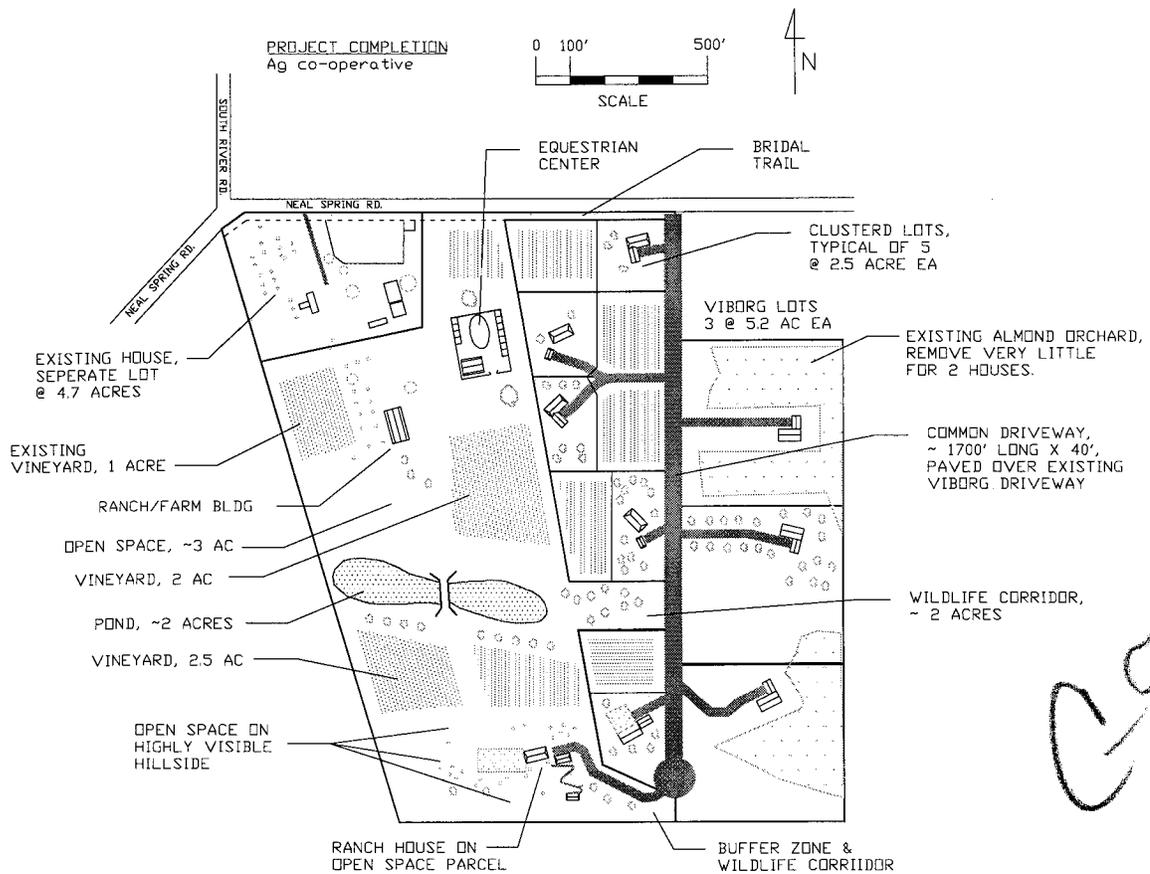
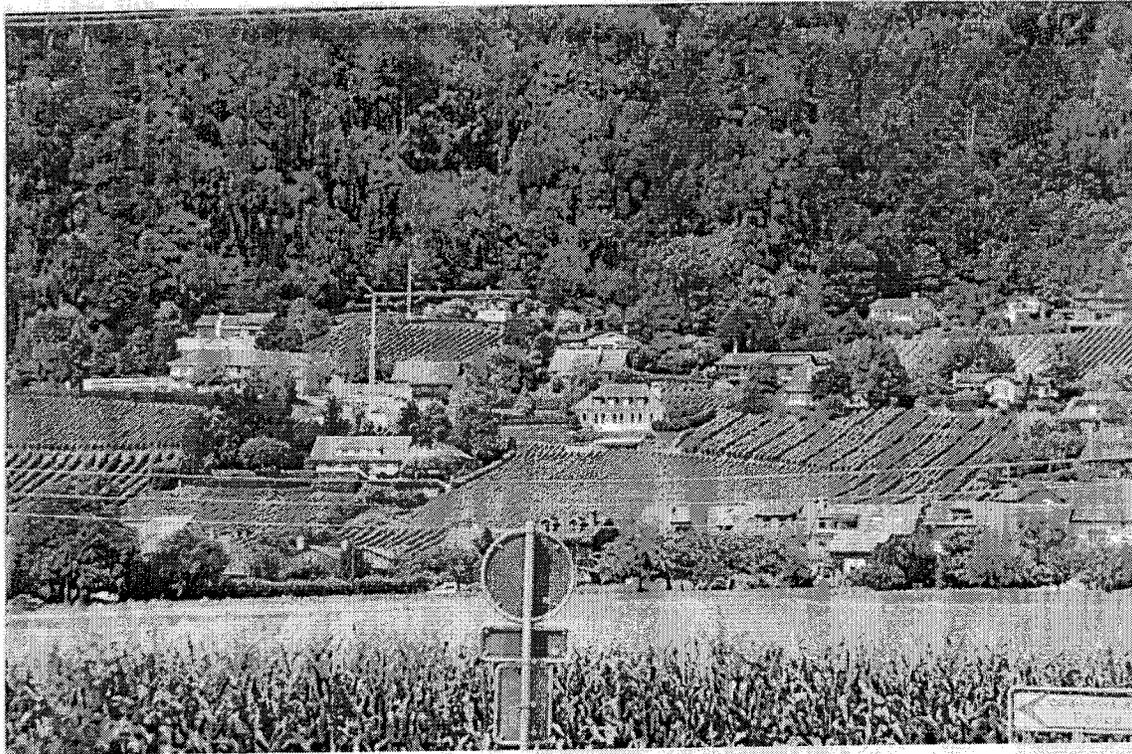
General Plan Amendment
Dally LRP2004-00018

EXHIBIT

Agricultural Preserves and Williamson Act Parcels



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EXHIBIT B: CORRESPONDENCE

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"Dally" <rbdally@tcsn.net>
03/03/2006 01:16 AM

To <jlopes@co.slo.ca.us>
cc <csmith@co.slo.ca.us>
bcc
Subject Negative Declaration and Agriculture Plan

Jim,

Attached are two documents:

1. A list of 9 items by which to compare pure Ag retention and a cluster division (23 KB)
2. My Agriculture Plan (2.7 MB)

Please include these with your report.

I believe that an EIR is not needed as my Agriculture Plan is environmentally friendly, and then some.

Also, I believe that any request for a traffic study should be independent of the Dally/Viborg request/project.

Thank you.

- Robert Dally

cc Cliff Smith/Harry Ovitt



Negative Declaration Request.xls



Ag Plan.doc

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Agriculture Plan

for

2690 Neal Spring Rd.
Templeton, CA. 93465



by

Robert Dally

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PURPOSE

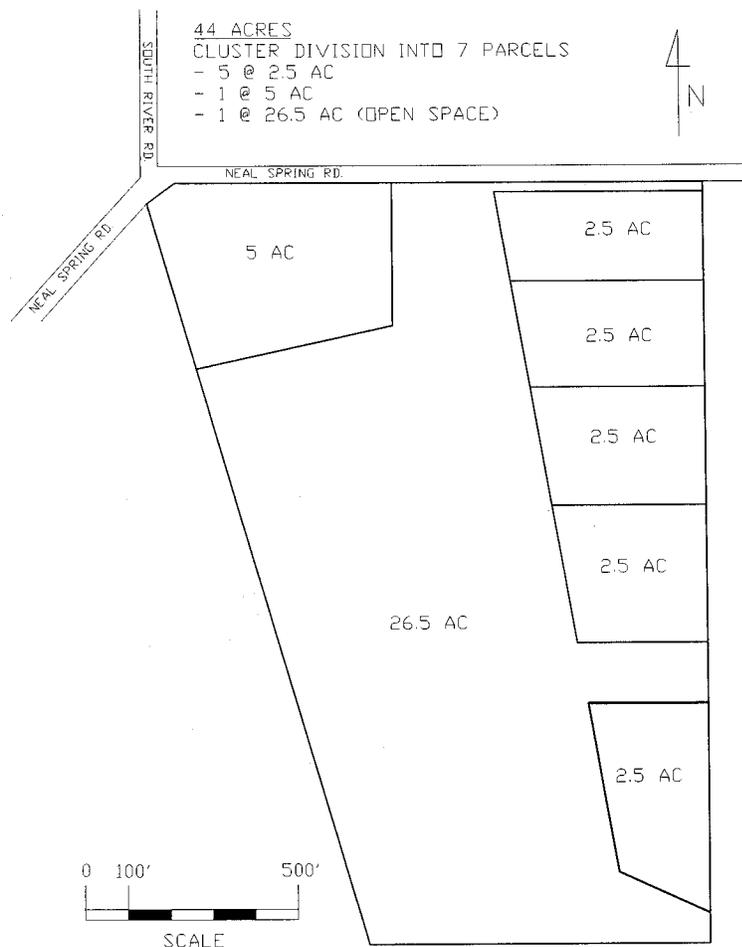
To intensify the agriculture activity on 44 acres in a manner that is environmentally friendly, aesthetically appealing and economically viable.

METHODOLOGY

Create a cluster division through a GPA and a farm cooperative through CC&Rs.

GPA

A GPA request for a cluster division of 44 acres in Templeton is currently under consideration by the San Luis Obispo County Board of Supervisors and shown in Figure 1.



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Figure 1. Proposed Cluster Division into 7 Parcels

The cluster division meets the General Plan's requirements of establishing an open space parcel of 60% (i.e., 26.5 of the 44 acres) and a minimum cluster lot size of 2.5 acres.

Note the reduction in the number of 2.5-acre clustered lots from an allowed 7 down to 5 by combining two into one 5-acre lot, which serves the existing residence at the NW corner. The visual appearance of the combined two lots is 31.5 acres (72% "open space").

By reducing the size of the project from 8 lots to 7 increases the average lot size to 6.3 acres (44 acres/7 lots), which is 1.3 acres, or 26% larger than the allowed minimum of five. This further mitigates the residential impact and only strengthens the agricultural potential.

CC&R's

All five of the 2.5-acre clustered lots will have deed restrictions limiting the building envelope to approximately one acre, retaining the other acre and a half for agriculture activity, most probably wine grapes. The building envelopes allowed in the CC&R's are displayed in Figure 2.

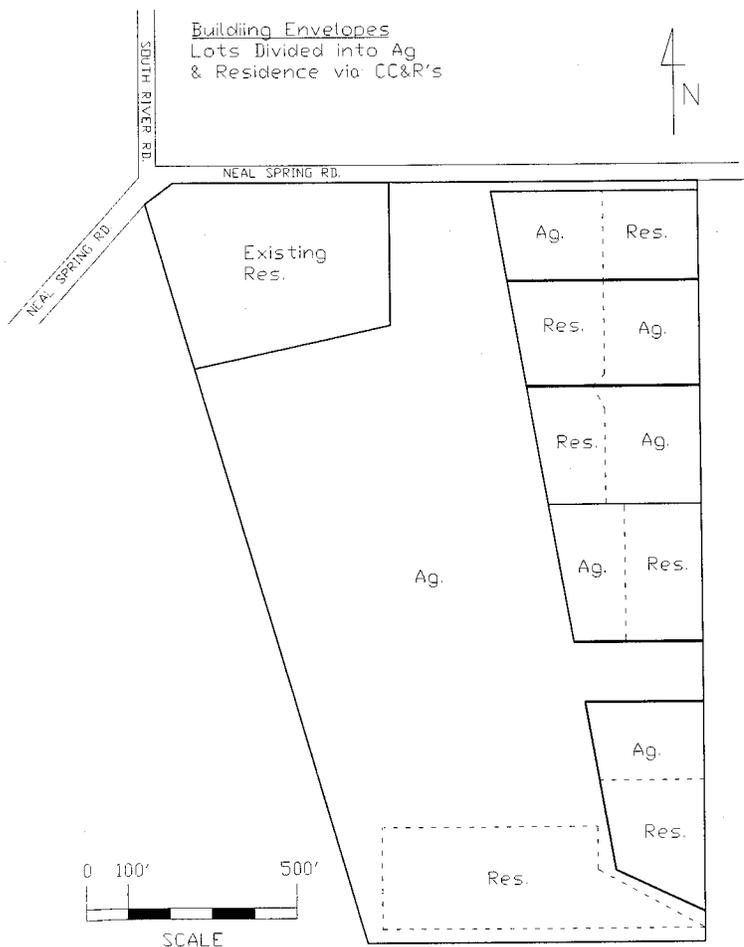


Figure 2. Residential Building Envelopes ("Res.")

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By including the aggregate 7.5 acres of CC&R Ag activity the net "Ag/Existing/Open Space" area increases to 39 acres, or 89% of the existing parcel. Only five acres net will be converted from Ag to use by new residences, which is only an 11% "impact".

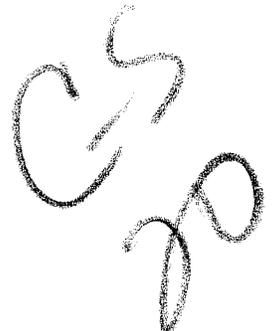
FINAL AGRICULTURAL DESIGN

My vision is shown on the front cover of this plan. This photo of a harmonious coexistence of residential and vineyard was taken just North of Geneva, Switzerland. This photo deeply inspires me in my quest to create a high caliber living environment on this property.

The neighboring communities of Santa Ysabel Ranch and Spanish Lakes are prime examples of the market for such homes, and the avocado co-operatives in the upscale regions of Spanish Hills of Camarillo demonstrate feasibility. I believe that this particular location in Templeton, from which can be seen 6 mini-vineyards, is ideal for supporting a vineyard co-op, enhancing the character of this little valley.

The two agriculture activities on this co-operative, both consistent with the Templeton and Paso Robles area, are wine grapes and equestrian activity. As shown in Figure 1 the 26.5-acre open space parcel maintains a 20' wide section, or path, along Neal Spring Rd. in the NE corner of the property. This swath will be retained and used as a bridal trail. I envision some year the community will support bridal trails connecting various sections of the horse country, and this one will be ready-made.

The final build-out and project completion is shown in Figure 3. This pastoral setting includes a 2-acre pond, 20+ acres of vineyard distributed intelligently and aesthetically, open space areas, an equestrian center, new trees and a conservation of the remaining few mature oak trees.



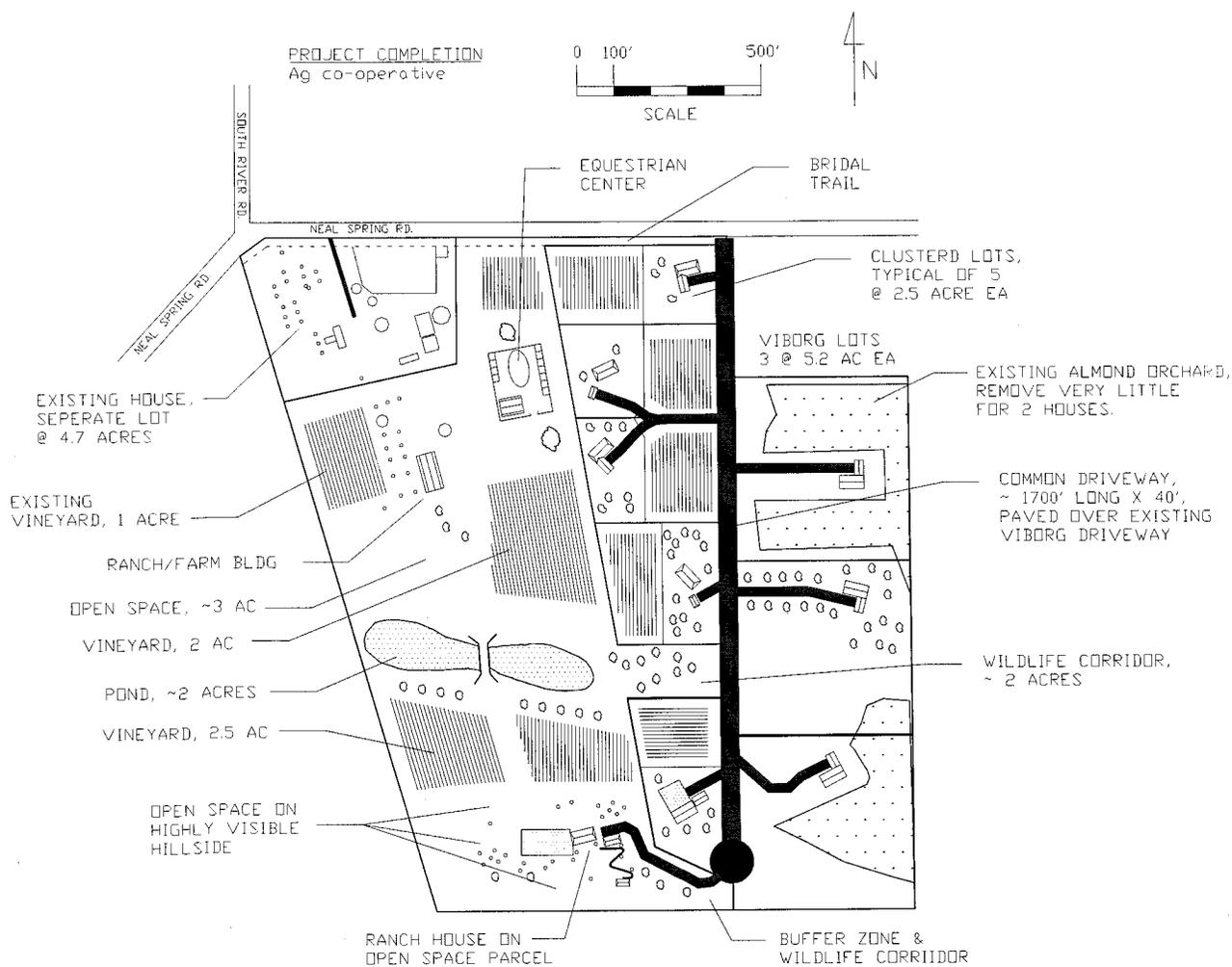


Figure 3. Project Completion

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REQUEST FOR NEGATIVE DECLARATION

CONCERN	AG	CLUSTER DIVISION	NOTES
1 Ag Retention	100% (~75% Usable)	>72% (91% Co-op)	Ag: low wet area, existing residence, shaded east side of hill. CD: (26.5 Ac + 5 Ac existing residence)/44 Ac = 72%, 91% with co-ops.
2 Ag Feasibility	Low	High	Ag: land value is a barrier CD: subsidized by land division, co-ops' interest, receives a 'shot in the arm'
3 Ag Methods	Commercial	Wholesome	Ag: Maximize profit, cut corners, sacrifice aesthetics and biological diversity CD: organic, sustainable, bio-diversity, labor intensive, best management practices
4 Minimum Size	20 Ac	26.5 Ac	Ag: Ag Policies 5 & 24. CD: open space parcel of 60%
5 Character Statement & Community Pattern	Contrast	Complimentary	Ag: commercial Ag across street from RR incongruous, south hill is natural buffer CD: area of ranchettes, cluster divisions of Santa Ysabel Ranch & Spanish Lakes
6 Biological Impact	Significant	Mitigated	Ag: 100% critter fence, non-organic farming methods CD: wildlife corridors, organic & bio-diversity farming, labor intensive
7 Manage-ability	Stressed	Subsidized	Ag: land cost barrier, "Green Acres" results, cutting corners CD: comfortable, manicured, shot in the arm uplift, upscale, healthy, model quality
8 Ag Buffer	Neal Spring Rd.	Natural Hill	Ag: Neal Spring Rd. is not a physical barrier against many commercial practices CD: the south hill is a natural barrier, especially with the oak trees and residence
9 Growth	None	Smart	Ag: extreme position CD: comprehensive, consideration for Ag & biology, aesthetically pleasing

Robert Dally
2560 Neal Spring Rd.
Templeton, CA. 93465

Application for GPA (and eventual cluster division)

January 7, 2005

To: San Luis Obispo County Planning Department.

This is a combined application for Robert Dally and Ole Viborg.

I, Robert Dally, am requesting a General Plan Amendment (GPA) to rezone the 44.19 acre parcel at 2690 Neal Spring Rd, Templeton (APN 033-321-002) from Ag to RR. If approved I would then submit an application for a cluster division to create seven parcels @ 2.5 acres each and one open space parcel at 26.69 acres (60% of the 44.19 acres).

In addition, Ole Viborg is requesting that his 15.59 acre parcel (APN 033-321-009) be subdivided into 3 parcels, each approximately 5.2 acres in size.

Kami Griffin and Jamie Kirk recommended in our Feb 18, 2003 pre-application meeting that we combine our requests onto one application.

An aerial photo of the two properties is shown in Figure 1. A view looking SW at the two properties is shown in Figure 2, with the 44.19 acre parcel (033-321-002) outlined. A proposed subdivision of 033-321-002 shown in the photo of Figure 2 is depicted in Figure 3.

Attached are several maps showing the relative location of the properties in respect to Paso Robles and Templeton, a parcel map of the immediate vicinity, a layout of the existing properties, a layout of the eventual proposed subdivisions, a layout of the eventual residential building sites, a biology report (kit fox) and two pre-application meeting notes from the SLO County Planning Department..

I believe that our combined plan should be approved as it will fully meet the following SLO County concerns:

A. Relationship to Community Planning Goals Regarding Orderly Growth

The neighboring properties are overwhelmingly zoned RR as can be seen in the attached area map. The 138-acre property adjacent on the South border (also owned by Ole Viborg) and the 40-acre property adjacent to the West are both zoned Ag. From this property can be seen both Santa Ysabel Ranch and Spanish Lakes cluster divisions of similar sized parcels (~ 2.5 acres each) and with similar open space proportions. Therefore, leapfrogging will not be occurring if our plan is approved.

The larger project (033-321-002) fronts Neal Spring Rd. – a paved road on which electricity and telephone are available. Fire, emergency, and other similar services are provided at this property. The parcels will each utilize individual well and septic systems.

B. Relationship to Surrounding Land Uses

All adjacent parcels, and all parcels within 300 feet in any direction, are used as residential. The two larger adjacent parcels that are zoned Ag consist of a ranch house on grassland. There is no agriculture activity except for Barley and some almonds. In general, the greater neighborhood in this area consists of ranch houses with either no agriculture (house and landscaping and grassland) or some agriculture (almonds, walnuts, grapes, olives, barley) as an aesthetic attribute to the ranch house.

This project would create a pastoral setting fully consistent with the surrounding land uses and fully capable of enhancing such consistency.

C. Relative Size of the Change

This would not result in "spot zoning" as the adjacent (and beyond) parcels to the East, the North and the North-West are zoned RR.

D. Land Compatibility and Service Availability

This land can support the change to RR. There is one existing dwelling with two water wells and one septic system. One well is 200 feet deep, has a water level at 45 feet below the surface and services the agricultural uses (1 acre of vineyard and about 40 trees). Data shows that the water level does not drop below that 45 foot depth when the well is pumped at 26 gal/min for a period of 8 hours. The second well is about 100 feet deep and fully supports the dwelling and its landscaping and has never faulted. The property is less than 2 miles from the Salinas river and gives all indication that water availability can always be counted on.

The septic system has operated flawlessly since 1989 when my father purchased the property.

The neighboring RR and Ag properties all operate on well and septic systems and we have heard of no issues.

Neal Spring Rd. fronts this property and will serve the project. The town of Templeton is 4 miles by car and the town of Paso Robles is 3 miles by car. This section of Neal Spring Rd. connects to El Pomar, South River Rd., and Creston Hwy.

The topography is gentle rolling hills, with a somewhat steeper section to the south. Although steeper, this section will still support a dwelling, although no dwelling is intended for that section. Instead, the south end of the property will be preserved for the open space aesthetic quality that will be most visible.

Robert Dally
2560 Neal Spring Rd.
Templeton, CA. 93465

Application for GPA (and eventual cluster division)

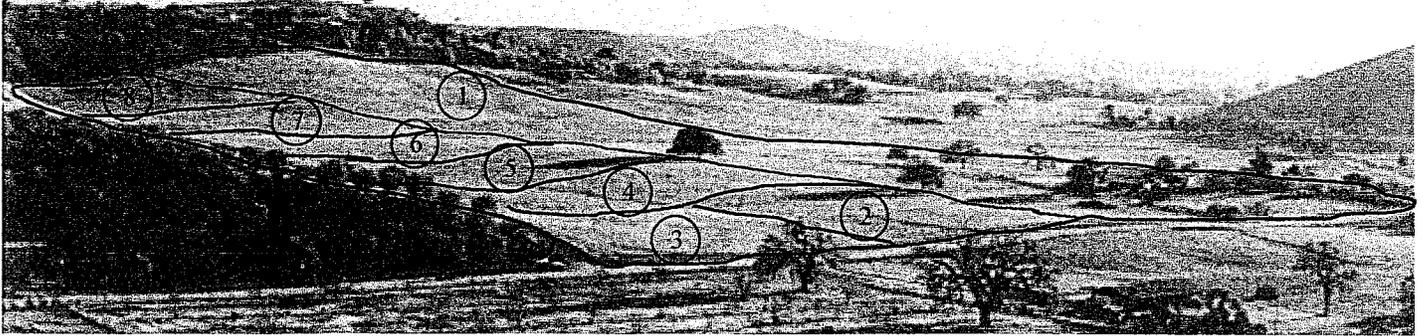


Figure 3. Proposed Parcels on 033-321-002: #1 @ 26.69 Acre & #s 2 thru 8 @ 2.5 Acre each.

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Robert Dally
2560 Neal Spring Rd.
Templeton, CA. 93465

Application for GPA (and eventual cluster division)



Figure 2. View looking SW at 44.19 Acre Parcel (033-321-002) at 2690 Neal Spring Rd., Templeton, CA.

CS
DR

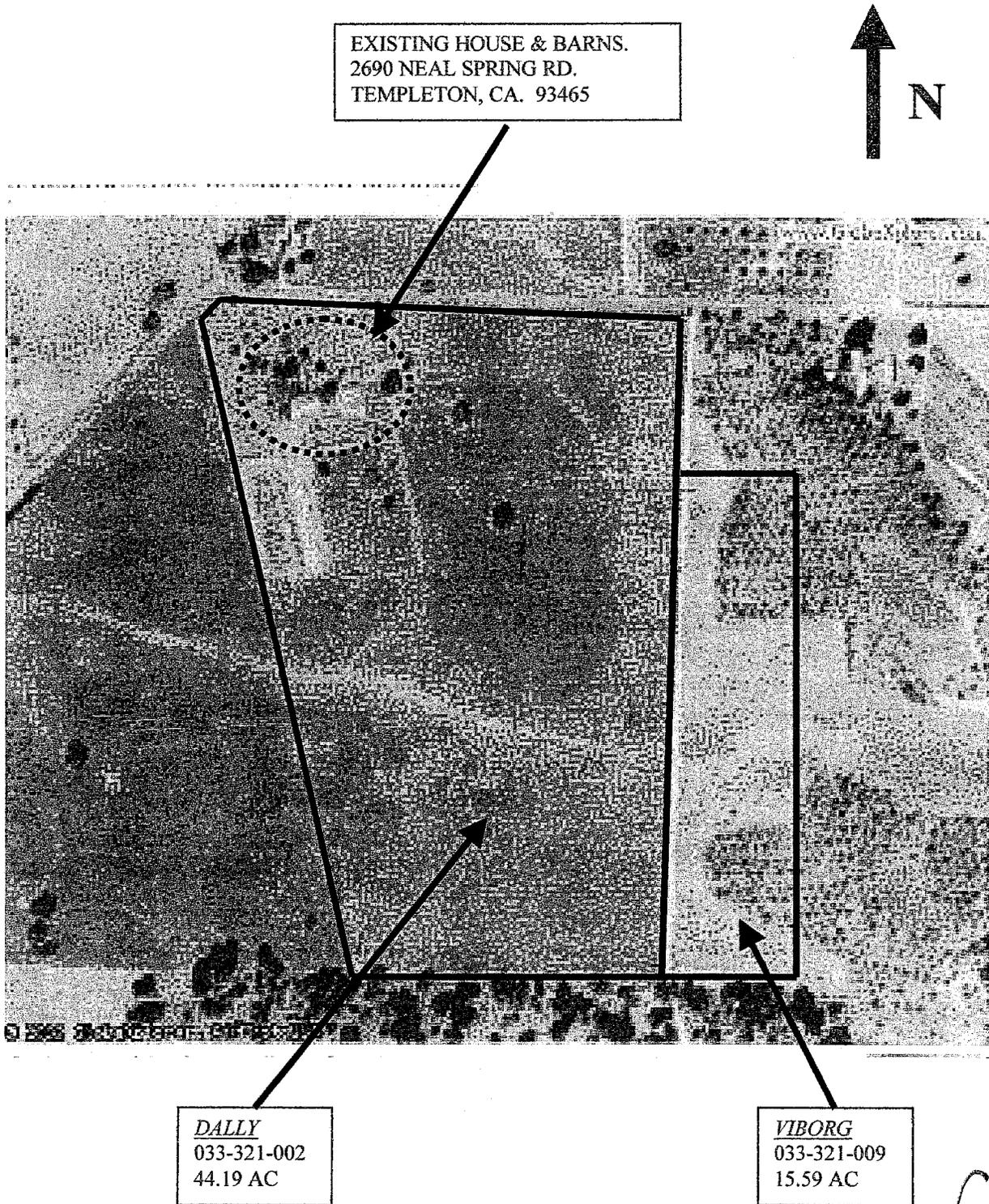


Figure 1. Aerial View of 44.19 Acre Parcel 033-321-002 and 15.59 Acre Parcel 033-321-009

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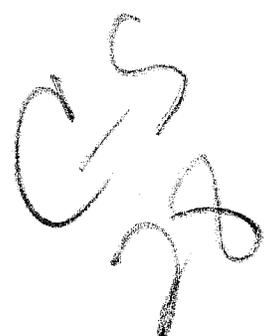
Robert Dally
2560 Neal Spring Rd.
Templeton, CA. 93465

Application for GPA (and eventual cluster division)

This property is within the zone designated as Kit Fox habitat and a Biology report was prepared by Mike McGovern and is attached. The Fish and Game Department, through Julie Eliason, has indicated that the mitigation ration is 1:1. This project will create an open space parcel of 26.69 acres in size.

E. Relationship to Other Plan Elements

It is anticipated that no other elements of the general plan will require an amendment.





"Dally, Robert
SSILP-RHS"
<Robert.Dally@Shellsol
ar.com>

To: "jlopes@co.slo.ca.us" <jlopes@co.slo.ca.us>
cc:
Subject: I will respond by Friday - Please review my intent

08/10/2005 04:28 PM

Jim,

Thank you. I'll formulate some thoughts and send them to you by Friday. I'm looking for a win-win situation. As you might imagine, it's difficult farming this piece of property on a tight budget. Several years ago when the deer were eating the fresh shoots on my vines I had need for erecting a deer fence. However, I could not afford such, and consequently my dad recommended that I place a few perimeter poles, string a wire along the top and one along the bottom and attach bird netting to the wires to create a curtain.

It worked for a while, but I had to continuously repair the rips that the deer put in it. The sadest part is that the gopher snakes would get ensnared in the netting and die. The ones that did not get caught did not enter the property and thus the gophers became prolific. I would even find dead birds that got caught as they were flying. I once spent an hour freeing a gopher snake and as it finally slithered away I noticed that it still had one piece of netting loop tight around its body. To this day I feel awful imagining that it must have died shortly after eating its first meal.

As I've stated, without a subsidy from the cluster division it will be impossible for me to intensify the Ag potential; I very much want to expand my vineyard. I just tasted my first wine from 2003 and it is not bad. I have a nice micro-climate in which the wind cools down the grapes in the afternoon.

On my recent trip to Europe I saw many examples of vineyards intermixed with residences, yielding beautiful and quaint pastoral settings. That's what I want to do with this property. I want to have deed restrictions on the 2.5 acre residences by which they allow me to grow 0.5 to 1 acre of vines, to further aid in a visual buffer between their neighbor, to further enhance the visual character that I seek, and to increase the "open space" or "ag view" above the 60% that will be created by lines on paper.

I have worked very hard to grow these 700 vines on the one acre. I've learned a lot and I now know how I would grow another 10 or 20 acres. My dad just turned 74 and the property is in a steady state of decay. It's important that I finance the improvement of this property to benefit my family, to allow me to finally become a home owner, to allow me to have a ~20-acre vineyard with ranch house, to protect the local fauna, and to make a visual statement.

Ideally I would have an equestrian path along the 1300' frontage of Neal Spring to make it safer for the horse riders. I would have two wildlife corridors, one N-S and one E-W that would invite the deer and the coyotes to continue with their daily visits. I would like to have a common stable, barn and pasture for the 8 or so home sites to further enhance the aesthetics. I would insist that the homes be zero energy domiciles with building integrated solar photovoltaic systems, perhaps collectively attached to the common barn and stable, yet individually connected to each home's electric meter, and perhaps even western style windmills (not modern space-age looking ones) that generate electricity, but which give the

appearance of pumping water.

I have an altruistic dream. If the supervisors vote against my proposal then the property is doomed to decline over the next decade or so, until it is sold in probate or other. If the supervisors vote in favor of my proposal, then my creative talents will be an asset for the county of SLO. I am a contributor. I'm not asking for the county to give me something, I'm asking for the county to allow me to contribute wholesomely. There is a win-win solution waiting to happen.

I will follow up with a formal response. Hopefully you can see my proactive intent and give me guidance on how I can best present my arguments.

Attached is a photo just north of Geneva, Switzerland that I took in 1999. This photo has been my inspiration; this is my vision. The rewriting of the General Plan to allow the simultaneous rezone and cluster division was a ray of hope that propelled me to this point... otherwise I might have given up 2 years ago, for so many times I feel like I am "Mr. Douglas" in the sitcom "Green Acres". It's an endless battle and the "Public", which is a stake holder in my proposal, should recognize the value that my proposal will deliver.

Please, if possible, send me some advice, in my favor, before I send you my official response on Friday.

Thank you.

- Robert Dally

-----Original Message-----

From: jlopes@co.slo.ca.us [mailto:jlopes@co.slo.ca.us]
Sent: Wednesday, August 10, 2005 1:28 PM
To: Dally, Robert SSILP-RHS
Subject: Re: Waiting for your Report on Dally/Viborg

Robert,
I'm sending it in today's mail. You can go to the county website at this address:

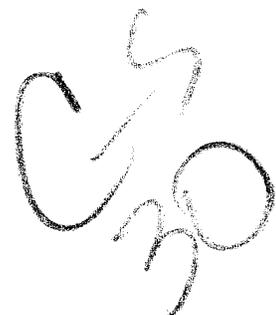
[http://www.co.slo.ca.us/Board_of_Supervisors_Inter.nsf/ByDominoFilename/Agendas_ag081605_c-1.pdf/\\$FILE/c-1.pdf](http://www.co.slo.ca.us/Board_of_Supervisors_Inter.nsf/ByDominoFilename/Agendas_ag081605_c-1.pdf/$FILE/c-1.pdf)

and that will be the PDF of the report. It came online yesterday afternoon.

Regards,

Jim Lopes, AICP
Planner III

Department of Planning and Building
County of San Luis Obispo
San Luis Obispo, CA 93408
ph. 805/781-5975
fax 805/781-5624
email: jlopes@co.slo.ca.us



To: Jim Lopes
From: Robert Dally
Date: May 11, 2005
Subject: GPA Application No. LRP2004-00018 – Ag Commissioner's Recommendation

The Ag Commission's stance on my project presents the following two inconsistencies:

1. Wildlife Access Preservation Compromised

Maintaining the property as Ag allows a farmer to install a critter fence around the entire 44 acres, thereby locking out any wildlife, such as those that visit the property daily (e.g., deer and coyotes) and those that could potentially be there (e.g., the Kit Fox). Such a fence would further corral the deer to the streets of Neal Spring Rd and South River Rd.

2. Cost of Real Estate Precludes Farming Potential

The Ag potential of this property is non-existent by virtue of exorbitant overhead that would be incurred if this property were purchased for the intent of farming. California's excessively high real estate value makes it economically unfeasible for someone to establish agricultural activity on this property.

Unfortunately California's agriculture industry requires a subsidy from the lucrative housing market in order to remain competitive.

My proactive plan is to build a cluster division (seven 2.5 acre parcels) with wildlife corridors. The one open space parcel (60% of the project which will be 26.5 acres) will have not only Ag potential but actual Ag production made economically feasible by the income (subsidy) from the cluster division.



August 11, 2005

To: Board of Supervisors
County of San Luis Obispo

Re: Dally/Viborg General Plan/Land Use Ordinance Amendment Request

Dear Supervisors:

I urge you to **NOT authorize the processing** of the Dally/Viborg general plan and land use ordinance amendments at your **August 16 meeting**.

My request for you to not authorize the processing of this application is consistent with planner Jim Lopes' comprehensive review and recommendation. In addition, an April 4 letter from the Department of Agriculture states that the Dally GPA proposal "does not meet the criteria for conversion" of Ag land.

To briefly note a few key points:

- Dally parcel: the size, soil, and water (if irrigated) qualify the parcel as prime Ag land.
- Dally parcel: the agricultural land conversion would create additional encroachment of residential into agricultural areas and incompatibilities between agricultural and residential uses. (Neal Springs Road considered a buffer from Residential Rural zoning to the North.)
- Viborg Parcel: In 1994, the Viborg parcel was previously part of change in land use standards (for whatever reason) from Ag to RR. On a negotiated basis, it was agreed that the 20-acre minimum could be reduced to 7-acre minimum under the condition that TDC credits were purchased. The issue of whether 5-acre minimum parcels are appropriate for the area has therefore previously been addressed and decided upon. There is no need to renegotiate this past deal and further downgrade parcel size to a level inconsistent with Ag parcels and on the small end of area Residential Rural properties. (More recently, the whole question of whether TDCs should be utilized to convert Ag land has received much public resistance, and the County Planning Commission has recommended to your Board that the countywide TDC Program be discontinued.)
- Dally Parcel: the current inventory of Residential Rural land in rural Templeton is only 52% built out, so conversion of this parcel is unnecessary and premature (see Lopes Staff Report referencing Department of Planning and Building study).
- Viborg Parcel: Removal of the area standard would potentially required the two other properties which are subject to this standard to also be reviewed, so this "re-opening" of a previous agreement would potentially have even farther reaching development implications.
- The planned use of 2.5-acre parcel cluster sub-division would be a further inconsistency of land usage patterns in the El Pomar-Estrella planning area if this change were approved.

I would like to address a few points made by Mr. Dally in his January 7, 2005 (to County Planning Dept.) and May 11, 2005 (response to Ag Commission's recommendation) letters:

- Mr. Dally makes subjective claims that the neighboring properties are "overwhelmingly" zoned RR and that "leapfrogging" would not occur. An objective response is simply that



he is proposing to convert Ag land in a manner inconsistent with Agriculture and Open Space Element policies purely for personal economic gain.

- The claim that RR land use categories are adjacent to and in the general vicinity of his property is not relevant to whether his Ag parcel should be converted. If his claim were a land use designation and development criteria, the County would quickly have no more Ag land.
- The claim that his land "can support the change to RR" is, again, completely irrelevant to the issues of whether the proposed conversion meets Ag and Open Space policies, and more broadly, the community's view to maintain the historical agricultural nature of rural Templeton.
- He claims that the project will "create" an open space parcel of approximately 26 acres. It is difficult to understand how he can seriously make this claim as the parcel currently has 44 acres of open space. This appears to be open space destruction.
- He claims that development of the property may negate the need to install a critter fence which is unfriendly to deer and other animals. I agree that these fences are often detrimental to certain wildlife. However, as these fences are allowed, it is quite a stretch of logic to argue that this parcel should be converted and developed so that fencing might be avoided.
- He claims that the Ag use potential for the property "is non-existent" due to California's high land values. Agricultural activity is obviously occurring all over the County, including on parcels adjacent to and nearby Mr. Dally. Mr. Dally can place his property on the market and find that someone will place value on the property as an Ag parcel.

Please vote to NOT AUTHORIZE the processing of this application in order to preserve the important and historical agricultural and rural nature of Templeton.

Sincerely,
Bill White

4815 Almond Drive
Templeton, CA 93465
Work Phone – 238-6888





"Dally, Robert SSILP-RHS"
<Robert.Dally@Shellsolar.com>

01/27/2006 09:32 AM

To ""jlopes@co.slo.ca.us" <jlopes@co.slo.ca.us>

cc

bcc

Subject RE: General Plan Amendment Initial Study ; LRP2004-00018

History: This message has been replied to.

Jim,

Thank you.

From now on please e-mail me at rbdally@tcsn.net.

Please do mail the report to 2690 Neal Spring Rd. Templeton, CA. 93465 and if possible please e-mail the reports, and all future correspondence to rbdally@tcsn.net.

Jim, I myself am an environmentalist and I have dedicated my entire engineering career to renewable energy (solar photovoltaics). I want to be very proactive in my goals and plans for rezoning and subdividing this piece of property so that I can create a cooperative among the handful of 2.5 acre parcels and the open space parcel. I know that my intentions cannot be considered as reasons for allowing the amendment, and therefore I have tried to mitigate the impact by reducing the parcels from 8 to 7, by grouping the 26.5 acre open space with the existing house carved into a 5 acre parcel so that 75% of the property maintains its open space visual quality, and so that farming remains viable. Right now there is "no loaf" in the farming potential due to the neighborhood and the cost of farming. I want to turn this into 3/4 of a productive loaf.

I know that as a planner, and as evidenced from our first Board meeting, that you want to prevent this project from progressing. I'm hoping that you can see the value that I am proposing and somehow work that into at least one positive attribute in your report and in your presentation to the Board. We are not at total odds. We both have the same goals in general, to make this a productive piece of agriculture.

I see many examples here in Camarillo of cooperatives for avocados grown on 2.5 acre parcels. I see it working well. I see many examples of communities in Europe wheretowns border vineyards, and the townspeople like it for the visual resource. I witnessed this first hand last summer while visiting my wife's brother who lives in Bad Kreuznach, Germany. That is my goal. If there is any way you can soften your attack, or your recommendation against, it would be for the ultimate benefit of everyone. I am not a greedy land developer. I want to farm this property with a visually aesthetic ranch and cluster division. I have people already wanting to purchase a house on a 2.5 acre parcel with 0.5 to 1.0 acres of that property dedicated to a vineyard to solidify that pastoral setting that I seek.

Thank you Jim.

- Robert Dally

-----Original Message-----

From: jlopes@co.slo.ca.us [mailto:jlopes@co.slo.ca.us]
Sent: Friday, January 27, 2006 9:16 AM
To: Dally, Robert SSILP-RHS
Subject: RE: General Plan Amendment Initial Study; LRP2004-00018

Robert,
The staff report for April 11 Board of Supervisors will be available by April 5. We can send it then or you can pick it up. I may be able to email it to you if it all works as an e-copy. Sometimes letters and graphics are hard copy in the final report. I'll send you the Initial Study and visual analysis today if possible.

Jim

Jim Lopes, AICP
Planner III

Department of Planning and Building
County of San Luis Obispo
San Luis Obispo, CA 93408
ph. 805/781-5975
fax 805/781-5624
email: jlopes@co.slo.ca.us

"Dally, Robert
SSILP-RHS"
<Robert.Dally@Shel
lsolar.com>

01/26/2006 09:22
AM

"'jlopes@co.slo.ca.us'"
<jlopes@co.slo.ca.us>

To

cc

Subject
RE: General Plan Amendment Initial
Study; LRP2004-00018

Jim,

April 11 is acceptable.

When will I receive your report? In the immediate, can you forward to me the Morro Group's report and/or the Visual Analysis?

Thank you.

- Robert Dally



EXHIBIT C: INITIAL STUDY

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Dally General Plan Amendment LRP2004-00018 ED 05-090

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input checked="" type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

for Keith Miller, Morro Group, Inc. James Lopez 12/05/05
Prepared by (Print) Signature Date

John Nall John Nall Ellen Carroll, 3/30/06
Reviewed by (Print) Signature (for) Environmental Coordinator Date

Handwritten initials and date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Robert Dally and Ole Viborg for an amendment to the El Pomar Area Plan of the Land Use Element by changing the land use category on an approximately 44 acre site from Agriculture to Residential Rural. Subsequently, the applicants would subdivide the 44 acre parcel into five 2.5 acre parcels, one 5 acre parcel and one 26.5 acre parcel. In addition, the applicants propose to subdivide an adjacent 15.6 acre parcel into three lots of 5.2 acres. Subdivision of that parcel into lots smaller than 7 acres requires removal of an existing area plan standard. The site is located at 2690 Neal Springs Road approximately 2 miles from the City of Paso Robles . The site is in the El Pomar planning area.

ASSESSOR PARCEL NUMBER(S): 033-321-002, 009

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: El Pomar/Estrella, Rural

LAND USE CATEGORY: Agriculture, Residential Rural

COMBINING DESIGNATION(S): None

EXISTING USES: Agricultural uses, fallow, former orchard , residence

TOPOGRAPHY: Nearly level to moderately sloping

VEGETATION: Grasses , scattered oaks

PARCEL SIZE: 59.59 acres (2 parcels)

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Residential Rural; residential agricultural uses	<i>East:</i> Residential Rural; agricultural uses residential
<i>South:</i> Agriculture; agricultural uses residential	<i>West:</i> Agriculture; agricultural uses residential

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY CHECKLIST**

1. AESTHETICS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project will be visible from Neal Springs Road. Zoning in the area is either Rural Residential (north of Neal Springs Rd.) or Agriculture (south of Neal Springs Rd.) and the region reflects it. Agricultural activities in the area include grazing lands, scattered orchards, hobby farms and generally small scale commercial operations with a niche. These operations can be found in both the Agriculture and Rural Residential zones. Residences can also be found in both designations, and are an eclectic mix of older ranch-style homes, and newer ranchettes. Recent developments to the north and west of the project area include large custom homes on smaller lots, generally 2.5 acres. Parcels in the immediate vicinity of the project vary from 5 to 40 acres to the north and from 5 to over 100 acres to the south. The Dally parcel contains a residence, one acre vineyard, multiple agricultural accessory structures, and grasslands. Fifty percent of the Viborg parcel is covered by an older almond orchard, the rest is fallow.

Impact. A visual analysis of the project was prepared by a qualified consultant (Merriam, 2005). The report concluded that the development had the potential to introduce a suburban style development and be out of character with the surrounding region unless a series of mitigation measures were implemented. It concluded that the project could be built in a way that was visually compatible with the surrounding region.

Mitigation/Conclusion. Recommended mitigation measures include: The total number of homesites would be limited to 10, including the existing residence. Home setbacks would alternate to minimize the potential to develop an "urban character". *(It is important to note however, that the typical agricultural buffers recommended by the Agricultural Commissioners office may limit the setback potential.)* Five of the units (those most visible from Neal Springs would be limited to one story, and the project would have to include the proposed roughly 30 acre open space parcel, that would act a s

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a buffer between the public roads and the development. Landscape screening would be required as well. It is expected that implementation of these types of mitigation measures could reduce aesthetic impacts to a less than significant level.

2. AGRICULTURAL RESOURCES
- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project includes two parcels. One of the proposed project parcels (15 acres) is zoned Residential Rural (RR), and the other (44 acres) is zoned Agriculture (AG). The soil types include: Gazos shaly clay loam, (9 - 30 % slope), and Lockwood-Concepcion complex, (2 - 9% slope). As described in the Natural Resource Conservation Service (NRCS) Soil Survey, the "non-irrigated" soil class is "IV", and the "irrigated" soil class is "II" to "IV." The NRCS classifies approximately 39 acres of the 44-acre AG parcel as Farmland of Statewide Importance if irrigated, and water resources in the area appear to be sufficient for irrigation of vineyards or other intensive agriculture. The parcel zoned AG meets the Agricultural Capability criteria outlined in Ag Open Space Element (see attached Agriculture Department Referral response)

Approximately 50% of the RR parcel is currently planted with an almond orchard. The original orchard included parcels to the east as well, and in some places is still producing. The AG parcel includes a one acre vineyard, a home, and agricultural accessory structures. The majority of the AG parcel is currently fallow and/or occasionally grazed.

Neighboring parcels include a mix of large and small scale agricultural operations, hobby farms, and residential development. The uses are most distinguishable when considering parcels to the north of Neal Springs Road and parcels to the south. Parcels to the south, along the southern portion of Neal Springs Road and El Pomar are zoned AG and range in size from approximately 8 acres to over 100 acres. A number of these parcels are under Williamson Act contracts. Parcels to the north of the proposed project are generally zoned RR and range in size from 1.5 acres (Santa Ysabel Ranch and Spanish Lakes subdivisions) to approximately 5 acres. These parcels generally contain ranch-style homes and occasionally remnant orchards or hobby vineyards.

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The proposed project includes changing the land use category from AG to RR on the 44 acre parcel and removing the 20 acre minimum parcel size, set by Planning Area standard, on the adjacent 15 acre RR property. That standard was established by the Board of Supervisors in response to a previous request to rezone the 15-acre parcel and adjacent property from Agriculture to Residential Rural in order to subdivide the property into 5 acre lots. As a way to offset the potential impacts to agriculture from that proposed rezoning, the Board required a 7 acre density on that parcel, and allowed that density *only* if transfer of development credits were utilized.) The current request would

include 4 parcels of approximately 5 acres, 5 parcels of approximately 2.5 acres each and one parcel of 26.5 acres. This parcel would include a homesite, but also an easement limiting future development. The applicant envisions an ag pond, and intensive agricultural operations, such as a vineyard, on the remainder parcel. The proposal includes a landscaped buffer, eucalyptus trees, between the remainder parcel and the proposed homesites.

Impact. Potential impacts that may result from this project can be classified in two categories – those that affect agricultural resources on the proposed parcels directly, and those that indirectly affect agricultural resources in the surrounding region. Subdividing the RR parcel into three 5 acre parcels would most likely result in the removal of the remaining orchard for home construction and related improvements, such as septic tanks, landscaping, workshops, etc. In addition, increasing the residential density on the RR parcel increases the potential for conflicts/incompatibilities between future residents and nearby agricultural operations to the east.

The production agricultural capability of the parcel currently zoned AG would be significantly impacted by this project due to the conversion of the site to residential uses, parcelization, and development of additional residences. While the applicant proposes mitigating these impacts by developing the 26-acre open space parcel with an equestrian center, 4.5 acres of vineyards, a pond, and vineyards/landscaping on the 2.5 acre residential parcels, this proposal is consistent with rural residential development and is not considered feasible mitigation for impacts to agricultural resources. It should be noted that any amount of proposed crop planting or County mandated intensification of agricultural operations is not considered feasible mitigation.

The indirect impacts to agriculture in the immediate area and the County in general as a result of the proposed project are more difficult to quantify, but are nonetheless just as significant. As a result of subdivisions to the northwest of the proposed project, urban development is encroaching on agricultural lands in this area, reducing the land available for cultivation, and increasing the number of potential conflicts between existing agricultural operations and new residents. The proposed project would further this encroachment south of Neal Springs Road, which currently acts as the physical barrier between lands zoned AG and RR. Similar sized parcels are also located west of Neal Springs Road. It is reasonable to conclude that the conversion scenario proposed for this site could also repeat itself on parcels to the west and south, which are similar in size and would be considered “next in line” for subdivision. This request is approximately 10 years after adjacent properties were rezoned from AG to RR, which indicates that a precedent has occurred. Ultimately these conversions would result in a cumulatively significant loss of agricultural lands in the area.

Mitigation/Conclusion. The proposed project would result in significant, unavoidable impacts to agricultural resources. These include conversion of prime soils, loss of agricultural viability and contributions to the cumulative loss of agricultural lands in the El Pomar Estrella area. There are currently no measures available to mitigate for the loss of prime agricultural soils due to the small remaining size of the proposed open space parcel, lack of surety that more intensive agriculture will result, and the presence of other similar-sized properties nearby. The potential for offsite mitigation has been informally discussed in the past, but no formal program has been established. The use of TDCs as a mitigation measure is not considered a viable alternative on this site because it is zoned Agriculture. In addition part of the application is to remove an existing TDC requirement from the Viborg to allow a density greater than that allowed by current Area Plan Standards.

3. AIR QUALITY - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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3. AIR QUALITY - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. This project was referred to the Air Pollution Control District. The district noted that the project would not exceed emission thresholds established by the APCD. However, it will add to cumulative effects from increased residential development in areas without commercial services or employment centers. Such development fosters continued dependency on private auto use as the only viable means of access to essential services and other destinations, which is inconsistent with land use strategies recommended in the Clean Air Plan. These strategies aim to avoid exceeding air pollution thresholds by utilizing compact development and directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development; therefore the proposal is inconsistent with the CAP.

Mitigation/Conclusion. Mitigation measures would include standard dust control measures to minimize dust generation during improvements. There is no current method of mitigating cumulative development and transportation impacts on air quality in the north county.

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4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project site was visited on August 23, 2005. The following habitats were observed on the proposed project: Grasses , scattered oaks. Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: None

Wildlife: San Joaquin Kit fox (*Vulpes Macrotis Mutica*) 2:1 mitigation

Habitats: Valley Oak Woodland (scattered <10%)

The proposed project is located on parcels used historically for agricultural production. The undeveloped portions of the Dally parcel are composed primarily of nonnative grasslands, although two mature oak trees exist as well. In addition two residences, accessory buildings, and a small one-acre vineyard also exist on the parcel. The Viborg parcel is currently an almond orchard. No native vegetation or structures are located on the parcel. The Natural Diversity Database also identified this area as important habitat for the San Joaquin Kit Fox, a federally listed endangered species and a state listed threatened species.

Impact. The proposed project could result in approximately 1.95 acres of disturbance. Based on the proposed layout of the homesites (see Exhibit XX) the existing oak trees would remain the parcel. A "San Joaquin Kit Fox Habitat Evaluation Form" was prepared by Mike McGovern on 9-5-03. The evaluation form was reviewed by Bob Stafford of the California Department of Fish and Game. The evaluation, complete with Mr. Stafford's changes, resulted in a score of 53, which requires that all impacts to kit fox habitat be mitigated at a ratio of 1 acres conserved for each acre impacted (1:1). The project will result in the permanent disturbance of 1.95 acres of kit fox habitat. The project will also result in the permanent conversion of approximately 13 acres of grasslands, which provide foraging opportunities for birds of prey. The project, as conceptually proposed will also result in the creation of an approximately 26-acre open space parcel.

Mitigation/Conclusion. Mr. Stafford recommended that specific measures be implemented to effectively mitigate impacts to San Joaquin kit fox (personal communication 8/31/05). The applicant will be required to mitigate the loss of 1.95 acres of kit fox habitat by one of the following ways: Deposit of funds to an approved in-lieu fee program; provide for the protection of kit foxes in perpetuity through acquisition of fee or conservation easement of suitable habitat in the kit fox corridor area; or purchase credits in an approved conservation bank. At this time, there is no approved Conservation Bank that is operational in San Luis Obispo County. If none of the other three alternatives are available, the applicant may enter into a Mitigation Agreement with the Department of

Fish and Game, including depositing funds into an escrow account (or other means of securing funds acceptable to the Department) which would assure the protection in perpetuity of suitable habitat in the kit fox corridor area and provide for a non-wasting endowment for management. To prevent inadvertent harm to kit fox, the applicant has agreed to retain a biologist for a pre-construction survey, a pre-construction briefing for contractors, and monitoring activities in addition to implementing cautionary construction measures. Kit Fox in-lieu mitigation could also mitigate losses to grassland foraging areas.

It is expected that the implementation of the above measures will mitigate biological impacts to a level of insignificance.

5. CULTURAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the Salinan and Obispeno Chumash. . No historic structures are present. No outcrops of bedrock were visible on the project site. The site is underlain by the Paso Robles Formation.

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation (streams, topographic high points). No evidence of cultural materials was noted on the property. Future residential development of the parcels may include excavating into bedrock. However because of the relatively gently topography and proposed use of an existing access road, excavations, and therefore potential disturbance of paleontological resources, is expected to be minimal.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project is gently sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered low..

Active faulting is known to exist on or near the subject property (app. 0.7 miles west of site). The project is not within a known area containing serpentine or ultramafic rock or soils.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (an unnamed stream) from the proposed development is approximately 0.4 miles to the south. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered unknown to not well drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – The soil types include: Gazos shaly clay loam, (9 - 30 % slope), and Lockwood-Concepcion complex, (2 - 9% slope). As described in the NRCS Soil Survey, the soil surface is considered to have unknown to moderate erodibility and unknown to moderate shrink-swell characteristics.

CJS

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. As proposed, the project will result in the disturbance of approximately 1.95 acres.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable

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8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

Impact. The project would result in temporary short-term construction-related noise impacts, but is not expected to generate loud noises, nor conflict with the surrounding uses in the long-term.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create the need for substantial new housing in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Use substantial amount of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG)

program, which provides limited financing to projects relating to affordable housing throughout the county.

Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

The site of the proposed amendment is located adjacent to an extensive area of Residential Rural zoning, and other Agriculture zoned properties have similar sizes to the applicant's 44-acre property. With the two requests by Mr. Dally and Mr. Viborg, parcelization to a 5-acre density would be possible. Agriculture preserve contracts exist south adjacent to the sites and in the vicinity.

Impact. Approval of the requested changes would remove a standard for a larger Residential Rural parcel size on the Viborg property, and extend the Residential Rural category further west adjacent to similarly sized properties. The extension of the Residential Rural zoning to the sites will increase the financial attractiveness for other requests to change from the Agriculture land use category. It will affect property values positively, causing an escalation in nearby real estate values, which may result in higher assessments and property taxes that would be significantly impact other Agriculture properties. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. There are no feasible mitigation measures to reduce potential growth-inducing impacts on other properties in the Agriculture category in the vicinity. During subsequent permitting for the proposed subdivision the applicant will be required to pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee would be collected during subsequent permitting. This fee will not apply to any county-recognized affordable housing included within the project.

10. PUBLIC SERVICES/UTILITIES -
Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (Paso Robles Station 30) is approximately 7.3 miles to the west. The closest Sheriff substation is in Templeton, which is approximately 5.2 miles from the proposed project. The project is located in the Paso Robles Joint Unified School District.

CJA

Impact. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et sec) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks. These fees would be collected during subsequent permitting.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. The "Quimby" fee will adequately mitigate the project's impact on recreational facilities. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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12. TRANSPORTATION/ CIRCULATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public road(s): Neal Springs Road, South River Road. The identified roadway is currently operating at acceptable levels. Referrals were sent to Public Works.

Impact. The proposed project is estimated to generate about 90 trips per day, based on the Institute of Traffic Engineer's manual of 10/unit. Visibility at the intersection of the proposed access road and Neal Springs Rd. is somewhat limited by an existing slope and oak trees on either side of the entrance. Of particular concern to the Department of Public Works was the potential cumulative effect this project and future ones in the area may have on the level of service on Neal Springs and South River Road. It is anticipated that most travelers leaving the proposed subdivision would be heading north to employment and retail centers in the City of Paso Robles. For this reason the Public Works Department is considering the need for a traffic study, however, the exact scope of work has not yet been identified.

Mitigation/Conclusion. It is expected that transportation related mitigation measures including improvements to the access road, and potential improvements to Neal Springs Road would be required as mitigation measures. It is not expected that the project would result in significant transportation impacts after mitigation.

13. WASTEWATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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13. WASTEWATER - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

d) Other: _____

Setting. As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: slow percolation, steep slopes, shallow depth to bedrock. These limitations are summarized as follows:

Shallow Depth to Bedrock – indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth’s surface. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

Steep Slopes – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent “daylighting” to the ground surface.

Slow Percolation – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

Impact. The project proposes to use an on-site system as its means to dispose wastewater. Based on the proposed plans, adequate area appears available for an on-site system. The project site is not located in an area known to have wastewater disposal problems.

Mitigation/Conclusion. The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

14. WATER - Will the project:

Potentially Significant Impact can & will be mitigated Insignificant Impact Not Applicable

a) Violate any water quality standards?

b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?

14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use an on-site well as its water source. The Environmental Health Division has reviewed the project for water availability and has determined that there is preliminary evidence that there will be sufficient water available to serve the proposed project. Based on available information, including that submitted by the applicant, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level to moderately sloping. The closest creek from the proposed development is approximately .75 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Impact. As proposed, the project will result in the disturbance of approximately 1.95 acres. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 76.5 acre feet/year (AFY)

9 new residential units (w/primary (0.85 afy) = 76.5 afy
 Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). During the General Plan authorization process, the project was found to be inconsistent with Ag and Open Space Element policies and goals, and with guidelines for General Plan Ordinance Amendments set forth in the Framework for Planning. The discussion of inconsistencies was prepared by Jim Lopes, Planning and Building Department as part of the staff report for the General Plan Amendment authorization request that was heard by the Board of Supervisors on August 16, 2005. It has been included here verbatim:

"The following guidelines relate to these proposals:

- a. **General Plan consistency.** Whether the proposed land use category is consistent with applicable policies in the various elements of the General Plan (Land Use, Open Space, Conservation, Circulation, Housing, Safety, Noise):

El Pomar-Estrella Area Plan, Land Use Element. The vision statement and goals of the area plan envision that agricultural uses will be preserved, that agriculture will be a primary focus of economic activity, with agricultural land uses maintained and protected. Land use in general should be consistent with the area's heritage and historic rural character. The Land Use chapter notes that agriculture has been a primary land use in the planning area. In 2001, the largest market segment was wine grapes, followed by hay production (historically, the area has also included extensive almond orchards, grain, cattle grazing and horse breeding). In the area south of Highway 46, agriculture properties are interspersed between older subdivisions...Smaller properties are subject to increasing pressure to develop as rural homesites. Individually, they often are below the economic size for most commercial agricultural activities and for leasing to farmers, so that continued agriculture may be jeopardized or difficult to sustain.

The most relevant policy in the area plan is to, "Discourage new land divisions and rezoning that would intensify residential development at or adjacent to land in the Agriculture category (except to house farm workers)." Other policies encourage recognizing existing development patterns while protecting agricultural uses and the area's historic rural character, and to preserve agricultural operations by directing new development toward existing communities and subdivisions that are away from agricultural uses (pages 5-3 through 5-6).

Agriculture/Open Space Element The Agriculture Department has responded to the request with the letter in Exhibit D, in reference to the Agriculture/Open Space Element, which designates the parcels as Small Lot Rural. The department notes that the Dally request does not meet the criteria for conversion of agricultural land as set forth in Agricultural Policy 24 (see Exhibit C). Most of this site is in Class II irrigated soils. If irrigated, these soils would be considered prime. The property currently supports a one-acre vineyard. The area has been in transition from historical dry farm operations to intensified irrigated operations, including wine grape vineyards and fruit and vegetable production. With the soil type, potential water supply and property size and adjacent land uses, the site meets the criteria for inclusion in the Agriculture land use category, as described in the section above. These features make the site feasible for intensified, irrigated production, which if established on at least 10 acres of the irrigated soil, would qualify the 44-acre Dally property for a prime land agricultural preserve and contract. The property directly west of the Dally site is 40 acres and has similar characteristics. Neal Springs Road is considered a buffer from Residential Rural zoning to the north. The additional development associated with the Dally request would result in additional encroachment of residential uses into an agricultural area and would create incompatibilities between agricultural and residential uses.

The proposed removal of the planning area standard from the Viborg property would conflict with Open Space Policy 12 (see Exhibit C), which states that in rural areas, small lot rural parcels should be 10 to 20 acres, and conversion to these size parcels should only occur if the specific criteria for conversion from agriculture can be met. In that case, a limitation of 20 acres should be established, unless additional density is achieved through the transfer of development credits. The existing planning area standard appears to reflect this policy, by placing a 20-acre limitation that allows flexibility to transfer development credits to obtain a seven-acre density.

- b. **General Goals of the Land Use Element.** Consistency with the general goals in Framework for Planning, Part I of the Land Use Element (see Exhibit C):

Applicable general goals of the Land Use Element include no. 10, to encourage the protection of agricultural land for the production of food, fiber, and other agricultural commodities.

- c. **Purpose and Character Statements.** Consistency with the purpose and character statements for land use categories in Framework for Planning:

The purpose of the Agriculture land use category is described in Framework for Planning in several statements (see Exhibit C), which are summarized as, "to designate areas where a combination of soil types, topography, water supply, existing parcel sizes and good management practices will result in the protection of agricultural land for agricultural uses, including the production of food and fiber." Where one or more of these factors are deficient, and income cannot be sustained totally from the site, the purpose may also be "to recognize that agricultural activities on a small scale can supplement income from other sources, particularly where older subdivisions have resulted in parcels smaller than would currently qualify for new subdivisions within the parcel size range for the Agriculture category." Agriculture category land should be supported unless continuing agricultural productivity of a specific site is infeasible, considering the factors above, in which case conversion may be considered.

- d. **Planning Area Standards.** Consistency with planning area standards in the Land Use Ordinance:

The El Pomar-Estrella section of the Land Use Ordinance requires a 20-acre minimum parcel size for the Viborg parcel and two other lots, unless it is used as a receiver site for the Transfer of Development Credits (TDCs) in the current county program, in which case the standard allows a density of one parcel per seven acres. The standard was adopted in 1994 in response to the request of Calvin Stratton to change the land use category on these three parcels totaling 49.5 acres from Agriculture to Residential Rural, with support from Mr. Viborg. The seven-acre limitation was a compromise that tied the increase in rural density to a corresponding reduction in potential density elsewhere through transfer of development credits in the county program. This decision addressed a cumulative rural growth issue and responded to concerns about precedent to convert surrounding agricultural land to residential rural uses, by viewing the area as a transition area south of Neal Springs Road and limiting density to a higher minimum than five acres.

e. Area character. Compatibility with the character of the surrounding land uses:

The proposed map amendment is south and west of a large “belt” of Residential Rural land along Neal Spring Road and Hollyhock Lane (see Exhibit A). In the vicinity of the Dally request, only three parcels are west of Hollyhock Lane, which are the ones subject to the planning area standard that is proposed for removal by Mr. Viborg. These roads are considered as a buffer between rural residential uses and agriculture in this area. Extension of the Residential Rural category south of Neal Spring Road would be adjacent to properties under agricultural preserve contract to the south, which could create increased pressure on them to file notices of contract non-renewal and convert from agricultural use (see the Agriculture/Open Space Element discussion above).

f. Soils classification. Protection of prime agricultural soils (SCS Class I and II, irrigated) and the absence of characteristics that could unnecessarily limit, reduce or eliminate potentially viable agricultural uses:

The applicants propose a cluster division on 44 acres and a standard lot split on 15.6 acres, part of which are within a Class II if irrigated soils classification. These proposals would further reduce potentially viable agricultural use, as analyzed in the letter from the Agriculture Department.

g. Existing parcel size and ownership patterns. Consistency of the proposed development with the type and scale of surrounding parcels and ownership patterns:

The amendments would allow subdivisions that place five-acre and smaller 2.5-acre clustered parcels adjacent to or in the vicinity of commercial agriculture parcels to the south under Williamson Act contracts. Their development would extend the rural residential appearance and character across Neal Spring Road and Hollyhock Lane from existing Residential Rural parcels on the north and east.

h. Land inventory. Need for the amendment to provide a sufficient supply of land for the population of the community or area that is projected within planned resources service and facilities. See the **Timing** section below.

2. Timing. Is the amendment unnecessary or premature in relation to the inventory of similar land use categories and the timing of growth?

Approximately 52 percent of the inventory of Residential Rural land in the vicinity of the request is developed - 490 of a potential 936 parcels. A study was prepared by the Department of Planning and Building this year to determine the inventory of Residential Rural parcels that are located east



of the Salinas River within three miles of the Templeton Urban Reserve Line, which includes the subject properties. The study found that of the existing 647 Residential Rural parcels, 490 are partly or fully developed with dwelling units, and 157 are undeveloped. Many of the developed parcels could be subdivided to a five-acre density, with the potential for an additional 341 parcels. Of the undeveloped parcels, additional subdivisions to five acres could create 105 additional parcels. The resulting total 446 potential new parcels would represent an increase of 90 percent more dwelling units than the existing 490 units. The conclusion is that only 52 percent of the inventory of Residential Rural land in the vicinity of the request is built out. Accounting for market factors and incomplete development, it appears that the request would be premature for adding to the inventory of Residential Rural land in the area near Templeton.

3. **Vicinity.** Is the area proposed for the amendment appropriate in size for the surrounding area or should it be expanded or reduced?

The Viborg proposal to remove a planning area standard would leave two other properties still subject to it. These properties should also be considered for removing the standard if the request is authorized for processing.

4. **Guidelines for Land Use Category Amendments.** In determining whether to approve a proposed Land Use Ordinance amendment, the Planning Commission and Board of Supervisors should be guided by the Framework for Planning principles for implementation of the general plan goals as follows:

- a. All developments should be designed with maximum consideration of the characteristics of project sites and their surroundings:
 - 1) To enhance and achieve full use of special site potentials such as natural terrain, views, vegetation, natural waterways or other features;
 - 2) To respect and mitigate (or avoid) special site constraints such as climatic conditions, noise, flooding, slope stability, significant vegetation or ecologically sensitive surroundings;
 - 3) To be compatible with present and potential adjacent land uses within the context of the area's urban, suburban or rural character.
- b. Designs for proposed residential uses should include:
 - 1) Provisions for privacy and usable open space;
 - 2) Orientation and design features to shelter from prevailing winds and adverse weather, while enabling use of natural light, ventilation and shade;
- c. All developments should be designed to provide safe vehicular and pedestrian movement, adequate parking for residents, guests, employees and emergency vehicles.

In regard to these guidelines, the requests would introduce five-acre density, in clustered and standard lots, in between Neal Spring Road and contracted agricultural preserve parcels, and adjacent to an Agriculture category property on the west. The cluster division concept needs to be assessed in relation to the vicinity and site character and proximity to agricultural operations. Other concerns would be how compatible a cluster division would be with the rural residential character of the area, since its smaller lots may appear as having a suburban character. While some clustered land divisions are located further north of the site, they are near or adjacent to Paso Robles, and a major one, Santa Ysabel, is a re-subdivision of an antiquated townsite."

Clean Air Plan. The Air Pollution Control District responded to a referral (Guise; October 6, 2005) with concerns that the amendment is inconsistent with land use policies in the Clean Air Plan, and that the amendment along with other subdivision of rural land will create significant cumulative air quality effects. The response states that, "We are very concerned with the cumulative effects resulting from the on-going fracturing of agricultural land and rural development that are removed from commercial

services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with land use planning strategies recommended in the Clean Air Plan (CAP), which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density development (20-acre or larger parcel size).”

Conclusion. Inconsistencies with a number of planning Policies and Goals in the county Land Use Element and in the Clean Air Plan have been identified. No measures are available to mitigate these inconsistencies.

16. MANDATORY FINDINGS OF SIGNIFICANCE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For further information on CEQA or the county’s environmental review process, please visit the County’s web site at “www.sloplanning.org” under “Environmental Review”, or the California Environmental Resources Evaluation System at “http://ceres.ca.gov/topic/env_law/ceqa/guidelines/” for information about the California Environmental Quality Act.

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Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Attached
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Fish and Game	In File**
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

** "No comment" or "No concerns"-type responses are usually not attached

The following checked () reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

- | | |
|--|--|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Project File for the Subject Application <u>County documents</u> <input type="checkbox"/> Airport Land Use Plans <input checked="" type="checkbox"/> Annual Resource Summary Report <input type="checkbox"/> Building and Construction Ordinance <input type="checkbox"/> Coastal Policies <input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland) <input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Agriculture & Open Space Element <input checked="" type="checkbox"/> Energy Element <input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements) <input checked="" type="checkbox"/> Housing Element <input checked="" type="checkbox"/> Noise Element <input type="checkbox"/> Parks & Recreation Element <input checked="" type="checkbox"/> Safety Element <input checked="" type="checkbox"/> Land Use Ordinance <input type="checkbox"/> Real Property Division Ordinance <input type="checkbox"/> Trails Plan <input type="checkbox"/> Solid Waste Management Plan | <ul style="list-style-type: none"> <input type="checkbox"/> Area Plan and Update EIR <input type="checkbox"/> Circulation Study <u>Other documents</u> <input checked="" type="checkbox"/> Archaeological Resources Map <input checked="" type="checkbox"/> Area of Critical Concerns Map <input checked="" type="checkbox"/> Areas of Special Biological Importance Map <input checked="" type="checkbox"/> California Natural Species Diversity Database <input checked="" type="checkbox"/> Clean Air Plan <input checked="" type="checkbox"/> Fire Hazard Severity Map <input checked="" type="checkbox"/> Flood Hazard Maps <input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County <input checked="" type="checkbox"/> Regional Transportation Plan <input checked="" type="checkbox"/> Uniform Fire Code <input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3) <input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.) <input type="checkbox"/> Other _____ |
|--|--|

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

“Visual Analysis” Andrew Merriam, October 2005.

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COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556
ROBERT F. LILLEY
AGRICULTURAL COMMISSIONER/SEALER

(805) 781-5910
FAX (805) 781-1035
AgCommSLO@co.slo.ca.us

RECEIVED
APR 7 2005
S.L.O. CO. PLANNING DEPT.

DATE: April 4, 2005
TO: Jim Lopes, Planner III
FROM: Lynda L. Auchinachie, Agriculture Department *LLA*
SUBJECT: Dally General Plan Amendment Authorization LRP2004-00018 (0991)

Summary

Preliminary evaluation of the Dally General Plan Amendment change indicates the proposal does not meet the criteria for conversion as set forth in Agricultural Policy 24. The project site is well suited to support a variety of irrigated crops on prime soil. Conversion of the site to residential uses would result in the loss of such resources and the additional encroachment of residential uses into an agricultural area. This type of land use change can adversely impact agricultural resources by facilitating additional agricultural land conversion in the area and creating incompatibilities between agricultural and residential uses. These impacts to agricultural resources are potentially significant.

Introduction

This authorization report responds to your request for preliminary comments on the proposed Dally General Plan Amendment. The comments and recommendations in our report are based on agricultural policies in the Agriculture and Open Space Element and current departmental goals to conserve agriculture resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

A. Project Description and Agricultural Setting

The applicants are requesting to change the land use category on an approximately 44-acre property from Agriculture to Residential Rural and to remove a Planning Area Standard limiting subdivision density to 20 acres on an adjacent 15 acre property designated as Rural Residential (RR). The amendments are requested to allow for a clustered subdivision of the 59-acre project site. On-site agricultural uses include a one acre wine grape vineyard and remnants of a walnut orchard.

The site consists of 45 acres of Class II irrigated, Class IV non-irrigated soils with the remainder of the site Class IV irrigated and non-irrigated soil. The agriculturally zoned portion of the project site is predominantly Class II irrigated, Class IV non-irrigated soil

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(39 acres). If irrigated, these soils would be considered prime. The property currently supports a one acre vineyard.

In general, the area has been transitioning from historical dry farm operations to intensified irrigated operations including wine grape vineyards and fruit and vegetable production. The property directly east of the RR portion of the site supports a wide variety of fruit and vegetable production, while south and southwest of the site there are a number of properties under Williamson contract that support wine grape production and dry farm operations. The area to the north of the site, across Neal Springs Road, is developed with rural residences with a few remnant dry farm orchards.

B. Evaluation of Agricultural Issues

Our evaluation and comments concerning the general plan amendment authorization for the agriculturally zoned portion of the site are in the context of consistency with Agricultural Policy 24 of the Agriculture and Open Space Element concerning the conversion of Agricultural land. The policy considers both the agricultural capability of the annexation area and the potential impacts to adjacent agricultural lands. Projects that lead to the conversion of land capable of production agriculture, or cause a direct or indirect impact to adjacent agricultural lands are not supported.

Agricultural Capability

The criteria from Agricultural Policy 24 concerning agricultural capability are as follows:

- o The land does not meet the criteria for inclusion in the Agriculture land use category.
- o Agriculture production is not feasible due to some physical constraint (such as soil infertility, lack of water resource, disease), or surrounding incompatible land uses.
- o Adjacent lands are already substantially developed with uses that are incompatible with agricultural uses.

Land Use Designation – The project site meets the criteria for an Agriculture designation based on the combination of soil types, topography, water supply, existing parcel size, and compatible adjacent land uses.

Agricultural Resources – The site's combination of soil, topography and available water supply are favorable for intensified agriculture production. If irrigated, the Class II soil is suitable for a variety of crops including vineyards and fruit and vegetable production. The property does not currently meet the eligibility criteria for executing an agricultural preserve contract since the property is less than 100 acres in size. However, the property

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could qualify for a prime agricultural preserve contract if 40 acres of intensified agricultural uses were established on the property. The project site does not have physical constraints limiting agricultural production.

Adjacent Land Use Pattern – Neal Springs Road separates the rural home sites to the north from the agricultural area in which the project site is located. Residential Rural (RR) zoning is designated on a portion of the project site and this zoning extends to Hollyhock Lane. An associated RR Planning Area Standard requires a 20-acre minimum parcel density that is compatible with adjacent agricultural lands/uses. Additionally, a large portion of this RR area supports fruit and vegetable production. Properties to the south of the project site are larger agricultural properties supporting a vineyard and dry farm hay production. Both properties are under Williamson contract. The property directly to the west of the project site is approximately 40 acres in size and has similar characteristics to the project site. The existing land use pattern is conducive for intensified agricultural production on the project site.

Impacts to Adjacent Agricultural Lands

The criterion from Agricultural Policy 24 concerning impacts to adjacent agricultural lands is as follows:

- o The conversion to non-agricultural use shall not adversely affect existing or potential agricultural production on surrounding lands that will remain designated Agriculture.

The proposed land use amendments and subsequent subdivision would result in the additional encroachment of residential uses into an agricultural area. This type of land use change can adversely impact agricultural resources by facilitating additional agricultural land conversion in the immediate site vicinity and creating incompatibilities between agricultural and residential uses.

Based on the above discussion, the proposal does not appear to meet any of the criteria for conversion as set forth in Agricultural Policy 24.

C. Removal of Planning Area Standard

The project proposal includes eliminating an existing Planning Area Standard that limits subdivision density to one parcel per 20 acres unless the site utilizes the Transfer of Development Credit program. It is the understanding of the Agriculture Department that this standard was established per policy OSP12 and to address compatibility issues associated with residential uses in an agricultural area. The existing standard appears to be consistent with that goal, particularly with the increase in agricultural operations in the immediate area. Increasing residential density at this location could increase incompatibilities between agricultural operations and residential uses and increase conversion pressure.

If we can be of further assistance, please call 781-5914.



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556
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AgCommSLO@co.slo.ca.us

OCT 17 2005

DATE: October 13, 2005
TO: Keith L. Miller, Morro Group
FROM: Lynda L. Auchinachie, Agriculture Department *JA*
SUBJECT: Dally General Plan Amendment LRP2004-00018 (0991)

Summary

The proposed Dally General Plan Amendment could have a potentially significant impact on agricultural resources and is inconsistent with Agriculture and Open Space Element Policy 24. The project site is well suited to support a variety of irrigated crops on prime soil. Conversion of the site to residential uses would result in the loss of such resources and the additional encroachment of residential uses into an agricultural area. This type of land use change can adversely impact agricultural resources by facilitating additional agricultural land conversion in the area and creating incompatibilities between agricultural and residential uses.

Introduction

This report responds to your request for comments on the proposed Dally General Plan Amendment. The comments and recommendations in our report are based on current departmental policy, agricultural policies contained within the Agriculture and Open Space Element to protect agriculture resources and requirements of the California Environmental Quality Act (CEQA).

A. Project Description and Agricultural Setting

The applicants are requesting to change the land use category on an approximately 44-acre property from Agriculture to Residential Rural and to remove a Planning Area Standard limiting subdivision density to 20 acres on an adjacent 15 acre property designated as Rural Residential (RR). The amendments are requested to allow for a clustered subdivision of the 59-acre project site. On-site agricultural uses include a one acre wine grape vineyard and remnants of a walnut orchard.

The site consists of 45 acres of Class II irrigated, Class IV non-irrigated soils with the remainder of the site Class IV irrigated and non-irrigated soil. The agriculturally zoned portion of the project site is predominantly Class II irrigated, Class IV non-irrigated soil

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(39 acres). If irrigated, these soils would be considered prime. Water resources in this area are adequate to support irrigated crops. The property currently supports a one-acre vineyard.

In general, the area has been transitioning from historical dry farm operations to intensified irrigated operations including wine grape vineyards and fruit and vegetable production. The property directly east of the RR portion of the site supports a wide variety of fruit and vegetable production, while south and southwest of the site there are a number of properties under Williamson contract that support wine grape production and dry farm operations. The area to the north of the site, across Neal Springs Road, is developed with rural residences with a few remnant dry farm orchards.

B. Agriculture and Open Space Element Consistency and Resource Impacts

Our evaluation and comments concerning the general plan amendment for the agriculturally zoned portion of the site are in the context of consistency with Agricultural Policy 24 of the Agriculture and Open Space Element concerning the conversion of Agricultural land. The policy is resource based and considers both the agricultural capability of the project site and the potential impacts to adjacent agricultural lands. Cyclical economic factors are not adopted criteria for determining policy. Projects that are inconsistent with this policy and lead to the conversion of land capable of production agriculture, or cause an adverse direct or indirect impact to adjacent agricultural lands are considered to have a potentially significant impact on agricultural resources.

Agricultural Capability

The criteria from Agricultural Policy 24 concerning agricultural capability are as follows:

- o The land does not meet the criteria for inclusion in the Agriculture land use category.
- o Agriculture production is not feasible due to some physical constraint (such as soil infertility, lack of water resource, disease), or surrounding incompatible land uses.
- o Adjacent lands are already substantially developed with uses that are incompatible with agricultural uses.

Land Use Designation – The project site meets the criteria for an Agriculture designation based on the combination of soil types, topography, water supply, existing parcel size, and compatible adjacent land uses.

Agricultural Resources – The site's combination of soil, topography, existing 44-acre parcel size, and available water supply are favorable for intensified commercial

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agriculture production. If irrigated, the Class II and IV soils are suitable for a variety of crops including vineyards and fruit and vegetable production. The project site does not have any known physical constraints limiting agricultural production.

Adjacent Land Use Pattern – Neal Springs Road separates the rural home sites to the north from the agricultural area in which the project site is located. Residential Rural (RR) zoning is designated on a portion of the project site and this zoning extends to Hollyhock Lane. An associated RR Planning Area Standard requires a 20-acre minimum parcel density that is compatible with adjacent agricultural lands/uses. Additionally, a large portion of this RR area supports fruit and vegetable production. Properties to the south of the project site are larger agricultural properties supporting a vineyard and dry farm hay production. Both properties are under Williamson contract. The property directly to the west of the project site is approximately 40 acres in size and has similar characteristics to the project site. The existing land use pattern is conducive for intensified agricultural production on the project site.

Impacts to Adjacent Agricultural Lands

The criterion from Agricultural Policy 24 concerning impacts to adjacent agricultural lands is as follows:

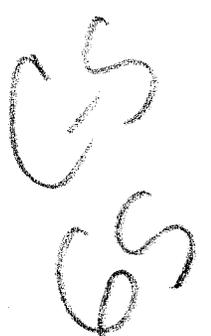
- o The conversion to non-agricultural use shall not adversely affect existing or potential agricultural production on surrounding lands that will remain designated Agriculture.

The proposed land use amendments and subsequent subdivision would result in the additional encroachment of residential uses into an agricultural area. This type of land use change can adversely impact agricultural resources by facilitating additional agricultural land conversion in the immediate site vicinity, as demonstrated by this proposal, and creating incompatibilities between agricultural and residential uses.

Summary of Findings

Based on the above discussion, the proposal does not meet any of the criteria for conversion as set forth in Agricultural Policy 24. The proposal is inconsistent with this adopted Agriculture and Open Space Element policy regarding the conversion of agricultural land.

The project site has the necessary combination of soil types, topography, available water supply, existing parcel size, and compatible adjacent land uses to support production agriculture. Conversion of this 44-acre site to residential uses could have a potentially significant impact on agricultural resources due to the loss of resources, the additional encroachment of residential uses into an agricultural area, and increased pressure to convert additional agricultural land in the area.



C. Removal of Planning Area Standard

The project proposal includes eliminating an existing Planning Area Standard that limits subdivision density to one parcel per 20 acres unless the site utilizes the Transfer of Development Credit program. It is the understanding of the Agriculture Department that this standard was established per policy OSP12 and to address compatibility issues associated with residential uses in an agricultural area. The existing standard appears to be consistent with that goal, particularly with the increase in agricultural operations in the immediate area. Increasing residential density at this location could increase incompatibilities between agricultural operations and residential uses and increase conversion pressure. Such impacts could have a potentially significant impact on agricultural resources.

If we can be of further assistance, please call 781-5914.

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**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

October 6, 2005

Keith Miller
Morro Group
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401

SUBJECT: APCD Comments Regarding the Dally/Viborg Zoning Change AG to RR
(LRP2004-00018)

Dear Mr. Miller,

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 2690 Neal Spring Road in Templeton. The applicants Robert Dally and OleViborg submitted a joint request for their adjacent properties. The request by Dally is to change the land use category from Agriculture to Residential Rural on his 44 acre site to enable a cluster subdivision of seven 2.5-acre parcels and one open space parcel of 26.5 acres. The second request by Ole Viborg is to remove a Land Use Ordinance, El Pomar-Estrella planning area standard from his 15.6 acre site. The standard requires a 20-acre minimum parcel size unless the site is used as a receiver site for the Transfer of Development Credits (TDC) in the current county program, in which case the standard allows a density of one parcel per seven acres. Mr. Viborg is requesting removal of the standard to enable a subdivision of the 15.6 acre site in to three parcels of approximately 5.2 acres each.

This project, like so many others, falls below our emissions significance thresholds and is, therefore, unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are very concerned with the cumulative effects resulting from the ongoing fracturing of agricultural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan (CAP), which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development (20 acre or larger parcel size); therefore the APCD does not support this type of development.

We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. **We recommend the zoning change, parcel split and request for removal of the land use ordinance (Pomar-Estrella planning area standard from the 15.6 acre site) be denied.**

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at 781-4667.

Sincerely,

Melissa Guise
Air Quality Specialist

MAG/sll
h:\oisp\plan\response\letters\3085-1.doc



**AIR POLLUTION
CONTROL DISTRICT**
COUNTY OF SAN LUIS OBISPO

March 15, 2006

Jim Lopes
San Luis Obispo County Department of Planning & Building
County Government Center
San Luis Obispo CA 93408

SUBJECT: Dally General Plan Amendment Initial Study

Dear Mr. Lopes,

Thank you for including the APCD in the environmental review process. We have completed our review of the Dally General Plan Amendment Initial Study. We have added the following text to the Air Quality section.

Setting. The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. This project was referred to the Air Pollution Control District. The APCD noted that the project would not exceed emission thresholds established by the APCD. However, it will add to cumulative effects from increased residential development in areas without commercial services or employment centers. The proposed development will continue to foster dependency on private auto use as the only viable means of access to essential services and other destinations. This type of land use development is inconsistent with land use strategies recommended in the Clean Air Plan.

The Clean Air Plan encourages urban growth in a way that protects clean air and permits convenient travel within and among communities. Air quality, land use, and circulation cannot be considered as separate issues, the relationship among them must be reflected in plans and programs administered by cities, the County and the District in order to preserve and protect air quality in San Luis Obispo County.

When urban development is spread out over the landscape, the distance between home and work, school, medical care, shopping facilities, recreation and personal services becomes greater. A dispersed development pattern increases the reliance on automobile travel which, combined with longer trips, results in more air pollution. This is of greater concern in the northern portion of SLO County, where the meteorological conditions combined with increased emissions result in increased exceedances to the state ozone standard.

Land use and circulation management programs can reduce dependence on the automobile and enhance the viability of transit, ridesharing, biking and walking. The following policy recommendations are strategies designed to achieve these objectives.

- Compact Communities - Urban growth should occur within the urban reserve lines of cities and unincorporated communities. Rural areas of the county should be maintained as open space, agricultural lands and very low density residential development (20 acre or larger parcel size).

- Public Transit Networks - Transit use can be effectively utilized by planning neighborhoods and commercial centers at densities to allow for convenient access to and use of local and regional transit systems.
- Development Density – Cities and unincorporated communities should be developed at higher densities that reduce trips and travel distance and encourage these uses of alterative forms of transportation.

In addition to the land use planning issues discussed above this type of project is also precedence setting. Allowing areas zoned agriculture to be converted to other uses, increases the likelihood that neighboring parcels will also seek similar zoning changes in the future. Thereby continue the pattern of urban sprawl. This type of development is unsustainable.

Mitigation/Conclusion. Mitigation measures would include standard dust control measures to minimize dust generation during improvements. The only effective way to mitigate impacts from this type of development is to prevent it from occurring in the first place. Once zoning changes are made the continued sprawl pattern of development will continue. There are no current methods of mitigating cumulative development and transportation impacts on air quality in the north county.

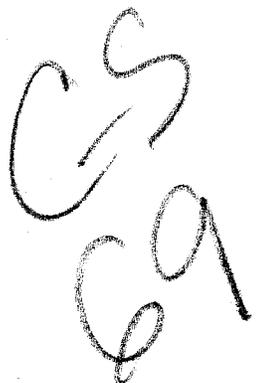
Again thank you for the opportunity to comment on this proposal. If you have any questions or comments please feel free to contact me at 805-781-4667.

Sincerely,

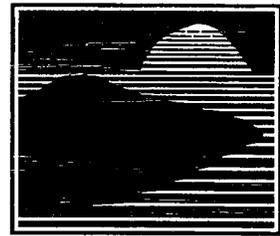


Melissa A. Guise
Air Quality Specialist

MAG/sll



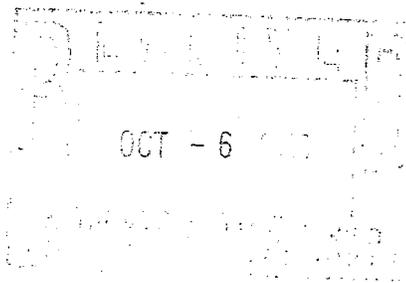
PROJECT REFERRAL



DATE: October 3, 2005

FROM

Mike Goodwin
SLO County Public Works
County Government Center
San Luis Obispo, CA 93408



MORRO
GROUP, INC.
Environmental Services

FROM
TO

Keith Miller, Morro Group, Inc.

SUBJECT: Dally GPA LRP2004-00018- *Project has been authorized for processing.*

PROJECT DESCRIPTION: Change zoning from AG to RR w/ cluster of Dally parcel into (5) 2.5 acre parcels, (1) 5 acre parcel, and (1) 26 acre open space parcel. Subdivide Viborg parcel into (3) 5.2 acre parcels.

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES (Please go on to Part II)

NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

NO (Please go on to Part III)

YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT", PLEASE INDICATE OR CALL 543-7095 x109

In 1994 THE Bd Supv EXPRESSED CONCERN OVER THE PRECEDENT FOR CONVERSION OF AG LAND THIS CONTINUES THE TRAD AND MAY FURTHER THE PRECEDENT. WE SUGGEST RETAINING THE PLAN AREA STD FOR THE LOTS WITH IDC. OTHERWISE THE

Response Date: 20 OCT 2005 Name: GOODWIN

Please return this letter with your comments as soon as possible.

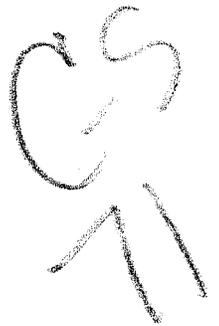
*CS
10*

SEE OTHER SIDE

NARROW rural roads IN THE AREA need to be looked AT —
NEAL SPRINGS ROAD is NARROW with a FEW CURVES, EL PUMAR is
of MODERATE width, SOME CURVES EXIST, NORTH RIVER ROAD WHICH
MAY EXPERIENCE A SIGNIFICANT INCREASE IN TRAFFIC AS A
DIRECT route INTO POSO ROBLES is NARROW with MANY CURVES
AND VEHICLE sight DISTANCE PROBLEMS. WE NEED A TRAFFIC
STUDY to DETERMINE INCREASE IN TRAFFIC AND WHAT, WHERE AND HOW
MUCH ROAD IMPROVEMENTS SHOULD BE IMPOSED ON THESE AND OTHER
DEVELOPMENTS IN THE AREA AS MORE LAND LEAVES AG.

THE MAY 11TH MEMO FROM DALY TO LOPEZ STATES COST OF REAL ESTATE
PROHIBITS AG USE BUT THIS PROJECT ALLOWS AG PRODUCTION TO BE ECON.
FEASIBLE BY INCOME SUBSIDY FROM THE CLUSTER DIVISION — THE INCOME
FROM THE SUBDIVISION IS A ONE TIME EVENT AND WILL NOT PROVIDE
LONG TERM AG VIABILITY. THE JAN 07 LETTER STATES THERE IS NO
EXISTING AG ON SMALLER PARCELS IN AREA, I DON'T SEE HOW REDUCING
THE SIZE OF AG PARCEL WILL MAKE IT MORE VIABLE

THEY STATE WATER IS NOT A PROBLEM AND IT MAY NOT BE BUT AREA
TO NORTHWEST HAS EXPERIENCED A FEW DRY HOLES. CHECK MAPS
OF SALINAS VALLEY GROUND WATER BASIN.



Jim Lopez

8



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

RECEIVED
VICTOR HOLANDA, AICP
DIRECTOR
JAN 26 2005

THIS IS A NEW PROJECT REFERRAL

SLO CO PLANNING & BLDG.

DATE: 1/10/05
TO: Env. Health
FROM: North Co. Team
(Please direct response to the above)

DALLY
LRP 2004-00018
Project Name and Number

Development Review Section (Phone: 788-2009) ^{*OR ASK THE SWITCH-}
(BOARD FOR THE PLANNERS)

PROJECT DESCRIPTION: GPA -> Change zoning from
AG to RR w/ cluster subdivision. 44 Acres.
APN: 033-321-009 and 002.

Return this letter with your comments attached no later than: 1/25/05

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
 YES (Please go on to Part II)
 NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
 NO (Please go on to Part III)
 YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Environmental Health's concern when there is a change in zoning is the potential for increase in water use. Depending on the agricultural use it may increase water consumption in this area.

1-25-05
Date

Lauri Salo
Name

781-5551
Phone



J. L.
**SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING**

JAN 21 2005

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 1/10/05

FROM PW



North Co. Team
(Please direct response to the above)

DALLY

URP 2004-00018
Project Name and Number

Development Review Section (Phone: 788-2009)

*OR ASK THE SWITCH-BOARD FOR THE PLANNER

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PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

THIS REQUEST IS TO TAKE THE GPA PROPOSAL TO THE B/S TO AUTHORIZE PROCESSING - THAT I WOULD RECOMMEND WE DO. DO NOT AGREE WITH THE DENSITY PROPOSAL - MOST LOTS IN THIS AREA ARE 10 AC +/- . SMALLER LOTS/HIGHER DENSITY, WOULD REQUIRE AN INVESTIGATION INTO TRAFFIC INCREASES AND POSSIBLE ROAD WIDENING

26 JAN 2005
Date

Goodwin
Name

6252
Phone
CS
AB

Mike McGovern
Consulting Biologist
1788 Corbett Highlands Pl.
Arroyo Grande, CA 93420

September 6, 2003

RE: Development at 2690 Neal Springs Rd., Templeton, CA for Mr. Bud Dally (APN# 033-321-002)

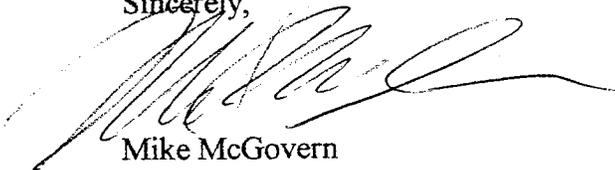
Department of Planning and Building
County of San Luis Obispo
County Government Center
San Luis Obispo, CA 93408

Dear Department of Planning and Building,

Mr. Bud Dally owns approximately 44.2 acres at the intersection of Neal Springs Road and River Rd. in Templeton, CA. Presently there is a home on the property with various barns and outbuildings typical of a ranch setting. The entire acreage is presently dedicated to buildings to facilitate ranching activities, a small grape vineyard, and pasture land. The buildings are located on Neal Springs Road with the pasture land extending south from there.

Mr. Dally intends to develop the land with homes. It is presently proposed to create seven 2.5-acre lots with homes and one lot of 26.5 acres to incorporate the present homestead with the mentioned outbuildings. The figure of 1.95 acres given as land to be permanently converted from potential kit fox habitat to other uses includes the driveways and footprints of the proposed homes.

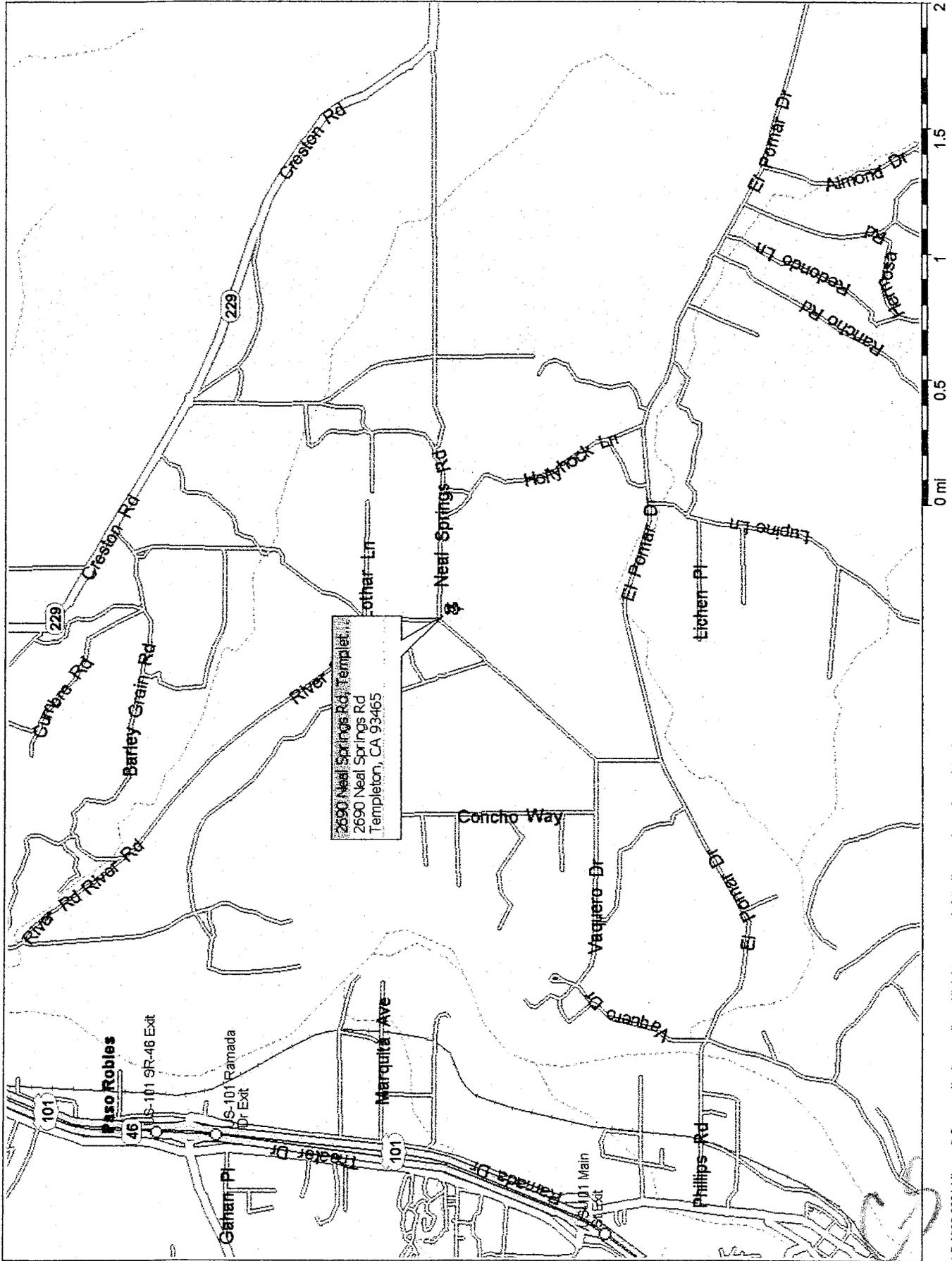
Sincerely,



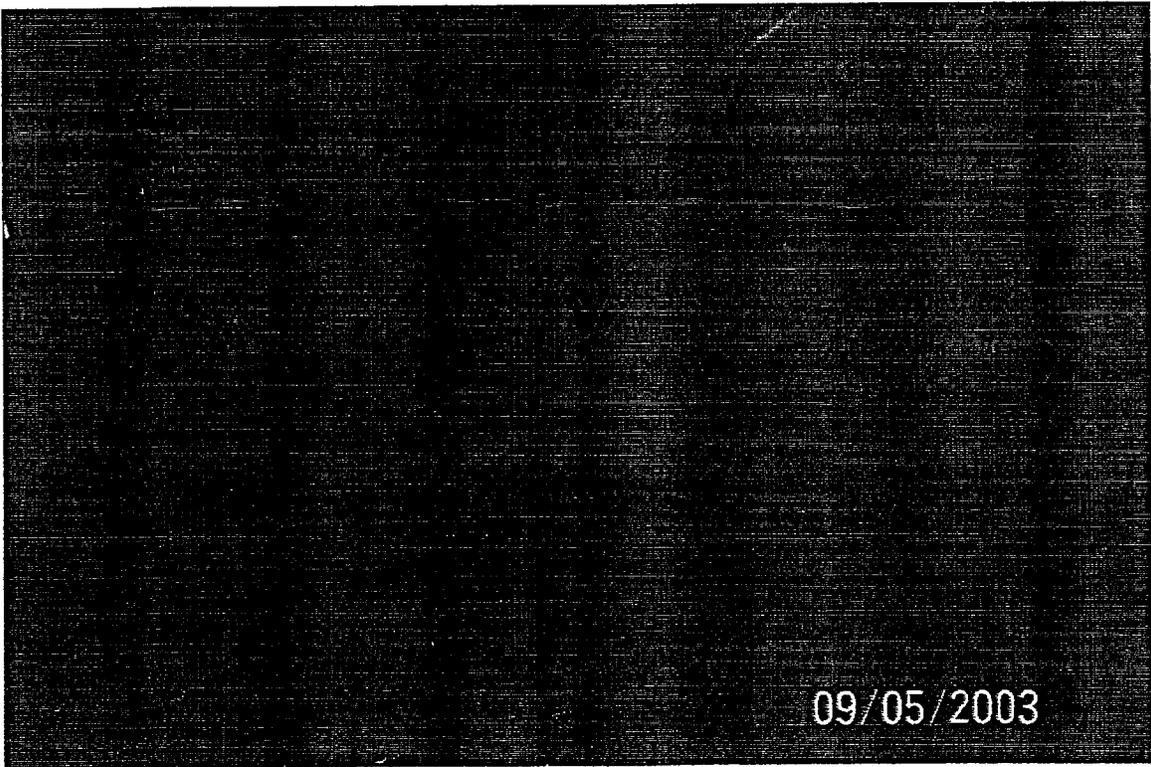
Mike McGovern

CS
74

Paso Robles, California, United States



25



CS
74

Kit Fox Habitat Evaluation Form

Cover Sheet

Project Name Bud Dally Date 9-5-03
APN# 033-1321-002

Project Location* 2690 NEAL SPRINGS ROAD, Templeton, CA 93465

*{include project vicinity map and project boundary on copy of U.S.G.S. 75 minute map (size may be reduced)}

U.S.G.S. Quad Map Name Templeton, CA

Lat/Long or UTM coordinates (if available) 0712383 3939114

Project Description: SUBDIVISION - MULTIPLE SINGLE-FAMILY
RESIDENCES

Project Size: 44.2 Acres Amount of Kit Fox Habitat Affected: 1.95 Acres

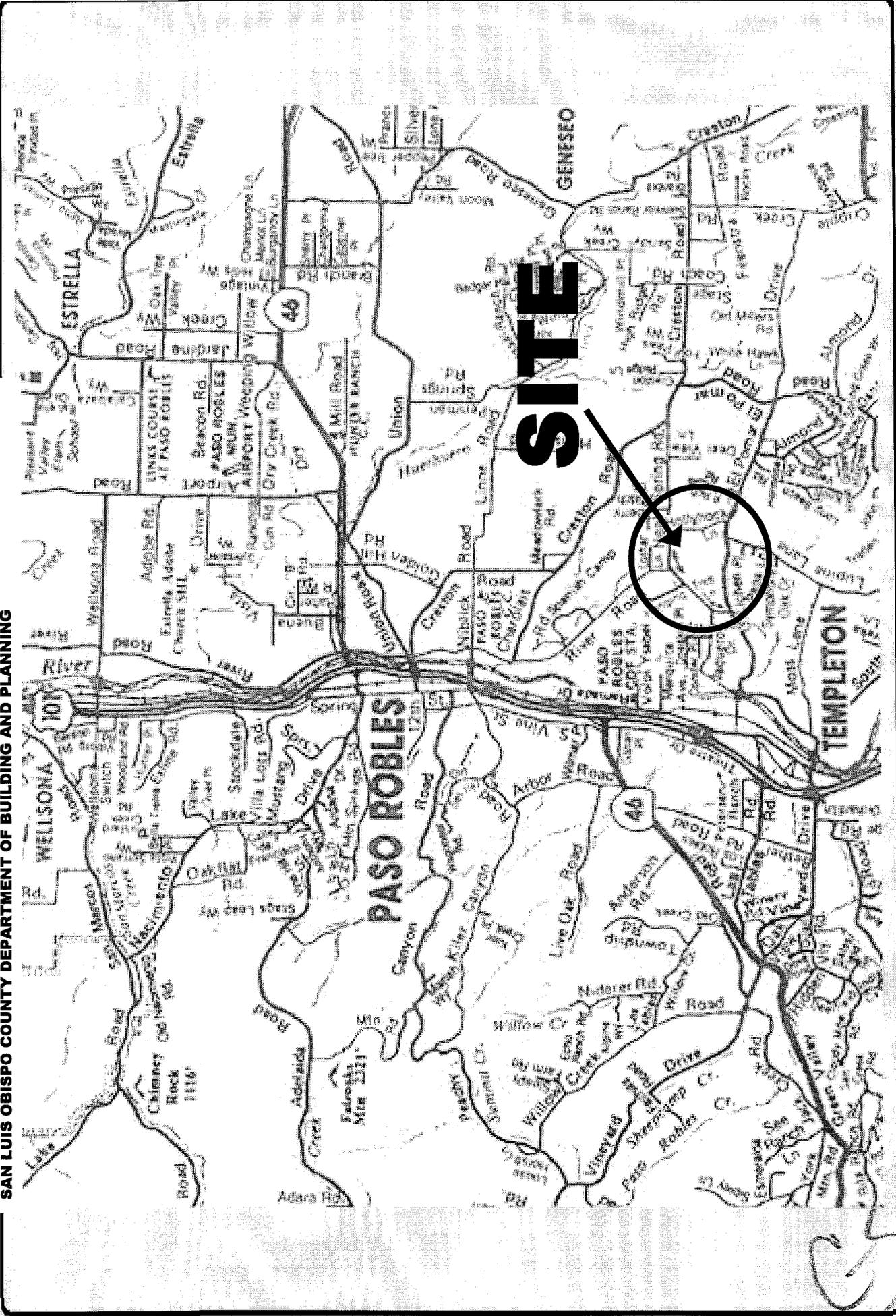
Quantity of WHR Habitat Types Impacted (ie. -2 acres annual grassland, 3 acres blue oak woodland)

WHR type	<u>GRASSLAND</u>	<u>1.95</u> Acres
WHR type	_____	_____ Acres
WHR type	_____	_____ Acres
WHR type	_____	_____ Acres

Comments: See letter

Form Completed By: MIKE MCGOVERN

Revised 6/00



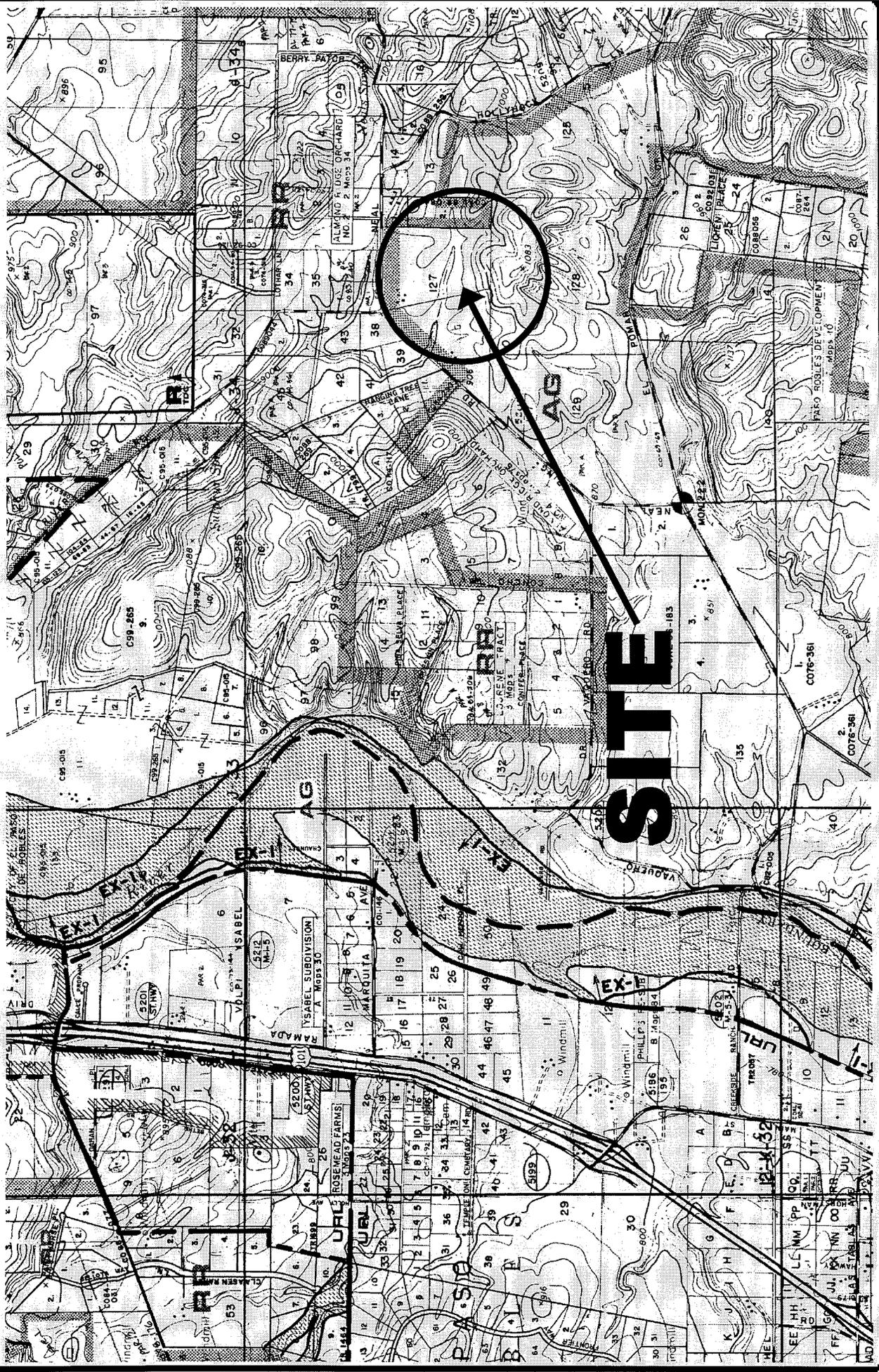
PROJECT

General Plan Amendment
Daily LRP2004-00018



EXHIBIT

Vicinity Map

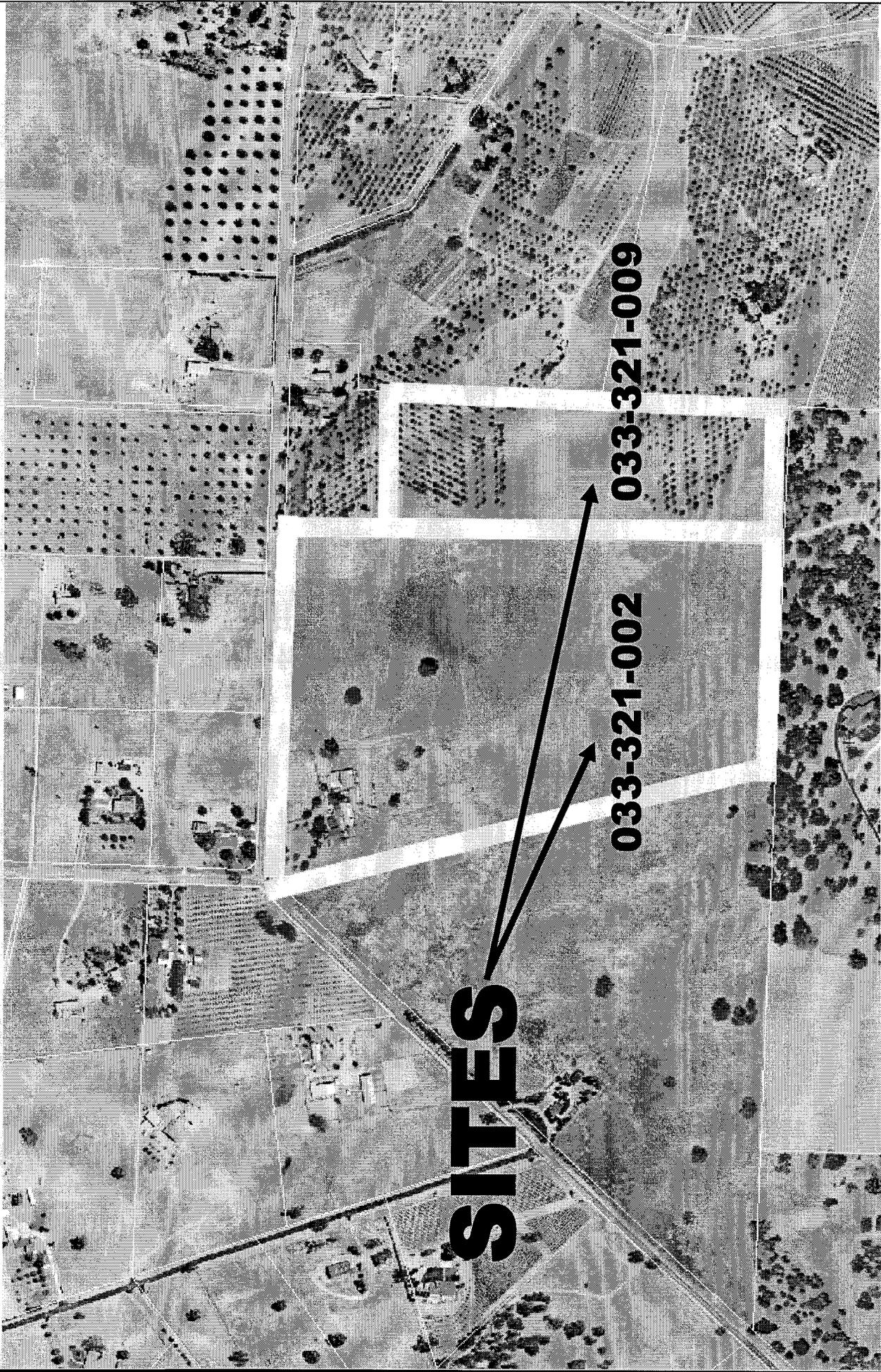


EXHIBIT

Land Use Category Vicinity



PROJECT
General Plan Amendment
Daily LRP2004-00018



SITES

033-321-002

033-321-009

PROJECT

General Plan Amendment
Daily LRP2004-00018

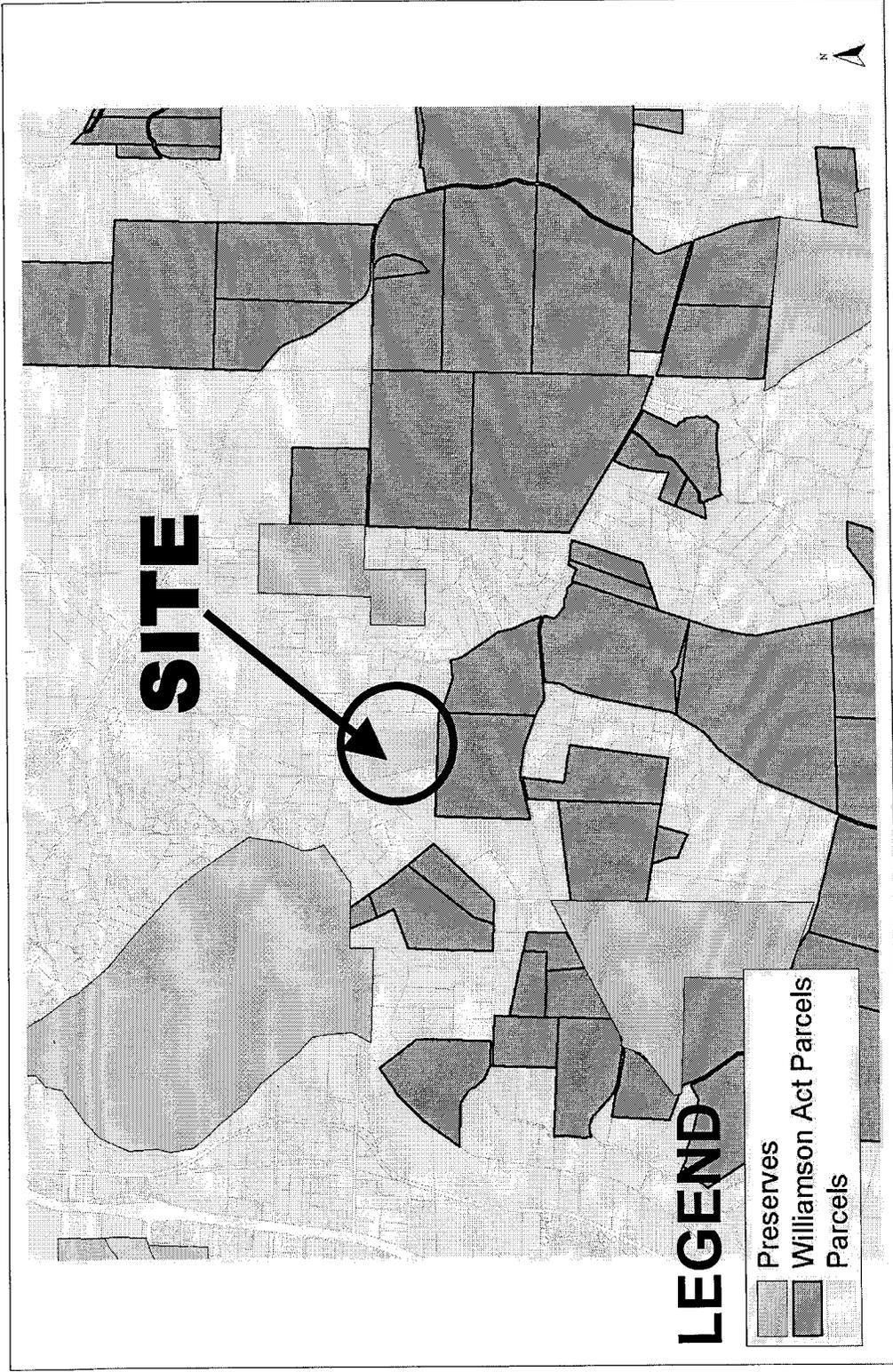
EXHIBIT

Aerial Photograph



Handwritten initials 'S' and 'P' in the bottom right corner.

Williamson Act Parcels



CS
[Signature]

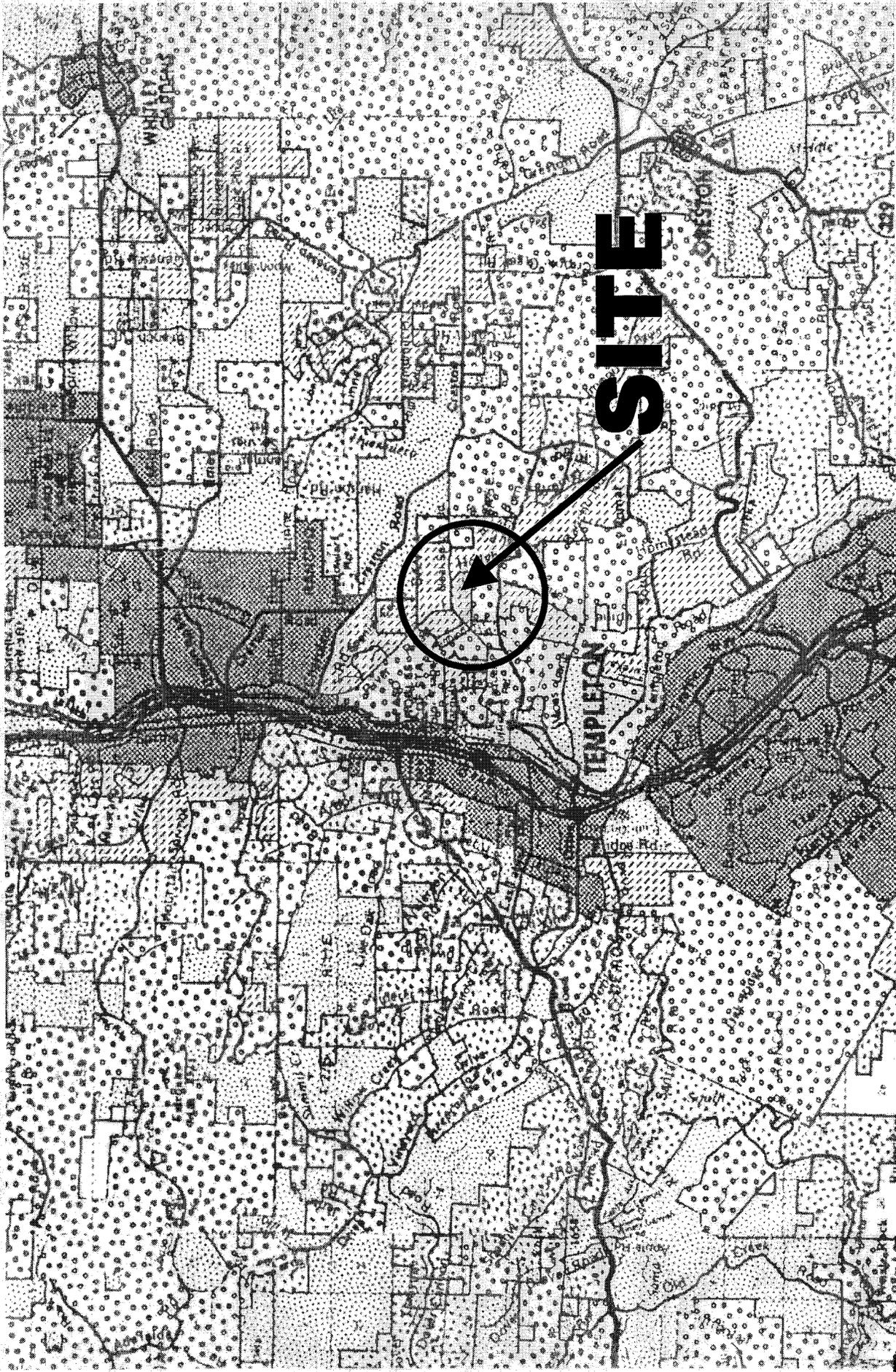
PROJECT

General Plan Amendment
Daily LRP2004-00018

EXHIBIT

Agricultural Preserves and Williamson Act Parcels





PROJECT

General Plan Amendment
Daily LRP2004-00018

EXHIBIT

Agriculture & Open Space Element Plan

