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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Planning Commission

Promoting the wise use of land
Helping build great communities

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
October 26, 2005	Andrea Miller, 781-4171	Joseph & Jamie Kies	AGP2004-00021

SUBJECT
Proposal by Joseph & Jamie Kies to alter the boundaries of an agricultural preserve, rescind an existing contract and simultaneously enter into a new contract to reflect lot line adjustment SUB2004-00321. The project site is approximately 1125 acres within the Agricultural land use category and is located at the intersection of Ranchita Canyon Road and Von Dollen Road approximately 6 miles north of the City of Paso Robles. The site is in the El Pomar-Estrella planning area.

RECOMMENDED ACTION
Recommend approval of this request to alter the boundaries of an agricultural preserve, rescind an existing contract and simultaneously enter into a new contract to the Board of Supervisors as follows:

Preserve Designation: **Estrella Agricultural Preserve No. 3, Amendment No. 3**
Minimum Parcel Size : **160 Acres**
Minimum Term of Contract: **Remaining Term of Existing Contract (10 years)**

ENVIRONMENTAL DETERMINATION
Categorical Exemption (Class 17) ED05-022

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Agriculture	None	019-051-011, 019-282-001 and 002	1

PLANNING AREA STANDARDS:	LAND USE ORDINANCE STANDARDS:
None Applicable	Section 22.22.040C(1) - Minimum parcel sizes for existing agricultural preserves.

EXISTING USES:
Grazing

SURROUNDING LAND USE CATEGORIES AND USES:
North: Agriculture/ Dry Farm and Vineyard
South: Agriculture/ Rural Residences and Vineyard
East: Agriculture/ Dry Farm
West: Agriculture/ Dry Farm

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:
The project was referred to: none

TOPOGRAPHY:	VEGETATION:
Relatively flat to Gently Sloping	Native Grasses
PROPOSED SERVICES:	ACCEPTANCE DATE:
None required	July 14, 2005

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER - SAN LUIS OBISPO, CALIFORNIA 93408 (805) 781-5600 FAX: (805) 781-1242

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PROJECT REVIEW

Background

This application is a request to alter the boundaries of an existing agricultural preserve and contract to reflect proposed lot line adjustment SUB2004-00321. The purpose of the adjustment is to relocate the Kies parcel further to the south to the corner of Ranchita Canyon Road and Von Dollen Road which will improve access and building site potential for the Kies parcel. The Ernst property will be consolidated with the northern portion of the Ernst contracted land thereby improving ranch management and access. The total size of the existing Ernst contract is 1,125 acres. The Kies parcel is not under an agricultural preserve and not under contract. The acreage of the contracted land to be amended is 78.7 acres.

Site and Area Characteristics

The closest agricultural preserve is adjacent to the north and east from the project site. The parcel is used for grazing.

The following table shows the Natural Resources Conservation Service soils rating of the site:

Land Capability Class		Rangeland Suitability	Dry Farm Suitability	Acres to be removed	Acres to be added	Existing Acres	Total Acres Remaining in Contract
If Irrigated	If Non-Irrigated						
II	IV	Well-Suited	Suited		42.8	29.4	72.2
III	IV	Well-Suited	Suited		35.9	45.7	81.6
IV	IV	Suited	Suited	78.7		715.9	637.2
NA	VI					244.1	244.1
NA	VII					89.9	89.9
						Total	1125.0

Exhibit A shows the location, topography, and land use designations of the site and adjacent properties.

Compliance with the Agricultural Preserve Rules of Procedure

The lot line adjustment is consistent with the Williamson Act, Government Code Section 51257.(a)(3) because the resulting property will consist of at least 90 percent of the land under the former contract, resulting in no net loss of land under contract.

The minimum parcel size for the site and existing contract area to be amended is 160 acres.

The minimum term of contract is the remaining term of existing contract (10 years).

Agricultural Preserve Review Committee

The Review Committee meeting was held from 1:30 to 4:00 p.m. on July 25, 2005, at the U.C. Cooperative Extension auditorium in San Luis Obispo. The agenda included one request to establish a new agricultural preserve to enable an applicant to enter into a land conservation contract; one request to establish a Farmland Security Zone to enable an applicant to enter into a Farmland Security Zone contract; two requests to add or remove land from contracts to reflect lot line adjustments without altering agricultural preserve boundaries; four requests to alter the

boundaries of agricultural preserves, rescind a contract and simultaneously enter into new contracts to reflect lot line adjustments; and an interpretation of eligibility for the James Cushman property.

Voting members of the Review Committee present were Dick Nock (Cattleman's Association), Irv McMillan (Environmental Organization Member), Wayne Jensen (Farm Advisor), Hugh Pitts (Farm Bureau), Ed Carson (Land Conservancy of San Luis Obispo County), Robert M. Sparling (Public-at-Large Member), Lynda Auchinachie (County Agricultural Commissioner's Office), County Assessor (Sara Sylwester), and Warren Hoag (County Planning and Building Department).

Absent from the meeting were representatives of the Agricultural Liaison Committee, Farm Service Agency, and Soil Science Member. The meeting was chaired by Warren Hoag. Staff reports were presented to the committee by Terry Wahler and Andrea Miller of the Planning and Building Department.

The applicant's representative, Harrell Fletcher, and the property owner William Ernest, were present for this item. Staff described the applicant's request and summarized the staff report including the lot line adjustment, the existing contract, current agricultural use and the suitability of the soils for the intended agricultural use. The property owner described the purpose of the lot line adjustment.

Wayne Jensen asked about the existing parcel configuration and a small triangular portion shown on the map. William Ernest described the history of the site and surrounding parcels. Staff clarified that the small triangular portion shown on the map is part of the adjustment but not an existing separate parcel.

Following the discussion, Robert Sparling moved that the committee recommend approval of the request with revisions as recommended by staff. This motion was seconded by Lynda Auchinachie. The Review Committee voted in favor of the recommendation 9 to 0, with no discussion on the motion.

RECOMMENDATION

Recommend approval of this request to alter the boundaries of an agricultural preserve to the Board of Supervisors as follows:

Preserve Designation:	**Estrella Agricultural Preserve No. 3, Amendment No. 3,**
Minimum Parcel Size:	**160 Acres**
Minimum Term of Contract:	**Remaining Term of Existing Contract (10 years)**

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FINDINGS

A. The proposed new contract is consistent with the San Luis Obispo County General Plan, including the Land Use Element and the Agriculture and Open Space Element, and the County's Rules of Procedure to Implement the California Land Conservation Act of 1965 since the contract will remain approximately the same size, no net loss of contracted land will occur and the quality of the soils is similar.

B. The proposed new contract is appropriate and consistent with the rural character of the surrounding area.

C. There is no increased potential to convey parcels below the minimum parcel size (of 160 acres specified in the contract) will occur.

D. The resulting parcels the new contract will maintain in conformance with the general plan because no significant change in the amount of contracted acreage results from the lot line adjustment.

Report prepared by Andrea Miller and Terry Wahler
and reviewed by Warren Hoag, Division Manager
Agricultural Preserve Program