



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 6-29-2010

TO: _____

FROM: Holly Phipps, North County Team

PROJECT DESCRIPTION: DRC2009-00105 HENDRIX- MUP for temporary events at site located off Via Spanish Oaks in Santa Margarita. APN: 070-093-015, 017, 019, and 020.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. By 7/14/2010 please.

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
 NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

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

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
 NO (Please go on to PART III)

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 SO INDICATE, OR CALL.

Date

Name

Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

GENERAL APPLICATION FORM

San Luis Obispo County Department of Planning and Building

SAL/ RSAL
AG

HAP

APPLICATION TYPE - CHECK ALL THAT APPLY

- Emergency Permit
- Tree Permit
- Plot Plan
- Zoning Clearance
- Site Plan
- Minor Use Permit
- Variance
- Other
- Conditional Use Permit/Development Plan
- Surface Mining/Reclamation Plan
- Curb, Gutter & Sidewalk Waiver
- Modification to approved land use permit

APPLICANT INFORMATION Check box for contact person assigned to this project

Landowner Name Spanish Oaks Ranch Daytime Phone 805-235-3719
 Mailing Address P.O. Box 6062 Atascadero, CA Zip Code 93423
 Email Address: _____

Applicant Name _____ Daytime Phone _____
 Mailing Address _____ Zip Code _____
 Email Address: _____

Agent Name Kirk Consulting- Jamie Kirk/Mandi Pickens Daytime Phone 805-461-5765
 Mailing Address 8830 Morro Road, Atascadero, CA Zip Code 93422
 Email Address: _____

PROPERTY INFORMATION

Total Size of Site: 785 acres Assessor Parcel Number(s): 070-093-015, 017, 019, 020

Legal Description: parcels 1-4 of map P.M. 35-68

Address of the project (if known): 7079 Via Spanish Oaks Santa Margarita, CA

Directions to the site (including gate codes) - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: North on HWY 101 exit HWY 58-Santa Margarita off-ramp, left back over overpass toward southbound onramp, turn right onto Via Spanish Oaks Rd, travel through gate and site is on the left

Describe current uses, existing structures, and other improvements and vegetation on the property:
sfr, family in residence B&B, barn, ag roads, hay pasture, cattle grazing

PROPOSED PROJECT

Describe the proposed project (inc. sq. ft. of all buildings): Temporary Events proposed to be held in existing 4,170sf barn and outdoor area/ proposed event program and location described in Supplemental Project Description Attached.

LEGAL DECLARATION

I, the owner of record of this property, have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature *Mandi Pickens* KIRK CONSULTING Date 6/17/10

<p>FOR STAFF USE ONLY</p> <p>Reason for Land Use Permit: _____</p>

LAND USE PERMIT APPLICATION

San Luis Obispo County Department of Planning and Building

File No _____

Type of project: Commercial Industrial Residential Recreational Other

Describe any modifications/adjustments from ordinance needed and the reason for the request (if applicable): None requested

Describe existing and future access to the proposed project site: primary use from existing 18-20' wide red rock based private road, Via Spanish Oaks Rd; secondary access (emergency access only) from ex. 16' wide red rock base ag road that leads out to Tassajera Creek Rd

Surrounding parcel ownership: Do you own adjacent property? Yes No
If yes, what is the acreage of all property you own that surrounds the project site? owns 785 ac ranch

Surrounding land use: What are the uses of the land surrounding your property (when applicable, please specify all agricultural uses):

North: Agriculture- grazing, Rural Lands

South: Agriculture

East: HWY 101, Agriculture- grazing

West: Agriculture, Rural Lands, Open Space

For all projects, answer the following:

Square footage and percentage of the total site (approximately) that will be used for the following:

Buildings: 4,170 sq. feet _____ % Landscaping: 65,000 sq. feet _____ %

Paving: _____ sq. feet _____ % Other (specify) _____

Total area of all paving and structures: no paving only ex structure: 4,170sf sq. feet acres

Total area of grading or removal of ground cover: none proposed sq. feet acres

Number of parking spaces proposed: see proj. description Height of tallest structure: 34' - ex. barn

Number of trees to be removed: none Type: _____

Setbacks: Front 800' Right 1,000 Left 500' to parcel under ownership Back 2,000'

Proposed water source: On-site well Shared well Other _____

Community System - List the agency or company responsible for provision: _____

Do you have a valid will-serve letter? Yes No (If yes, please submit copy)

Proposed sewage disposal: Individual on-site system Other _____

Community System - List the agency or company responsible for sewage disposal: _____

Do you have a valid will-serve letter? Yes No (If yes, please submit copy)

Fire Agency: List the agency responsible for fire protection: Cal Fire

For commercial/industrial projects answer the following:

Total outdoor use area: 65,000 temporary pkg + event area sq. feet acres

Total floor area of all structures including upper stories: 4,170sf sq. feet

For residential projects, answer the following:

Number of residential units: _____ Number of bedrooms per unit: _____

Total floor area of all structures including upper stories, but not garages and carports: _____

Total of area of the lot(s) minus building footprint and parking spaces: _____

ENVIRONMENTAL DESCRIPTION FORM

San Luis Obispo County Department of Planning and Building

File No _____

The California Environmental Quality Act (CEQA) requires all state and local agencies to consider and mitigate environmental impacts for their own actions and when permitting private projects. The Act also requires that an environmental impact report (EIR) be prepared for all actions that may significantly affect the quality of the environment. The information you provide on this form will help the Department of Planning and Building determine whether or not your project will significantly affect the quality of the environment.

To ensure that your environmental review is completed as quickly as possible, please remember to:

- a. Answer ALL of the questions as accurately and completely as possible.
- b. Include any additional information or explanations where you believe it would be helpful or where required. Include additional pages if needed.
- c. If you are requesting a land division or a re-zoning, be sure to include complete information about future development that may result from the proposed land division or rezoning.
- d. Include references to any reports or studies you are aware of that might be relevant to the questions asked or the answers you provide.

Should a determination be made that the information is inaccurate or insufficient, you will be required to submit additional information upon request.

Physical Site Characteristic Information

Your site plan will also need to show the information requested here:

1. Describe the topography of the site:
Level to gently rolling, 0-10% slopes: +/- 200 acres
Moderate slopes of 10-30%: +/- 300 acres
Steep slopes over 30%: +/- 285 acres
2. Are there any springs, streams, lakes or marshes on or near the site? Yes No
If yes, please describe: Tassajera Creek and Santa Margarita Creek
3. Are there any flooding problems on the site or in the surrounding area? Yes No
If yes, please describe: None
4. Has a drainage plan been prepared? Yes No
If yes, please include with application.
5. Has there been any grading or earthwork on the project site? Yes No
If yes, please explain: for existing barn and road
6. Has a grading plan been prepared? Yes No
If yes, please include with application.
7. Are there any sewer ponds/waste disposal sites on/adjacent to the project? Yes No
8. Is a railroad or highway within 300 feet of your project site? Yes No
9. Can the proposed project be seen from surrounding public roads? Yes No
If yes, please list: _____

Water Supply Information

1. What type of water supply is proposed?
 Individual well Shared well Community water system
2. What is the proposed use of the water?
 Residential Agricultural - Explain _____
 Commercial/Office - Explain for temporary public use- temporary events
 Industrial – Explain _____
3. What is the expected daily water demand associated with the project? temp. 7.6 gallons per day at 300 person event
4. How many service connections will be required? portable restrooms may be desired during events
5. Do operable water facilities exist on the site?
 Yes No If yes, please describe: existing septic
6. Has there been a sustained yield test on proposed or existing wells?
 Yes No If yes, please attach.
7. Does water meet the Health Agency's quality requirements?
Bacteriological? Yes No
Chemical? Yes No
Physical Yes No
Water analysis report submitted? Yes No
8. Please check if any of the following have been completed on the subject property and/or submitted to County Environmental Health.
 Well Driller's Letter Water Quality Analysis OK or Problems
 Will Serve Letter Pump Test _____ Hours _____ G.P.M.
 Surrounding Well Logs Hydrologic Study Other _____

Please attach any letters or documents to verify that water is available for the proposed project.

Sewage Disposal Information

If an on-site (individual) subsurface sewage disposal system will be used:

1. Has an engineered percolation test been accomplished?
 Yes No If yes, please attach a copy.
2. What is the distance from proposed leach field to any neighboring water wells? _____ feet
3. Will subsurface drainage result in the possibility of effluent reappearing in surface water or on adjacent lands, due to steep slopes, impervious soil layers or other existing conditions?
 Yes No
4. Has a piezometer test been completed?
 Yes No
5. Will a Waste Discharge Permit from the Regional Water Quality Control Board be required?
 Yes No *(a waste discharge permit is typically needed when you exceed 2,500 gallons per day)*

If a community sewage disposal system is to be used:

1. Is this project to be connected to an existing sewer line? Yes No
Distance to nearest sewer line: _____ Location of connection: _____
2. What is the amount of proposed flow? _____ G.P.D.
3. Does the existing collection treatment and disposal system have adequate additional capacity to accept the proposed flow? Yes No

Solid Waste Information

- 1. What type of solid waste will be generated by the project?
 Domestic Industrial Agricultural Other, please explain? _____
- 2. Name of Solid Waste Disposal Company: Atascadero Waste Alternatives
- 3. Where is the waste disposal storage in relation to buildings? side
- 4. Does your project design include an area for collecting recyclable materials and/or composting materials? Yes No

Community Service Information

- 1. Name of School District: Atascadero Unified School District
- 2. Location of nearest police station: Santa Margarita County Sheriff station
- 3. Location of nearest fire station: Cal Fire- Santa Margarita
- 4. Location of nearest public transit stop: park in ride, Santa Margarita
- 5. Are services (grocery/other shopping) within walking distance of the project? Yes No
 If yes, what is the distance? _____ feet/miles

Historic and Archeological Information

- 1. Please describe the historic use of the property:
cattle grazing and single family residence
- 2. Are you aware of the presence of any historic, cultural or archaeological materials on the project site or in the vicinity? Yes No
 If yes, please describe: _____
- 3. Has an archaeological surface survey been done for the project site? Yes No
 If yes, please include two copies of the report with the application.

Commercial/Industrial Project Information

Only complete this section if you are proposing a commercial or industrial project or zoning change.

- 1. Days of Operation: refer to project description Hours of Operation: refer to project description
- 2. How many people will this project employ? refer to project description
- 3. Will employees work in shifts? Yes No
 If yes, please identify the shift times and number of employees for each shift _____
- 4. Will this project produce any emissions (i.e., gasses, smoke, dust, odors, fumes, vapors)?
 Yes No If yes, please explain: _____
- 5. Will this project increase the noise level in the immediate vicinity? Yes No
 If yes, please explain: slightly but will abide by County Noise Ordinance and will not exceed db level at property line
 (If loud equipment is proposed, please submit manufacturers estimate on noise output.)
- 6. What type of industrial waste materials will result from the project? Explain in detail: none
- 7. Will hazardous products be used or stored on-site? Yes No
 If yes, please describe in detail: _____
- 8. Has a traffic study been prepared? Yes No If yes, please attach a copy.

9. Please estimate the number of employees, customers and other project-related traffic trips to or from the project: Between 7:00 - 9:00 a.m. 1-2 Between 4:00 to 6:00 p.m. */- 120 during 300 person event
10. Are you proposing any special measures (carpooling, public transit, telecommuting) to reduce automobile trips by employees Yes No
If yes, please specify what you are proposing: _____
11. Are you aware of any potentially problematic roadway conditions that may exist or result from the proposed project, such as poor sight distance at access points, connecting with the public road?
 Yes No If yes, please describe: _____

Agricultural Information

Only complete this section if your site is: 1) Within the Agricultural land use category, or 2) currently in agricultural production.

1. Is the site currently in Agricultural Preserve (Williamson Act)? Yes No
2. If yes, is the site currently under land conservation contract? Yes No
3. If your land is currently vacant or in agricultural production, are there any restrictions on the crop productivity of the land? That is, are there any reasons (i.e., poor soil, steep slopes) the land cannot support a profitable agricultural crop? Please explain in detail: _____

Special Project Information

1. Describe any amenities included in the project, such as park areas, open spaces, common recreation facilities, etc.(these also need to be shown on your site plan): _____
2. Will the development occur in phases? Yes No
If yes describe: _____
3. Do you have any plans for future additions, expansion or further activity related to or connected with this proposal? Yes No If yes, explain: _____
4. Are there any proposed or existing deed restrictions? Yes No
If yes, please describe: _____

Energy Conservation Information

1. Describe any special energy conservation measures or building materials that will be incorporated into your project *: _____

*The county's Building Energy Efficient Structures (BEES) program can reduce your construction permit fees. Your building must exceed the California State Energy Standards (Title 24) in order to qualify for this program. If you are interested in more information, please contact the Building Services Division of the Department of Planning and Building at (805) 781-5600.

Environmental Information

1. List any mitigation measures that you propose to lessen the impacts associated with your project:
The use of existing structures and access, will coordinate cattle grazing operation so that they are removed from site area when temporary events occur.

2. Are you aware of any unique, rare or endangered species (vegetation or wildlife) associated with the project site? Yes No
If yes, please list: _____
3. Are you aware of any previous environmental determinations for all or portions of this property? Yes No
If yes, please describe and provide "ED" number(s): _____

Other Related Permits

1. List all permits, licenses or government approvals that will be required for your project (federal, state and local): _____

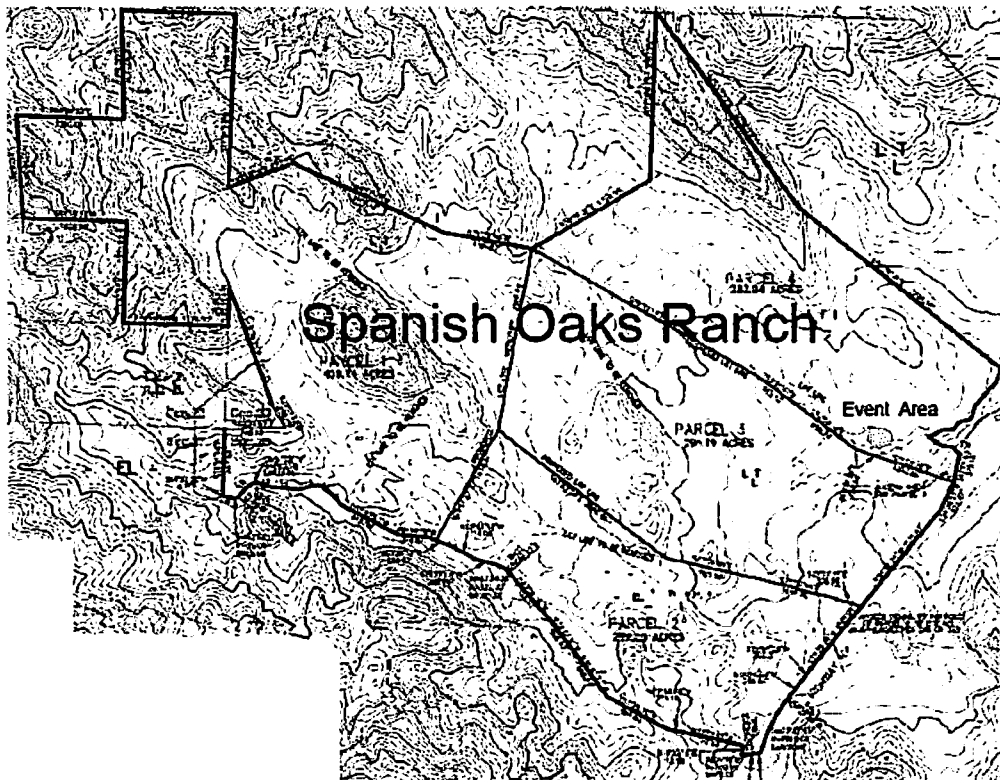
(If you are unsure if additional permits are required from other agencies, please ask a member of the Planning Department staff currently assigned in either Current Planning or the Environmental Division.)



**Spanish Oaks Ranch
Minor Use Permit - Temporary Events
Supplemental Statement**

Project Site:

The proposed project site is located immediately west of the HWY 101 and State HWY 58 interchange at 7079 Via Spanish Oaks Santa Margarita, CA (APN: 070-093-017). It is part of 785 acre Spanish Oaks Ranch. The Ranch consists of four parcels, three which are designated as Agriculture and one parcel that is within the Agricultural and Rural Lands land use category. Cattle grazing occurs on the entire 785 acre property, making Agriculture the primary use of the site. The 283 acre parcel, in which proposed temporary events will take place, is currently occupied by a two single family residences, a B&B (in one of the single family residences), farm support quarters, barns and pasture.



Structure Sitting:

Spanish Oaks Ranch's topography is relatively flat with moderately slopes and is intensified in agriculture (cattle grazing and dry farmed hay). The parcel in which the proposed events will occur is located on Parcel 4 of P.M. 35-68. An existing private road (Via Spanish Oaks) serves the site. It has direct access onto Highway 58 then crosses over Hale Creek (a tributary to Santa Margarita Creek) leading to a circular driveway at

the barn site. The barn is surrounded by oak trees and a pond. The road continues south through the property as an ag road and connects to Tassajara Creek Road. This portion of the road has historically been referred to as Hale Creek Road.

Existing Uses:

The subject parcel is currently occupied with two single family residences, one of which is permitted for a family in residence B&B, barn, farm support quarters and pasture. The primary use of the site is the cattle grazing operation and dry farmed hay pasture. There are approximately 30 pairs of cattle which operate as a rotational grazing practice, amongst the entire ranch. The site also has over 40 acres of dry farmed hay. Refer to Grazing Operation discussion below for further details.

Proposed Project:

The proposed project is a request for a Minor Use Permit to allow Temporary Events on the project site. The applicant is requesting to hold the temporary events within an existing 4,710sf two-story barn and a surrounding outdoor area on the property.

Temporary Events Program:

No more than 28 events shall take place onsite during one calendar year (Events with 300 attendees will not occur during November 1st-April 1st, as suggested by Cal Fire)

10 events with no more than 300 attendees

5 events with no more than 200 attendees

5 events with no more than 150 attendees

8 events with no more than 125 attendees

Proposed Temporary Event Areas (Refer to locations referenced on site map):

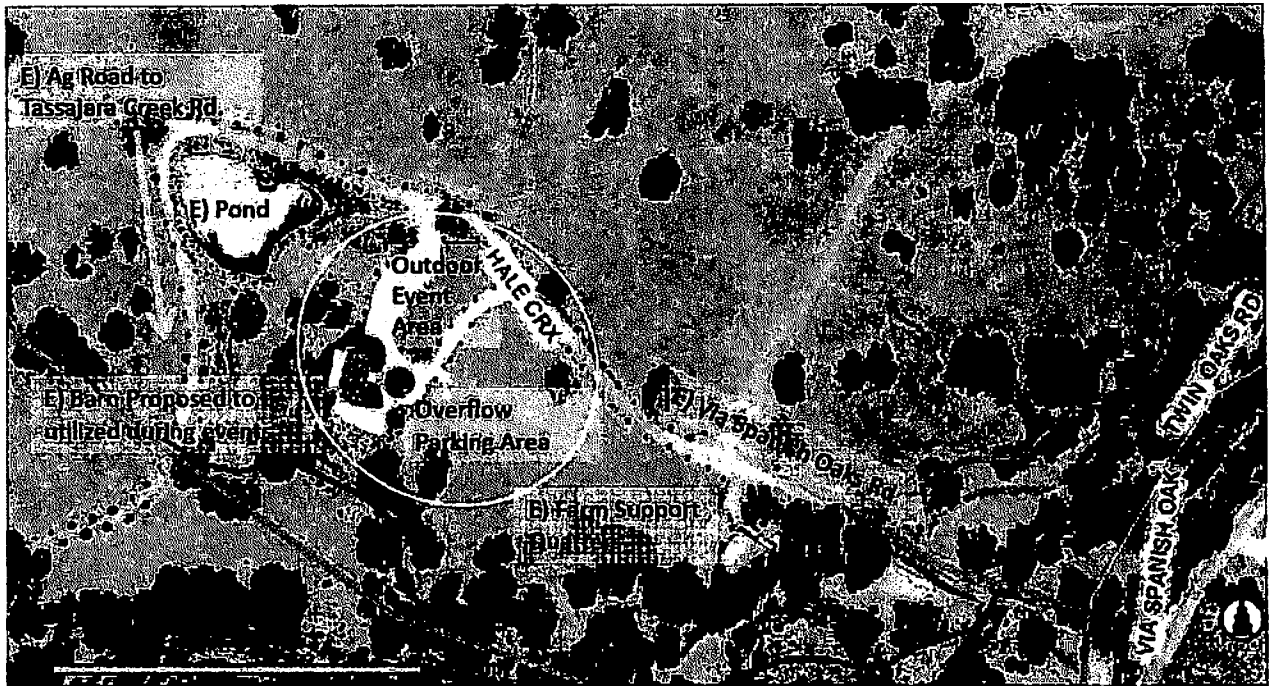
Barn: 4,710sf

Outdoor Area: +/- 13,000sf

Event Parking: 48,000sf

Employee Parking: +/- 4,000sf

Total Temporary Event Use Areas: +/- 70,000 sf (+/- 1.6 acres)



Temporary Events Location Exhibit

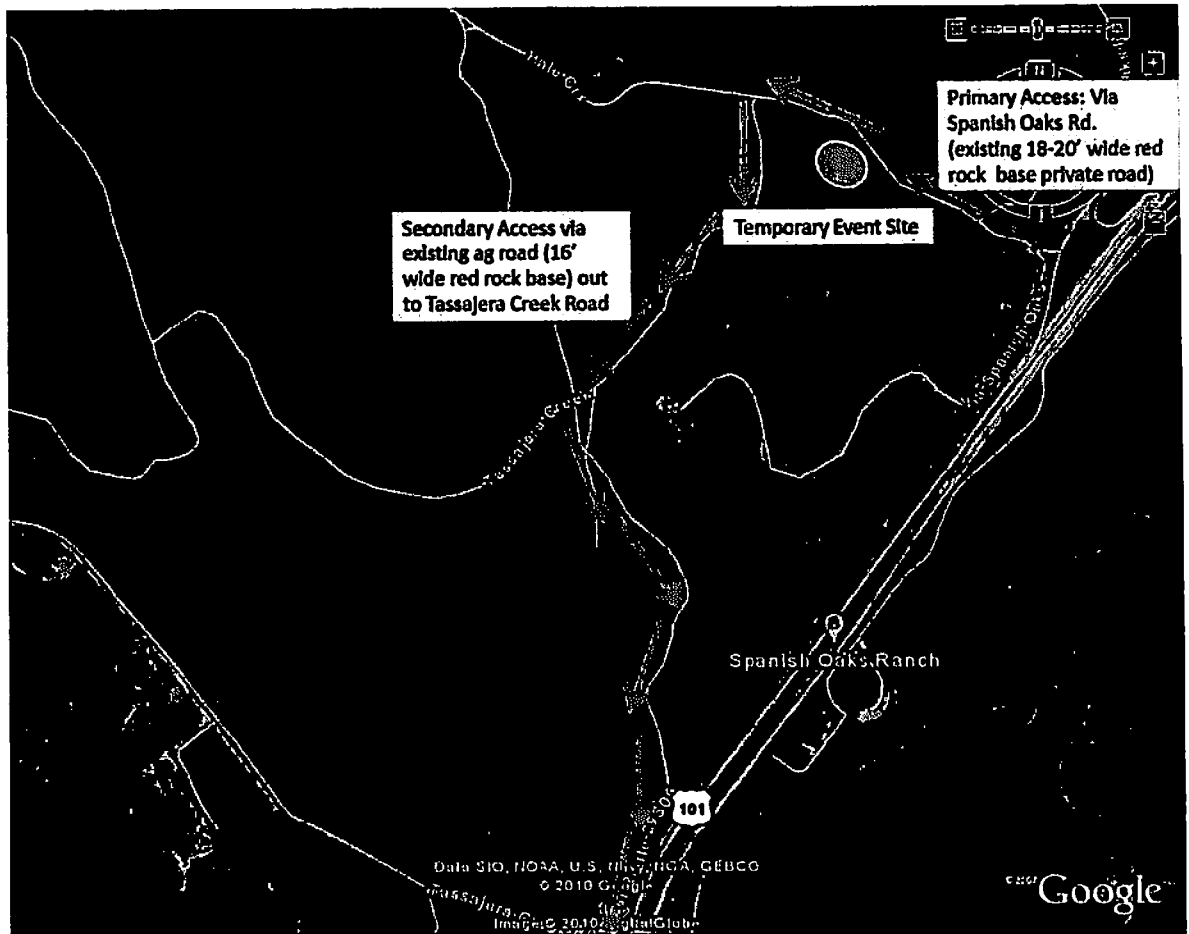
Environmental Impacts:

Biological

The temporary events will use an existing structure and take access from an existing private access road. Fish and Game has visited the site to determine if a streambed alteration permit would be necessary for utilization of the existing Arizona crossings leading out to Tassajara Creek Road during an emergency situation and it was determined that one is not needed (refer to Fish and Game email attached). No new construction is proposed to support the events; therefore impacts to biological resources are not expected.

Traffic

The site is bordered and has access from Via Spanish Oaks, which is accessed directly off a private road, Hale Creek Road, off of the HWY 58/HWY 101 south-bound on/off ramp. The proposed project is estimated to have a maximum of 120 trips per day average during the largest events. (based on Board of Supervisor's Policy Reso 2008-152 that events assume a trip generation factor of .4 pht per max. permitted attendance). Access for the temporary events be provided from Via Spanish Oaks an existing 18-20' wide paved private road. Secondary, emergency access only, will be provided from Hale Creek Road, an existing 16' wide ag road that leads to Tassajara Creek Road. Both primary and secondary access have been inspected and deemed suitable by Cal Fire for this proposed use.



Temporary Events Access Exhibit

Fire Safety

The site is designated within a Very High Fire zone. Existing fire suppression and secondary access is provided for fire safety during events. Cal Fire has been out to the site and has evaluated existing access and fire safety measures. Existing access has been determined to be sufficient and will not require additional widening. Cal Fire did suggest that larger events (over 200 attendees) not occur between the rainy months (November 1 –April 1) for access purposes. Additional Cal Fire measures will be addressed in the project fire safety plan.

Noise

The nearest neighbor is 4,500 feet away from the event site. The event site is sheltered by existing oak groves and topography. Amplified music will mostly be played inside the barn or inside the tent, diluting the sound. Both outdoor and indoor amplified music will adhere to the County Noise Ordinance.

Geologic and Flood Hazard

The site is not designated within the GSA or FH zones.

Land Use Element and Inland Land Use Ordinance Consistency:

Temporary Events

Temporary Events are a Recreation, Education and Public Assembly Use defined by Table 2-2 of the County LUO that is an allowable use on Agriculture land use category, subject to specific use standards set forth in Section 22.30.610.

County Land Use Ordinance Compliance:

The application is to hold temporary events onsite in compliance with County Land Use Ordinance Section 22.30.610.

22.30.610 - Temporary Events

Where allowed by Section 22.06.030, temporary events are subject to the standards of this Section. (Swap meets are subject to the standards of Section 22.30.530 - Sales Lots and Swap Meets.)

A. Permit requirements. Minor Use Permit approval, except as follows.

B. Time limit. A temporary event shall be held in a single location for no longer than 12 consecutive days, or four successive weekends, except where a different time limit is established by other applicable provisions of the County Code or through Minor Use Permit approval.

This application is for a Minor Use Permit for Temporary Events. The Temporary Events will fall within the time limit set forth in LUO Section 22.30.610B as stated above.

C. Location. The site of any temporary event other than public events and parades shall be located no closer than 1000 feet to any Residential Single-Family land use category.

The site is surrounded by properties designated as Agriculture and Rural Lands.

D. Site design standards. All temporary events are subject to the following standards, regardless of whether a land use permit is required, except where alternate standards are established by Chapters 6.56 or 8.64 of the County Code.

1. Access. Outdoor temporary events shall be provided a minimum of two unobstructed access points, each a minimum of 18 feet wide, from the event site to a publicly maintained road.

2. Parking. Off-street parking shall be provided private events as follows with such parking consisting at minimum, of an open area with a slope of 10 percent or less, at a ratio of 400 square feet per car, on a lot free of combustible material.

a. Seated spectator events. One parking space for each 12 square feet of seating area.

b. Exhibit event. One parking space for each 75 square feet of exhibit area.

3. Fire protection. Facilities to be provided as required by the County Fire Department.

4. Water supply and sanitation. Facilities to be provided as required by the Health Department.

There are two, existing unobstructed access points to the event site to a publicly maintained road. Both existing access points have been observed by Cal Fire and considered suitable for temporary events. A designated event parking area is identified on the site plan; which is under 10% slope and is capable of accommodating proposed attendance (no more than 300 people). Existing fire suppression and other fire protection measures will be evaluated by Cal Fire as part of the MUP review and for any conversion building permits for commercial occupancy. Existing water supply will be evaluated by the Health Department during MUP and building permit review.

Existing Grazing Operation

The current grazing operation encompasses approximately 785 acres and supports around 30 cattle pairs depending on the growing conditions. The ranch is divided into seven fenced fields, with cattle being rotated seasonally through these fields in order to minimize environmental impact and reduce fire hazards. There are many springs and two, two-acre ponds that provide water for the ranching operation. Five wells are located on the property, which the majority services the cattle grazing. One well, which tested at 120 gallons per minute feeds water into a 20,000 gallon storage tank that serves as the domestic water supply.

Currently, cattle graze annually on each of the seven fenced fields, rotating occasionally depending on rainfall, grasses available, etc). Typically the southern slopes are grazed first and northern last since the northern slopes seem to retain nutrients longer. This grazing practice helps control fire hazard by keeping the grasses eaten down during the critical dry months of the year. For example, in the paddock where event parking would occur (May-October) cattle graze grass to a non-combustible level in April and then are removed from the field. Current grazing practices reduce the need for mechanized removal of combustible material and also fully utilize the food resource. Cattle are returned to this field after the first of the year to complete the annual rotation. This rotational grazing program allows the land to “rest”, ensuring the continued regeneration of native grasses, replenishing the available forage and eradicating the invasive weed species that threaten both the native ecosystem and the grazing operation.

Grazing Management Plan During Events:

Events are proposed to occur 28 times per year, primarily on weekends, mostly on Saturdays afternoons/evenings. Additionally, events are booked in advance with careful planning, so there will not be conflicts with on-site ag operations. During events, the onsite ag operation will not be affected. The site has many paddock options on the property to locate cattle during events. As mentioned above, the area proposed for event parking will have already been grazed free of combustible material during peak wedding season (May-Oct).

Agriculture Policy Compliance

The proposed project is consistent with surrounding uses. The site’s primary use is and will continue to be agricultural - cattle grazing and hay production. All temporary events

will be held within the existing barn and surrounding outdoor area (with tent option) on previously disturbed portions of the Spanish Oaks Ranch property. Only existing structures and roads will be used; no new construction or disturbance is proposed. Therefore, the proposed temporary event program will result in no impacts to the existing on site agricultural operations.

The proposed project is consistent with the Land Use Element of the County of San Luis Obispo's General Plan and Agricultural Department policies. Temporary Events are an allowed use in an Agriculture land use category, subject to County of San Luis Obispo Land Use Ordinance Section 22.30.610 as discussed in a previous section.

In addition, the project is consistent with the County's Agriculture Department policies because this project is utilizing existing structures and disturbed area and will not interfere with the ongoing agricultural operations.

Ag Policy 6

Currently, Ag Policy 6- Visitor Serving and Retail Commercial Uses and Facilities (AGP6) has been interpreted to govern temporary events on Agriculture lands. The policy allows limited visitor serving uses on ag lands for purposes of benefiting the ag industry. The policy provides a mechanism for visitor serving uses to exist as long as they are clearly incidental and secondary to the primary agriculture use of the site.

Furthermore, the County of San Luis Obispo's Agriculture Department has developed specific criteria to better implement Ag Policy 6 and to clarify to Ag zoned property owners whether their property's existing agriculture operation is sufficient in size to qualify for incidental visitor serving uses. While these criteria have not been adopted by the Board of Supervisors they serve as a useful tool for applicants when trying to determine if their property qualifies for Temporary Events. This informal process, known as 'verification of agricultural use', suggests that as part of their review, the Agriculture Department determine that there is an established agricultural use onsite and evaluate whether or not the proposed visitor serving use is incidental to the primary agricultural use of the site.

The following criteria is used by the Agricultural Commissioner's Office as a guide but it should be re-iterated that the Board of Supervisors determined that each temporary event permit should be evaluated on its own merits on a case by case basis.

2. The Board of Supervisors makes the following interpretation regarding the application of Section 22.30.610 of the Land Use Ordinance, Title 22 of the County Code:

a. That a single Minor Use Permit can authorize multiple temporary events per site and the Review Authority will set a finite time limit for the life of the permit as part the action taken on the permit.

b. That Temporary Events are defined as “any use of a structure or land for an event for a limited period of time where the site is not to be permanently altered by grading or construction”. That the use of existing structures temporarily during events, and grading not requiring a grading permit, does not constitute permanent alteration of the site. Also, that the interior remodeling of an existing structure that is limited to that needed to meet building occupancy and ADA requirements without expanding the building footprint, is not permanent alteration of the site.

c. That the applicable Review Authority shall continue to make a determination of what constitutes primary agricultural use and allowable secondary and incidental uses on a case by case basis in consultation with the Agriculture Department pursuant to existing Agriculture and Open Space Policy 6.

This proposal is consistent with the Board of Supervisor’s resolution for the Temporary Events Section 22. 30.610 interpretation:

- a. The proposal is requesting 28 events be held onsite per year. This request is in the form of a Minor Use Permit application, which is at the discretion of the Review Authority.
- b. Temporary Events are proposed for a limited period of time and no permanent alteration (grading or construction) of the site is proposed.
- c. The Review Authority will evaluate this proposal, in conjunction with the Agriculture Department to determine its primary agricultural use onsite and evaluate, on a case by case basis, whether the secondary use proposed is an allowable use in relation to Ag Policy 6.

Agriculture Department Verification of Agricultural Use

1. Determination of adequate agricultural use

A minimum of one the following agricultural uses must be present:

- A. 2 acres of nursery/greenhouse production
- B. 5 acres in permanent irrigated crops (trees, vines)
- C. 10 acres in annual irrigated crops (row crops)
- D. 40 acres of irrigated pasture* or dry-farmed perennial crops harvested annually
- E. 100 acres in dry-farmed crops harvested annually
- F. 300 acres actively grazed to a commercial standard
- G. Approved agricultural processing use

- AND-

2. Incidental Visitor Use Determination

- A. The area devoted to the visitor use may not exceed five (5) percent of the area devoted to the agricultural use, to a maximum visitor use area of five (5) acres.
- B. When the agricultural use is less than ten (10) acres in size, the visitor use may be up to ten (10) percent of the area devoted to the agricultural use.
- C. When the agricultural use is an approved agricultural processing use, the visitor use area may not exceed the area devoted to processing.

The Temporary Event Program use, is temporary, and therefore, not the permanent primary use of the site. The primary use of the site includes the production and management of a cattle grazing operation and 40 acre, dry farmed hay pasture that supports the livestock as a source of food. Temporary events, 28 days out of the year, will not hinder these ag uses. The area where temporary events are proposed is existing and fenced off from the grazing fields. With this intact, the cattle grazing operation can continue to remain as the primary use and temporary events as a secondary use. In addition, the proposed recreational use is incidental to the agricultural uses onsite since it does not exceed an area of 5 acres.

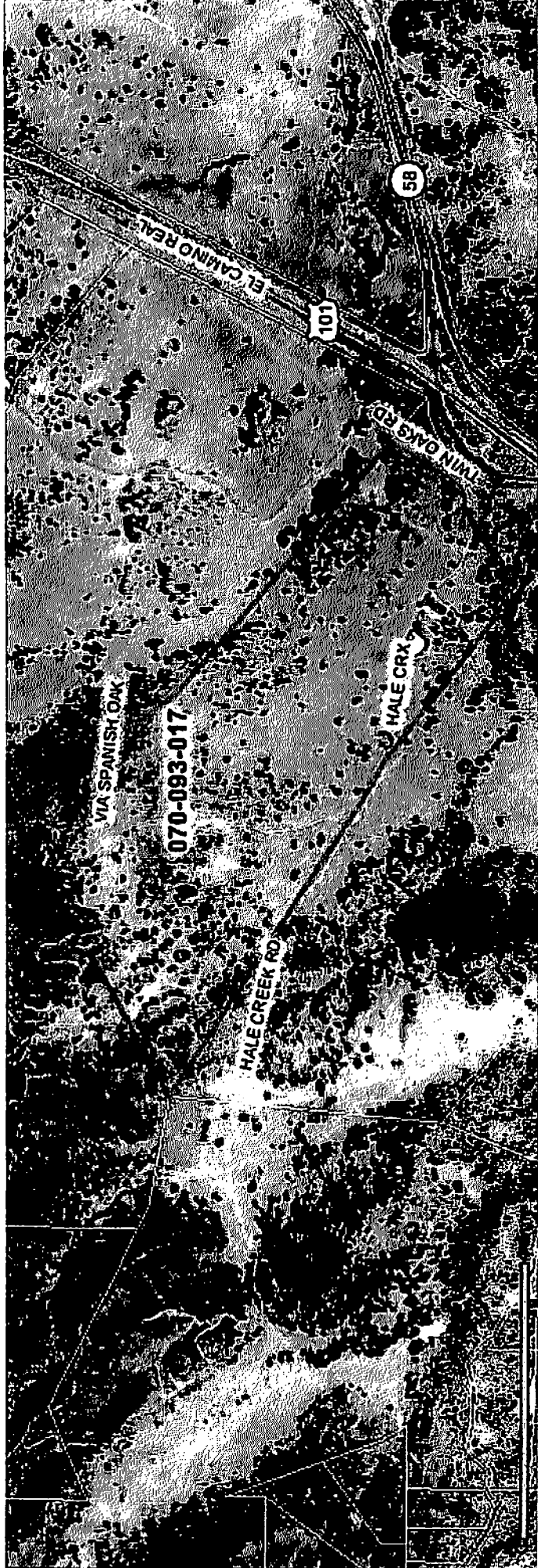
AG Policy 31

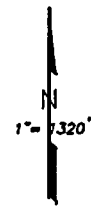
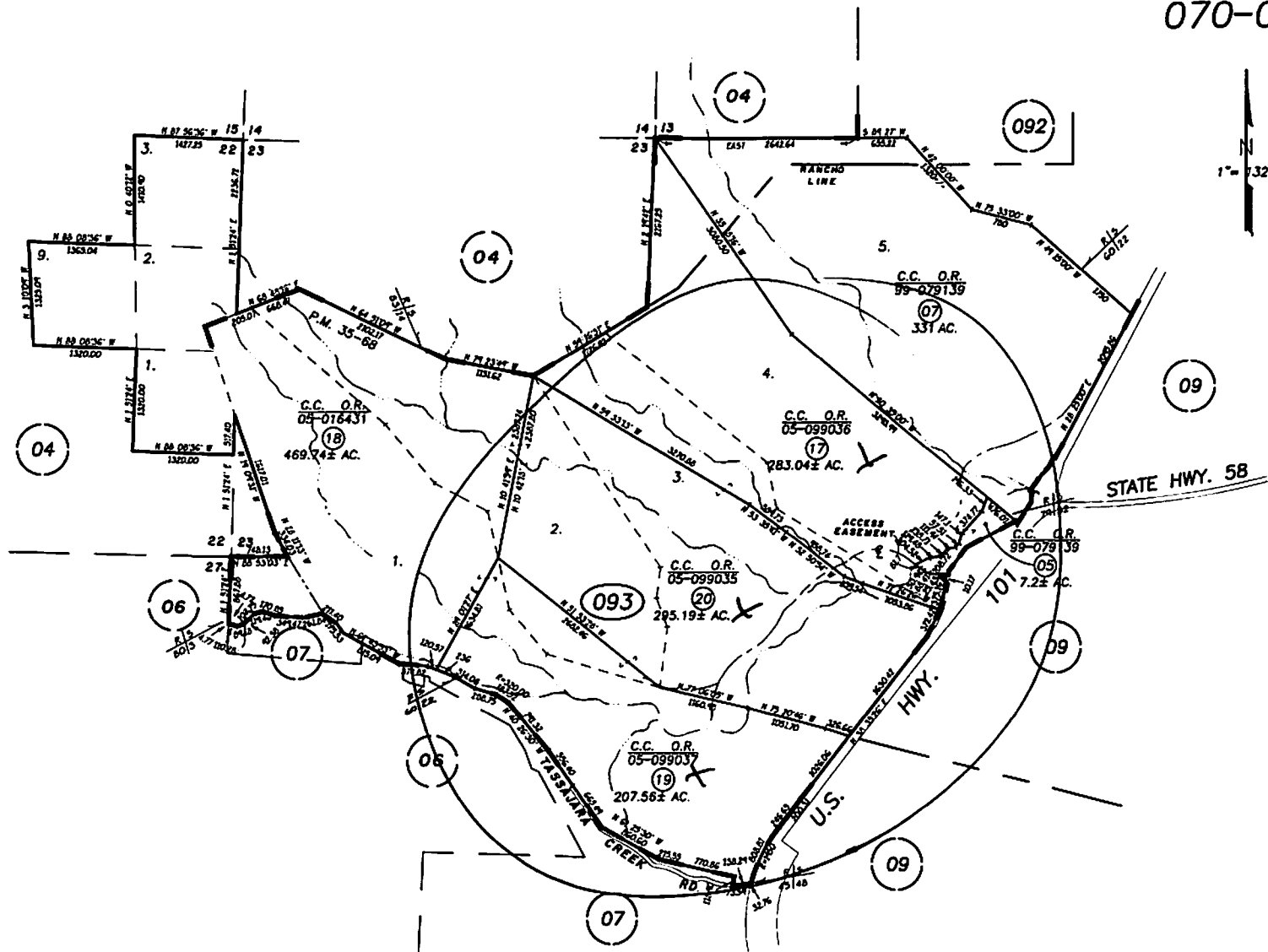
Ag Policy 31- Recreational Use of Agriculture Lands is an additional ag policy that is referred to when referencing recreational uses on Agriculture land. Temporary Events are defined in Table 2-2 as a Recreational Use therefore it is intuitive that AGP 31 is the primary policy in which to evaluate Temporary Events. AGP 31's intention is to promote recreational uses on privately owned land on a case-by-case basis, where such uses are compatible with the on-site and off-site agriculture and environmental resources.

Temporary events on this property will take place in and around existing structures and landscape. The area is nestled amongst agriculture which will provide the opportunity for guests to observe and therefore appreciate rural cattle production. Environmental resources, if any, will be protected since the proposal will not require site disturbance.

Furthermore, the proposal is consistent with the intentions of both Ag Policies 6 and 31 and can meet the suggested findings for holding events on Agricultural land recommended in the Board of Supervisors Staff Report for Temporary Events:

- 1 Where an agricultural use exists on site, the proposed use will not affect and will be incidental to the continuing use of the site as a productive agricultural unit providing food or fiber, and
 - 2 The proposed use will result in no detrimental effect upon the continuance or establishment of agricultural uses on surrounding properties.
 - 3 The area proposed for the Event use, including parking, structures, access, etc, has been minimized, to the maximum extent feasible, so as to not interfere with agricultural production
1. The primary use on the site is Agriculture- Cattle Grazing. The site is intensified in with cattle grazing and dry farmed hay, holding events for up to 28 days a year, will be accessory to the existing ag operation and will ultimately allow the operation to foster.
 2. The proposed use will not affect the ag use onsite and will utilize existing access and structures.
 3. The proposed temporary events will utilize existing structures and access, eliminating site disturbance, which will continue to maintain current ag production.



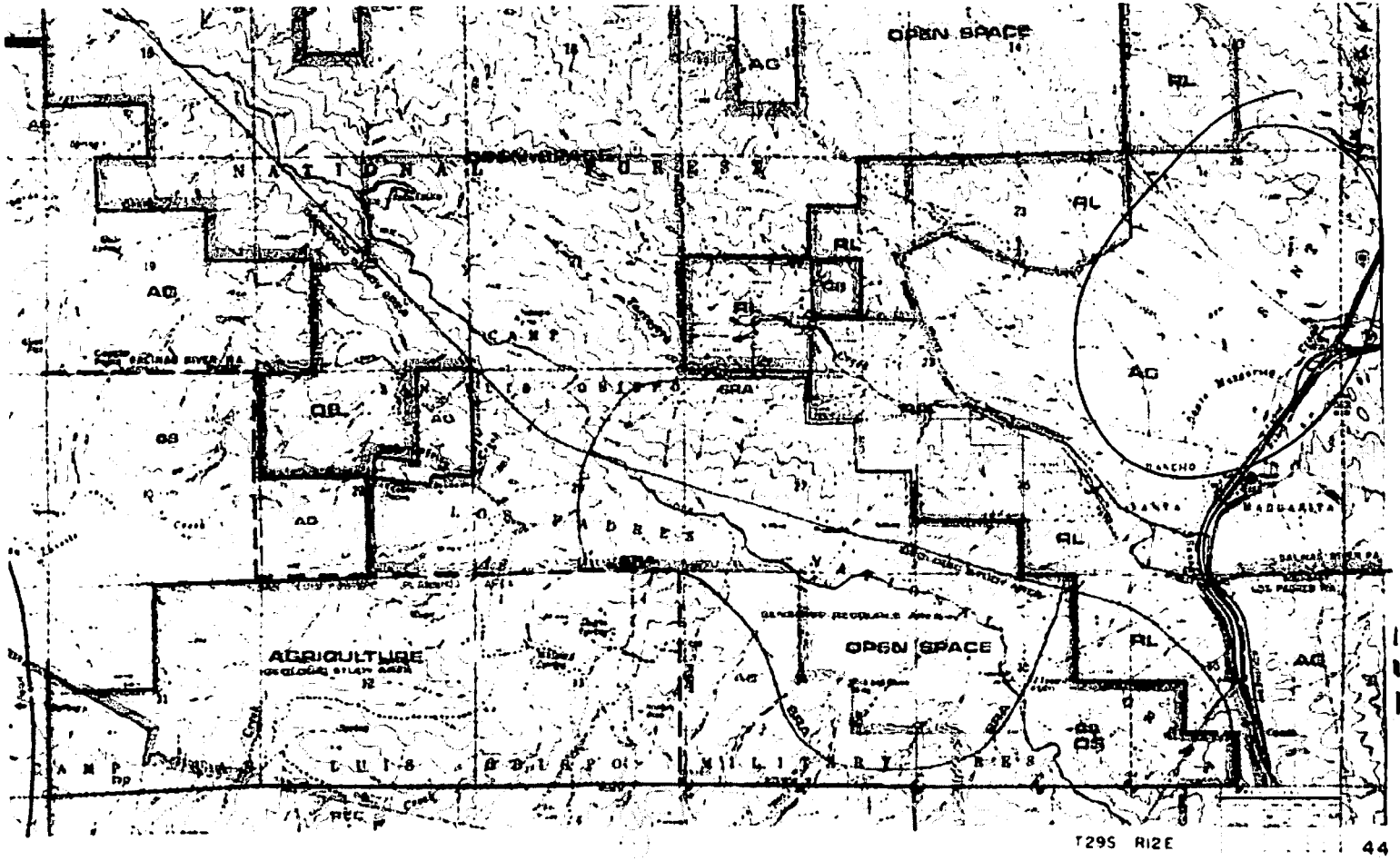


REVISIONS	
LS.	DATE
08-087	08-24-05
06-067	08-25-05
NA	09-16-07



T.29S. ; R.12E. ; SECTIONS 22 TO 26, M.D.B. & M.
RANCHO SANTA MARGARITA, R.M. Bk. A , Pg. 42.

ASSESSOR'S MAP, COUNTY OF
SAN LUIS OBISPO, CA
BOOK 070 PAGE 093



T295 R12E 44

AG



Parcel Summary Report For Parcel # 070-093-017

6/29/2010
9:58:57AM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

People Information

Role Name and Address

OWN HENDRIX REX
 PO BOX 6062 ATASCADERO CA 93423-6062
OWN HENDRIX BETTY L

Address Information

<u>Status</u>	<u>Address</u>
P	07075 VIA SPANISH OAKS RSAL
P	07079 VIA SPANISH OAKS RSAL

Lot Information:

<u>Tract / Twnshp</u>	<u>Block / Range</u>	<u>Section</u>	<u>Community:</u>	<u>Plan/Area:</u>	<u>Lue 1:</u>	<u>Lue 2:</u>	<u>Lue 3:</u>	<u>Lot:</u>	<u>Flags:</u>	<u>Misc</u>
COAL03-	284	0004	Salinas Rural	Salinas	AG			Y		

Parcel Information

<u>Status</u>	<u>Description</u>
Active	PM 35/68 PTN PAR 3 & PAR 4

Notes

Tax Districts

ATASCADERO UNIFIED SCHOOL
SAN LUIS OBISPO JT(27,40) COMM. COLLEGE
SANTA MARGARITA PUBLIC CEMETERY
NO. 05 ROAD-CO/SUPVR
AREA NO. 21 COUNTY SERVICE



Parcel Summary Report For Parcel # 070-093-017

6/29/2010
9:58:58AM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

Case Information

Case Number:

Case Status:

97041 FNL Primary Parcel

Description:

INSTALL MOBILE HOME

C1918 FNL Primary Parcel

Description:

REMOVE MOBILE HOME (PMT 52964)

DRC2009-00105 REC Primary Parcel

Description:

MUP FOR TEMPORARY EVENTS

PMT2003-00963 CMP Primary Parcel

Description:

AG EXEMPT BUILDING 2711 SQ FT

PMT2003-01681 FNL Primary Parcel

Description:

PLUMBING AND ELECTRICAL FOR AG EXEMT BUILDING TO INCLUDE SEPTIC SYSTEM & 200 AMP SERVICE PANEL EXISTING AG EXEMPT PERMIT UNDER PMT2003-00963

PMT2003-03272 REC Primary Parcel

Description:

ELECTRICAL FOR AG EXEMPT BARN (PMT2003-00963)

PMT2004-00377 FNL Primary Parcel

Description:

CONVERSION OF AG EXEMPT BARN TO CARETAKER'S RESIDENCE (2ND PRIMARY) - INCLUDES COMMERCIAL KITCHEN (NO TYPE I HOOD)

PMT2004-02222 FNL Primary Parcel

Description:

FIRESPRINKLERS FOR AG EXEMPT BARN PMT2003-00963 AND DWELLING IN 2ND FLOOR PMT2004-00377 NFPA 13D 1999 EDITION/ BARN IS FOR PRIVATE USE ONLY NO COMMERCIAL / PIPING CPVC / SPRINKLERS FOR RESIDENCE VIKING FREEDOM VK438

PMT2006-01249 FNL Primary Parcel

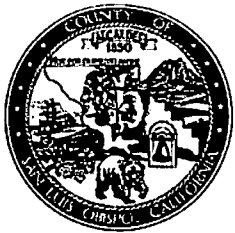
Description:

MOBILE HOME REPLACEMENT - NEW -2428 (OLD 800 SF) OLD MH PERMIT 52964

PMT2006-01250 FNL Primary Parcel

Description:

DETACHED GARAGE 816 SF FOR PMT 2006-01249



Parcel Summary Report For Parcel # 070-093-017

6/29/2010
9:58:58AM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

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PMT2007-01359 FNL Primary Parcel

Description:

DETACHED GARAGE (2040 SF) W/ COVERED PORCH (450 SF) & ELECTRICAL

87296 FNL Related Parcel

Description:

GRADING FOR TELECOMMUNICATION LINE

94265 FNL Related Parcel

Description:

GRADING FOR PIPELINE REPLACEMENT

99206 FNL Related Parcel

Description:

MOBILE HOME W/TIE-DOWNS

A0642 FNL Related Parcel

Description:

MOBILE HOME (SECOND PRIMARY) WITH TIE DOWNS

D980097P CMP Related Parcel

Description:

FIBEROPTIC NETWORK

E000400 RES Related Parcel

Description:

GRADING OVER CREEK

G860006M INA Related Parcel

Description:

LU-M TO RR

G980005M UNA Related Parcel

Description:

CHANGE FROM AG TO REC FOR GOLF COURSE

PMT2002-19146 WIT Related Parcel

Description:

CONST SF DWELLING D.O. #B532

PMT2002-19149 WIT Related Parcel

Description:

CONST SF DWELLING D.O. #B533

PMT2002-21081 WIT Related Parcel

Description:

CONST SFD DO# B2161



Parcel Summary Report For Parcel # 070-093-017

6/29/2010
9:58:58AM

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San Luis Obispo, California 93408

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PMT2002-23890 EXP Related Parcel

Description:

GRADING TO REMOVE CONTAMINATED SOIL

PMT2003-01369 CAN Related Parcel

Description:

TWO STORY SFD - 8390 - NEW PRIMARY DWELLING. EXISTING MOBILE HOME TO REMAIN AS FARM SUPPORT QUARTERS.

PMT2003-01595 CMP Related Parcel

Description:

AG EXEMPT BARN 2640 SQ. FEET

PMT2003-03271 FNL Related Parcel

Description:

ELECTRICAL SERVICE TO BARN (PMT2003-01595).

S030103L RDD Related Parcel

Description:

PROP 5 TO 4 LOT LINE ADJUSTMENT

S770068C RDD Related Parcel

Description:

PROP 65 CERT OF COMP

S960200N APV Related Parcel

Description:

VIA SPANISH OAKS

S970037L RDD Related Parcel

Description:

PROPOSED 2 LOT ADJUSTMENT

S990121N CMP Related Parcel

Description:

TWIN OAKS ROAD