

ATTACHMENT E-1

IN THE BOARD OF SUPERVISORS  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

\_\_\_\_\_ day \_\_\_\_\_, 20\_\_\_\_\_

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION ALTERING THE BOUNDARIES OF  
EL POMAR AGRICULTURAL PRESERVE NO. 1  
PURSUANT TO THE CALIFORNIA LAND CONSERVATION ACT OF 1965**

The following resolution is hereby offered and read:

**WHEREAS**, on January 3, 1972, the Board of Supervisors duly approved Resolution No. 72-2 which established El Pomar Agricultural Preserve No. 1; and

**WHEREAS**, the Board of Supervisors duly approved nineteen subsequent amendments to El Pomar Agricultural Preserve No. 1 which altered the boundaries of said preserve and which are on file with the County Clerk Recorder; and

**WHEREAS**, Government Code Sections 51230, 51231, and 51232 provide that the Board of Supervisors may, by resolution, alter the boundaries of an agricultural preserve after a public hearing is held and after notice of hearing has been (i) published pursuant to Government Code Section 6061, and (ii)

## ATTACHMENT E-1

furnished by first class mail to each owner of land under a land conservation contract, any portion of which is situated within one mile of the exterior boundaries of the land to be added to the preserve; and

**WHEREAS**, the County of San Luis Obispo has duly adopted a General Plan; and

**WHEREAS**, Government Code Section 51233 provides that two weeks prior written notice of said hearing shall be given to the Local Agency Formation Commission and to every city within one mile of the exterior boundaries of the preserve; and

**WHEREAS**, a public hearing has been held to consider the alteration of the boundaries of said agricultural preserve by adding and removing land (**File No. AGP2009 - 00026 – Keith Harnish**) for the real property situated in the County of San Luis Obispo, State of California, and more particularly described in Exhibit A attached hereto and by this reference incorporated herein as though set forth in full; and

**WHEREAS**, notice of hearing has been published and written notice of hearing given as required by Government Code Sections 51230, 51231, 51232, and 51233.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. This Board finds that:
  - (a) The area described in Exhibit A will qualify for inclusion in said agricultural preserve pursuant to the California Land Conservation Act of 1965.

## ATTACHMENT E-1

- (b) The area described in Exhibit A for inclusion in said agricultural preserve is an area restricted by land use category to agricultural and compatible uses, and an agricultural preserve including said area is consistent with the General Plan of the County of San Luis Obispo.
  - (c) A public hearing has been held pursuant to Government Code Section 51230 after publication of notice and after giving written notice as required by Government Code Sections 51230, 51231, 51232, and 51233.
  - (d) The appropriate minimum parcel size to preserve the agricultural and compatible uses of the property for the new Land Conservation Contract is 160 acres. The appropriate minimum term for the new contract is 10 years.
2. The boundaries of El Pomar Agricultural Preserve No. 1 are hereby altered and established as set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.
3. An additional resolution adopted concurrently herewith alters the boundaries of adjacent El Pomar Agricultural Preserve No. 71, Amendment No. 1
4. The alteration of the boundaries of El Pomar Agricultural Preserve No. 1 shall become operative with the recordation of the certificates of compliance or parcel map finalizing the approval of Lot Line Adjustment COAL 08-0158 (SUB2008-00053).

Upon motion of Supervisor \_\_\_\_\_, seconded by

**ATTACHMENT E-1**

Supervisor \_\_\_\_\_, and on the following roll call votes, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

\_\_\_\_\_  
Chairperson of the Board of Supervisors

ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors

[SEAL]

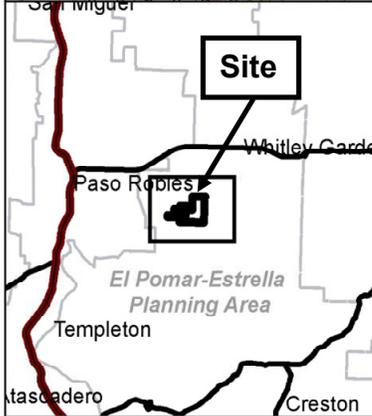
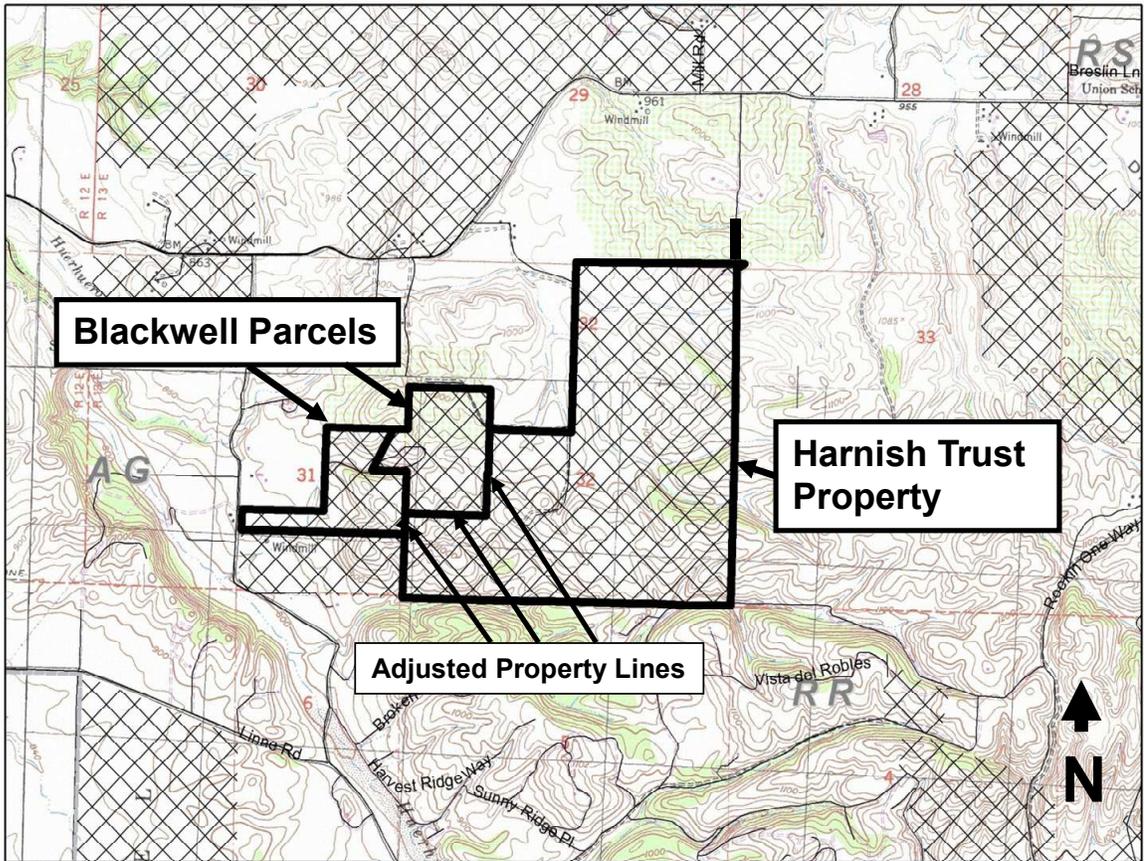
APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL  
County Counsel

By:   
Deputy County Counsel

Dated: June 21, 2013

**ATTACHMENT E-1**



**EXHIBIT A: El Pomar Agricultural Preserve No. 1, Amendment No. 20**

Contract to be rescinded: Resolution 72-110  
 Recorded on 2/14/72 as Doc. No. 4635 in  
 Book 1653, Pages 388 through 403 inclusive

 **Harnish Trust Property APN: 015-053-025**

 **Land in Preserve & Contract**

**EXHIBIT A: Alter the boundaries of an agricultural preserve, rescind an existing contract, simultaneously enter into a new contract**

File No. AGP2009-00026 – Harnish Trust  
 Minimum Parcel Size: 160 Acres  
 Minimum Term of Contract 10 years  
 Resolution No: \_\_\_\_\_ Date: \_\_\_\_\_