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

**Board of Supervisors**

MEETING DATE October 22, 2013	CONTACT/PHONE Terry Wahler, 781-5621	APPLICANT Pete Clark	FILE NO. AGP2013-00002						
SUBJECT Proposal by Pete Clark to amend an agricultural preserve to decrease the minimum parcel size for conveyance of parcels from 640 acres to 320 acres. The property includes approximately 2,432 acres and is located in the Agriculture land use category at 2121 Shedd Canyon Road approximately 2.0 miles south west of the community of Shandon, in the Shandon-Carrizo Planning Area.									
RECOMMENDED ACTION The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to amend an agricultural preserve to the Board of Supervisors as follows:  <table border="0" style="width: 100%;"> <tr> <td style="width: 35%;"><b>Preserve Designation:</b></td> <td><b>Shandon Agricultural Preserve No. 1 Amendment No. 13</b></td> </tr> <tr> <td><b>Minimum Parcel Size:</b></td> <td><b>320 Acres</b></td> </tr> <tr> <td><b>Minimum Term of Contract:</b></td> <td><b>10 years</b></td> </tr> </table>				<b>Preserve Designation:</b>	<b>Shandon Agricultural Preserve No. 1 Amendment No. 13</b>	<b>Minimum Parcel Size:</b>	<b>320 Acres</b>	<b>Minimum Term of Contract:</b>	<b>10 years</b>
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<b>Minimum Parcel Size:</b>	<b>320 Acres</b>								
<b>Minimum Term of Contract:</b>	<b>10 years</b>								
ENVIRONMENTAL DETERMINATION Categorical Exemption (Class 17) was issued on July 29, 2013 (ED13-029)									
LANDUSE CATEGORY Agriculture	COMBINING DESIGNATION None	ASSESSOR PARCEL NOS: 019-171-011, 012, 024, 028, 029, 030 and 031	SUPERVISOR DISTRICT(S) 1						
PLANNING AREA STANDARDS: None Applicable		LAND USE ORDINANCE STANDARDS: Section 22.22.040C(2) – Minimum parcel size for new agricultural preserves							
EXISTING USES: Vineyard, grazing land, dry farm, residence & barns									
SURROUNDING LAND USE CATEGORIES AND USES: <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;"><i>North:</i> Agriculture/Vineyard, oaks, grazing</td> <td style="width: 50%;"><i>East:</i> Agriculture/ Vineyard, oaks, dry farm, grazing</td> </tr> <tr> <td><i>South:</i> Agriculture/Grazing, vineyard,</td> <td><i>West:</i> Agriculture/ Vineyard, oaks, dry farm, grazing</td> </tr> </table>				<i>North:</i> Agriculture/Vineyard, oaks, grazing	<i>East:</i> Agriculture/ Vineyard, oaks, dry farm, grazing	<i>South:</i> Agriculture/Grazing, vineyard,	<i>West:</i> Agriculture/ Vineyard, oaks, dry farm, grazing		
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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: N/A									
TOPOGRAPHY: Gently sloping to steeply sloping		VEGETATION: Scattered oaks, open grassland							
PROPOSED SERVICES: None required		ACCEPTANCE DATE: July 19, 2011							
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									

## PROJECT REVIEW

### Background

The property consists of approximately 2,432 acres of rangeland, dry farmed land and irrigated vineyard. A portion of the property is going to be conveyed to a new land owner for the purposes of expanding an existing vineyard operation in the north east portion of the property. This application to reduce the minimum parcel size from 640 acres to the current standard which is 320 acres is necessary for the conveyance to be consistent with the terms of the land conservation contract.

A lot line adjustment application (COAL 13-0057/SUB2013-00002) is currently in process to reconfigure existing legal parcels to consolidate the land suitable for vineyard expansion into a single parcel for the purposes of future conveyance. No amendment to the agricultural preserve boundaries is necessary because the proposed lot line adjustment is internal to the existing ownership and contract. This request does involve an amendment to the existing agricultural preserve for the reduction in minimum parcel size.

The subject property is part of Shandon Agricultural Preserve No. 1 established on 7/19/71 by Resolution No. 71-319 and under a land conservation contract entered into on January 24, 1972, Document No. 2922, Volume 1650 pages 989 through 1004 inclusive.

### Site and Area Characteristics

The property is planted with 175 acres of irrigated vineyard most of which is located in the north east area of the property, 300 acres of dry farm hay and the rest (approximately 1,934 acres) being used for range land. The purpose of the request for reduction in minimum parcel size is for future sale to a wine grape grower. The amendment would be based on and formally recognize the change in the minimum parcel size standard in the Rules of Procedure for rangeland properties from 640 to 320 acres.

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

Land Capability Class		Irrigated Vineyard	Grazing/Suitability	Dry Farm	Acres
If Irrigated	Non-Irrigated				
See note	4	175	na	na	175
	4	na	na	300	300
	4	na	432 / well suited	na	432
	4	na	712 / mod. Suited	na	712
	4	na	14 / poorly suited	na	14
	6	na	435 / well suited	na	435
	7	na	6 / well suited	na	6
	7	na	335 /poorly suited	na	335
	8	na	na	na	23
TOTALS		175	1934	300	2432

Note: "Irrigated Class" was not evaluated because eligibility for vineyards is not based on a Class 1 or 2 soils classification, and the application request is limited to a rangeland suitability evaluation.

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

### **Compliance with the Rules of Procedure**

#### **Agricultural Preserve**

The property meets the current eligibility requirements for a rangeland agricultural preserve and land conservation contract since it has over 320 acres of gross acreage and more than 100 acres (approximately 1,585 acres) of Class 4, 6 & 7 soil described in the soils survey as “moderately to well suited as rangeland”.

The appropriate minimum parcel size is 320 acres since the site is used as rangeland and has predominately 6 & 7 soils. The appropriate minimum term of contract is 10 years because the existing contract is currently maintaining a 10 year term.

#### **Agricultural Preserve Review Committee**

The following is an excerpt from the Draft Minutes of the Regular Meeting of the Agricultural Preserve Review Committee held on August 12, 2013 at the Veteran’s Hall, San Luis Obispo, California, at 1:30 p.m.

Terry Wahler, staff: presents the staff report. Explains that the land owner would like to sell a portion of this land to a wine grape grower. In order to do that they would need to reconfigure some of the existing underlying parcels through a lot line adjustment. States that the conveyance will be less than 640 acres so they need to use the provision in the Rules of Procedure allowing for a reduction in minimum parcel size and the current standard of 320 acres for grazing land. Explains that this property qualifies under the current grazing land standards. Notes on page 7-4 there is a parcel labeled “existing parcel only” which is not under contract. Indicates that the owners would like this portion of the property to remain out of contract to allow for some flexibility. Further notes when the contract comes through the maps will be amended with clearer descriptions.

Lynn Moody: asks about the cross hatched area of the map indicating “existing preserve and contract” and asks if the dotted area is only under an agricultural preserve but not under contract. Mr. Wahler confirms that the land shown as a dotted area on the map is under agricultural preserve but not under contract and further clarifies the owner’s intent.

Irv McMillian: referring to the map asks about the squiggly line and what its purpose is with Mr. Wahler stating it is delineating a previous lot line adjustment.

Michael Garcia: reports the line being referred to is a vineyard block.

Jamie Kirk, agent: reports there are 15 underlying parcels and the owner is in the process of requesting a lot line adjustment. Six of the underlying parcels are going to be reduced down to 4 resulting parcels.

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Lynda Auchinachie: asks how many acres will be planted with Ms. Kirk stating she does not know because it will be the new buyers who will be planting.

**Following the discussion, Jennifer Anderson moved to recommend approval to the Board of Supervisors of this request to amend an agricultural preserve to decrease the minimum parcel size for conveyance of parcels from 640 acres to 320 acres. Preserve Designation: Shandon Agricultural Preserve No. 1 Amendment 13. Minimum Parcel Size: 320 acres. Minimum Term of Contract: 10 years. This motion was seconded by Don Warden, and unanimously carried on an 11-0 with the Land Conservancy and Wine Industry members being absent.**

## **RECOMMENDATIONS**

The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to amend an agricultural preserve to the Board of Supervisors as follows:

**Preserve Designation: Shandon Agricultural Preserve No. 1 Amendment No. 13**  
**Minimum Parcel Size: 320 Acres**  
**Minimum Term of Contract: 10 years**

## **FINDINGS**

- A. The proposed amendment of this agricultural preserve is consistent with the San Luis Obispo County General Plan, including the Land Use Element, Agriculture Element, the Conservation and Open Space Element, and the county's Rules of Procedure to Implement the California Land Conservation Act of 1965.
- B. The proposed amendment of this agricultural preserve is appropriate and consistent with the character of the surrounding area.

Report prepared by Terry Wahler, Senior Planner  
and reviewed by Bill Robeson, Supervising Planner  
Agricultural Preserve Program