



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

*Promoting the wise use of land  
Helping build great communities*

**Board of Supervisors**

MEETING DATE November 4, 2014		CONTACT/PHONE Terry Wahler, 781-5621		APPLICANT Paper Street Vineyard		FILE NO. AGP2013-00012							
SUBJECT Proposal by Paper Street Vineyard to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The 321 acre parcel is located within the Agriculture land use category at the terminus of Kiler Canyon Road, approximately 2 miles northwest of the intersection of Kiler Canyon Road and Arbor Road Drive and approximately 2.5 miles northwest of the intersection of Arbor Road and Highway 46 and approximately 3 miles northwest of the Urban Reserve Line of Paso Robles. The site is in the North County-Adelaida planning area.													
RECOMMENDED ACTION The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to establish an agricultural preserve to the Board of Supervisors as follows:  <table border="0" style="width:100%"> <tr> <td style="width:40%"><b>Preserve Designation:</b></td> <td><b>Templeton Agricultural Preserve No. 63</b></td> </tr> <tr> <td><b>Minimum Parcel Size :</b></td> <td><b>160 Acres</b></td> </tr> <tr> <td><b>Minimum Term of Contract:</b></td> <td><b>20 Years</b></td> </tr> </table>								<b>Preserve Designation:</b>	<b>Templeton Agricultural Preserve No. 63</b>	<b>Minimum Parcel Size :</b>	<b>160 Acres</b>	<b>Minimum Term of Contract:</b>	<b>20 Years</b>
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ENVIRONMENTAL DETERMINATION A Categorical Exemption (Class 17) was issued on August 13, 2014 (ED14-044).													
LAND USE CATEGORY Agriculture		COMBINING DESIGNATION None		ASSESSOR PARCEL NUMBER 026-342-015		SUPERVISOR DISTRICT(S) 1							
PLANNING AREA STANDARDS: None Applicable				LAND USE ORDINANCE STANDARDS: Section 22.22.040 – Minimum parcel size for agriculture category (new agricultural preserves)									
EXISTING USES: Vineyards													
SURROUNDING LAND USE CATEGORIES AND USES: <table border="0" style="width:100%"> <tr> <td style="width:50%"><i>North:</i> Agriculture/oak woodland &amp; vineyards</td> <td style="width:50%"><i>East:</i> Agriculture/ vineyard, oak woodland &amp; residences</td> </tr> <tr> <td><i>South:</i> Agriculture/vineyard, orchards &amp; residences</td> <td><i>West:</i> Agriculture/ Grazing, vineyard, &amp; residences</td> </tr> </table>								<i>North:</i> Agriculture/oak woodland & vineyards	<i>East:</i> Agriculture/ vineyard, oak woodland & residences	<i>South:</i> Agriculture/vineyard, orchards & residences	<i>West:</i> Agriculture/ Grazing, vineyard, & residences		
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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: None													
TOPOGRAPHY: Moderate to steeply sloping				VEGETATION: Oak trees									
PROPOSED SERVICES: None required				ACCEPTANCE DATE: July 25, 2014									
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER <input type="checkbox"/> SAN LUIS OBISPO <input type="checkbox"/> CALIFORNIA 93408 <input type="checkbox"/> (805) 781-5600 <input type="checkbox"/> FAX: (805) 781-1242													

## PROJECT REVIEW

### Site and Area Characteristics

The property consists of moderately to steeply sloping land with approximately 106 acres planted in vineyards. The remainder of the property has extensive oak woodland and small fallow areas. The vineyards were planted in 2013 and 2014. The property has no residences or barns at this time. An agricultural irrigation well produces 50 gallons per minute of water at a well depth of 500 feet. Surrounding properties are also in the Agriculture zone and have a variety of agricultural land uses including grazing, vineyards and orchards. The following table shows the Natural Resources Conservation Service soils rating of the site:

Land Capability Class		Irrigated Vineyard	Homesite & barns	Fallow/Oaks	Acres
If Irrigated	Non-Irrigated				
4	4	82	na	11.5	93.5
7	7	24	na	203.5	227.5
TOTALS		106		215	321

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

### Compliance with the Williamson Act and the Rules of Procedure

#### **Establishing an Agricultural Preserve**

The Rules of Procedure provides that a property must first be under an Agricultural Preserve in order to qualify for a land conservation contract as an individual property. The applicant's 321 acres exceeds the gross acreage necessary to qualify as a prime-land agricultural preserve.

A prime-land preserve must also have 40 acres of Class 1 or 2 irrigated land under production (typically in fruit or vegetable row crops), irrigated Class 3, 4, 6 or 7 soil (planted with orchards or vineyards) or Class 3 or 4 soils (planted in all other irrigated crops – typically alfalfa or irrigated pasture).

Since the property has 106 acres planted in irrigated vineyards, it qualifies for a prime-land preserve because it exceeds the 40 acre minimum prime soils required to qualify for a prime land agricultural preserve.

#### **Qualifying for a Land Conservation Contract**

To qualify for a land conservation contract the property must also meet the eligibility requirements for individual land conservation contracts and have 20 acres of irrigated vineyard or orchard on Class 3, 4, 6, or 7 soils. The property qualifies for a land conservation contract by having approximately 106 acres of irrigated vineyard on Class 4 & 7soils. (Table 1 Section B. 1.c).

### Minimum Parcel Size for Conveyance

Because only 106 acres of the total 321 acre site is actually cultivated, it is appropriate to use the mixed use averaging formula to establish the appropriate minimum parcel size for conveyance. Appendix E of the Rules of Procedure establishes procedures for determining minimum parcel sizes for conveyance or subdivision of land with mixed agricultural potential or use. As is customary, the property's oak woodland and fallow or unplanted acreage has been grouped together with the grazing land for the purposes of calculating minimum parcel size. The mixed use calculation for this property is as follows:

Land Capability / Agricultural Use	Acres	Minimum Parcel Size	Fractional Portion
Irrigated Class 4 & 7/ Irrigated Orchard	106	40	2.65
Non-Irrigated Class 4 / Dry Farm Potential	11.5	160	0.07
Non-Irrigated Class 4 & 7 / Grazing / Oaks	203.5	320	0.64
Total	321		3.36

The property size of 321 acres divided by 3.36 (the total fractional proportions) is 95.5, which is rounded up to a 160 acre minimum parcel size category in Table 1 of the Rules of Procedure.

The appropriate minimum parcel size is 160 acres and the appropriate minimum term of contract is 20 years because the site is located more than one mile from the Paso Robles urban reserve line, the closest urban reserve line in the vicinity.

### Agricultural Preserve Review Committee

The following is an excerpt from the Minutes of the Regular Meeting of the Agricultural Preserve Review Committee held on August 25, 2014 at the Veteran's Hall, 801 Grand Ave, San Luis Obispo, California, at 1:30 p.m.

Terry Wahler: presents the staff report, describes the property, the agricultural use and the basis for eligibility.

Irv McMillian: would like the road names included on the map exhibits.

Bill Robeson: asks if there are any questions

Terry Wahler: notes Mr. Matt Dusi is in attendance and that Mr. Dusi is the "applicant" for this item.

Matt Dusi: thanks the members for recommending approval of his proposal.

Bill Robeson: Opens Public Comment with no one coming forward.

**Following the discussion, Irv McMillian moved to recommend the Board of Supervisors approve this request to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. Preserve Designation: Templeton Agricultural Preserve No. 63. Minimum Parcel Size: 160 acres. Minimum term of Contract: 20 years. This motion was seconded by Jennifer Anderson, and unanimously approved on an 8-5 vote with the Cattleman's Association, Farm Advisor, Wine Industry, Farm Bureau, and County Assessor's office members being absent.**

## RECOMMENDATIONS

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

<b>Preserve Designation:</b>	<b>Templeton Agricultural Preserve No. 63</b>
<b>Minimum Parcel Size:</b>	<b>160 Acres</b>
<b>Minimum Term of Contract:</b>	<b>20 Years</b>

## FINDINGS

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

Report prepared by Terry Wahler  
Agricultural Preserve Program