



Attachment E2  
**COUNTY OF SAN LUIS OBISPO**  
**DEPARTMENT OF PLANNING AND BUILDING**  
**STAFF REPORT**

**Board of Supervisors**

Promoting the wise use of land  
 Helping build great communities

MEETING DATE November 4, 2014	CONTACT/PHONE Terry Wahler, 781-5621	APPLICANT La Bella Grande, LLC	FILE NO. AGP2014-00002
SUBJECT Proposal by La Bella Grande, LLC to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The property consists of approximately 1,074 acres located within the Agriculture land use category at 6186 West Pozo Road, on the southeastern side of West Pozo Road at its intersection with Highway 58, approximately 1 mile east of Santa Margarita. The site is in the North County / Salinas River Sub-area 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:  <div style="text-align: center;"> <p><b>Preserve Designation:            Santa Margarita Agricultural Preserve No. 12</b></p> <p><b>Minimum Parcel Size:            320 Acres</b></p> <p><b>Minimum Term of Contract:    10 Years</b></p> </div>			
ENVIRONMENTAL DETERMINATION A Categorical Exemption (Class 17) was issued for the project on September 17, 2014 (ED14-073).			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Extractive Area, Flood Hazard Area	ASSESSOR PARCEL NUMBER 070-095-001	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: None Applicable		LAND USE ORDINANCE STANDARDS: Section 22.22.040 – Minimum parcel size for Agriculture land use category (new agricultural preserves)	
EXISTING USES: Grazing			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/Rangeland <i>East:</i> Agriculture/ Rangeland <i>South:</i> Agriculture/ Rangeland & vineyard <i>West:</i> Agriculture/ Rangeland & vineyard			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: None			
TOPOGRAPHY: Generally flat with some gently sloping areas along eastern side of property		VEGETATION: Oak trees, grasses	
PROPOSED SERVICES: None required		ACCEPTANCE DATE: September 25, 2014	

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 1,074 acre property consists of one legal parcel. The property has historically been used as grazing land. The current grazing operation supports 150 head of cattle and is managed by the Santa Margarita Cattle Company.

### Site and Area Characteristics

The property is located approximately one mile due east of the community of Santa Margarita. The ranch has extensive open areas with grassland and scattered oak trees throughout the property. The property has a 200 gallon per minute well drilled to a depth of 400 feet.

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

Land Capability Class		Irrigated Crop Suitability	Rangeland Suitability	Dry Farm Suitability	Acres
If Irrigated	Non-Irrigated				
1	4	NA	well suited	NA	10
2	4	NA	well suited	NA	392
3	4	NA	well suited	NA	64
4	4	NA	well suited	NA	286
NA	6	NA	well suited	NA	130
NA	6	NA	moderately well suited	NA	22
NA	7	NA	well suited	NA	1
NA	7	NA	moderately well suited	NA	17
NA	7	NA	poorly suited	NA	96
NA	8	NA	NA	NA	56
				Total	1,074

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 Rules of Procedure provide that a property must first be under an Agricultural Preserve in order to qualify for a Land Conservation Contract as an individual property. The property meets the current eligibility requirements for a Range Land Agricultural Preserve with over 320 acres of gross acreage and over 100 acres (922 acres) of Class 4, 6 and 7 soil listed as “moderately to well suited” as range land.

The property is also eligible for a Land Conservation Contract because it exceeds the minimum 320 acres required for range land contracts on 6 and 7 (or better) soils and has well over 100 acres (922) of Class 4, 6 and 7 soil listed as “moderately to well suited” as range land by the Natural Resources Conservation Service.

The appropriate minimum parcel size for the Land Conservation Contract is 320 acres and the appropriate minimum term of contract is 10 years because the site is located partially within 1 mile of the Santa Margarita urban reserve line, as specified by the Rules of Procedure.

**Agricultural Preserve Review Committee (APRC)**

The following is an excerpt from the Minutes of the Regular Meeting of the Agricultural Preserve Review Committee held on September 29, 2014, at the U.C. Cooperative Extension Auditorium, 2156 Sierra Way, 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. Notes that the property is just within 1 mile of the Santa Margarita Urban Reserve Line and per the Rules of Procedure is eligible for a 10 year term.

Irv McMillian: requests clarification.

Terry Wahler: reads section from Rules of Procedure regarding terms of contracts

Committee Members: discussion ensues

Jamie Kirk, agent, provides history of ranch, requests 10 year term since property is within 1 mile and therefore eligible for a 10 year term.

Bill Robeson: asks if there are any further questions

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

**Following the discussion, Dick Nock 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: Santa Margarita Agricultural Preserve No. 12; Minimum Parcel Size: 320 acres. Minimum term of Contract: 10 years. This motion was seconded by Jennifer Anderson, and approved on a 7-5-1 vote with the Farm Advisor, Farm Bureau, Soil Science, Public at Large and Land Conservancy of San Luis Obispo County members being absent and the Environmental Organization Member abstaining.**

Irv McMillian states his reason for abstaining is that he feels a 20 year term should be required.

**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:

**Preserve Designation: Santa Margarita Agricultural Preserve No. 12**  
**Minimum Parcel Size: 320 Acres**  
**Minimum Term of Contract: 10 Years**

## **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, 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 establishment of this agricultural preserve is appropriate and consistent with the rural character of the surrounding area.

Report prepared by Terry Wahler  
Land Conservation Program