

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 12/16/2014	(3) CONTACT/PHONE Terry Wahler, Senior Planner / 781-5621	
(4) SUBJECT Submittal of six resolutions approving new land conservation contracts for Niels Udsen (AGP2013-00006) on Ranchita Canyon Road near San Miguel; Niels Udsen (AGP2013-00007) on North Bethel Road, Templeton; Douglas Ayres (AGP2013-00004) on Willow Creek Road northwest of Templeton; Paper Street Vineyard (AGP2013-00012) on Kiler Canyon Road west of Paso Robles; La Bella Grand, LLC (AGP2014-00002) on west Pozo Road east of Santa Margarita; and Lewis Feuerstein (AGP2014-00003) on La Panza Road east of Creston; pursuant to the California Land Conservation Act of 1965. Districts 1 & 5.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt and instruct the chairperson to sign all resolutions approving land conservation contracts.			
(6) FUNDING SOURCE(S) Application Fees	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$176,281.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 1 and District 5			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Terry Wahler, Senior Planner

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 12/16/2014

SUBJECT: Submittal of six resolutions approving new land conservation contracts for Niels Udsen (AGP2013-00006) on Ranchita Canyon Road near San Miguel; Niels Udsen (AGP2013-00007) on North Bethel Road, Templeton; Douglas Ayres (AGP2013-00004) on Willow Creek Road northwest of Templeton; Paper Street Vineyard (AGP2013-00012) on Kiler Canyon Road west of Paso Robles; La Bella Grand, LLC (AGP2014-00002) on west Pozo Road east of Santa Margarita; and Lewis Feuerstein (AGP2014-00003) on La Panza Road east of Creston; pursuant to the California Land Conservation Act of 1965. Districts 1 & 5.

RECOMMENDATION

It is recommended that the Board adopt and instruct the chairperson to sign all resolutions approving land conservation contracts.

DISCUSSION

The objectives of the San Luis Obispo County Agricultural Preserve Program, as provided by the California Land Conservation Act of 1965 or Williamson Act, are to protect agricultural lands for continued production of food and fiber and limited types of land devoted to open-space and recreational uses.

An agricultural preserve is established by landowner request in an area devoted to an agricultural use, recreational use, and/or an open-space use as defined in and established in accordance with the California Land Conservation Act of 1965. Establishment of an agricultural preserve is a prerequisite for landowners to enter into land conservation contracts with the county. A land conservation contract is a contract entered into by and between the property owner and lien holders (if any) and the county to enforceably restrict the use of the land for agricultural and compatible uses for a minimum term of 10 years or more.

The following are brief descriptions of each applicant's request.

- A. FILE NUMBER: AGP2013-00006 – Proposal by Niels Udsen to enter into a land conservation contract. The 164 acre parcel is located within the Agriculture land use category at 3090 Ranchita Canyon Road, on the northern side of Ranchita Canyon Road at the intersection of Ranchita Canyon Road and Von Dollen Road, approximately 3.5 miles east of San Miguel. The site is in the North County-El Pomar-Estrella planning area. APNs: 019-051-037, 043, 055; Supervisorial District No. 1

- B. FILE NUMBER: AGP2013-00007 – Proposal by Niels Udsen to enter into a land conservation contract. The 185 acre parcel is located within the Agriculture land use category at 675 North Bethel Road, on the western side, approximately 2,000 feet south of the intersection of North Bethel Road and Highway 46, adjacent to the Templeton Urban Reserve line. The site is in the North County-Salinas planning area. APNs 040-061-005; 040-181-005; 040-111-010; Supervisorial District No. 1
- C. FILE NUMBER: AGP2013-00004 – Proposal by Douglas Ayres to enter into a land conservation contract. The 40.5 acre parcel is located within the Agriculture land use category at 1205 Willow Creek Road, south of and abutting the intersection of Willow Creek Road, Peachy Canyon Road and Loose Horse Road, approximately 4 miles northwest of the intersection of Vineyard Drive and Highway 46 and approximately 5.5 miles northwest of Templeton. The site is in the North County-Adelaida planning area. APN: 039-051-019; Supervisorial District No. 1
- D. FILE NUMBER: AGP2013-00012 – Proposal by Paper Street Vineyard 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 west of Paso Robles. The site is in the North County-Adelaida planning area. APN: 026-342-015; Supervisorial District No. 1
- E. FILE NUMBER: AGP2014-00002 – Proposal by La Bella Grand, LLC 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 northeastern 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. APN 070-095-001; Supervisorial District No. 5
- F. FILE NUMBER: AGP2014-00003 – Proposal by Lewis G. Feuerstein to rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract for property that is currently in non-renewal. The property consists of approximately 313 acres located within the Agriculture land use category, at 4811 La Panza Road, west of the intersection of La Panza Road and Ryan Road, approximately 1,500 feet north east of the community of Creston. The site is in the North County, El Pomar-Estrella (sub-area) planning area. APNs: 043-091-053, 063, 073 & 074; Supervisorial District No. 5

The requests are for new standard form land conservation contracts.

OTHER AGENCY INVOLVEMENT/IMPACT

The agricultural preserves associated with these contracts were approved or amended by the Board of Supervisors at public hearings this year. The Agricultural Preserve Review Committee also reviewed all six requests and recommended approval. The Agricultural Preserve Review Committee includes representatives from the Agricultural Liaison Committee, the Assessor's Office, the Agriculture Department, the Department of Planning and Building and the Farm Advisor's Office. County Counsel reviewed and approved the resolutions and contracts as to form and legal effect.

FINANCIAL CONSIDERATIONS

Approval of land conservation contracts usually results in a significant reduction in county tax revenues received from the affected properties. Revenue losses have been in past years only partly compensated by state subventions but no subventions have been received since 2008/2009. However, the overall tax impacts should be considered on a program-wide basis rather than on an individual application basis.

The Assessor's Office has provided preliminary estimates of reductions in assessment values for the six properties being considered today. The total estimated annual reduction in property taxes for the six properties is \$176,281.00.

RESULTS

The approval and recording of the land conservation contracts will keep the subject properties in agricultural and compatible uses for a term of 10 years, which by the provisions in the contract renews annually to maintain the 10 year term. This is consistent with the countywide Vision Statement & Communitywide Results of having healthy and prosperous communities.

ATTACHMENTS

Copies of signed resolutions and executed land conservation contracts are listed below and presented as attachments with an "Exhibit A" showing the property, the agricultural preserve and vicinity map for each property.

Attachment A1 – Resolution for adoption – AGP2013-00006 – Niels Udsen
Attachment A2 – Land Conservation Contract with "Exhibit A" Agricultural Preserve
and Vicinity Map

Attachment B1 – Resolution for adoption – AGP2013-00007 – Niels Udsen
Attachment B2 – Land Conservation Contract with "Exhibit A" Agricultural Preserve
and Vicinity Map

Attachment C1 – Resolution for adoption – AGP2013-00004 – Douglas Ayres
Attachment C2 – Land Conservation Contract with "Exhibit A" Agricultural Preserve
and Vicinity Map

Attachment D1 – Resolution for adoption – AGP2013-00012 – Paper Street Vineyard
Attachment D2 – Land Conservation Contract with "Exhibit A" Agricultural Preserve
and Vicinity Map

Attachment E1 – Resolution for adoption - AGP2014-00002 – La Bella Grand, LLC
Attachment E2 – Land Conservation Contract with "Exhibit A" Agricultural Preserve
and Vicinity Map

Attachment F1 – Resolution for adoption – AGP2014-00003 – Lewis G. Feuerstein
Attachment F2 – Land Conservation Contract with "Exhibit A" Agricultural Preserve
and Vicinity Map