Chapter 22.06.030 - Allowable Land Uses and Permit Requirements

Table 2-2: Crop Production and Grazing; convert from A1 to A2, plus reference for 22.30.204 specific use standards

Permit Requirements by Land Use Category 22.06.030

TABLE 2-2 - ALLOWABLE LAND USES AND PERMIT REQUIREMENTS

LAND USE (1) (2)	PERMIT REQUIREMENT BY L.U.C. (3)						Specific use Standards
	AG(8)	RL	RR	RS	RSF	RMF	
AGRICULTURE, RESOURCE, AND OPEN SPACE USES							
Ag Processing	A2	A2	CUP				22.30.070
Agricultural Accessory Structures	P	P	P	P			22.30.030,060
Animal Facilities - Specialized, except as follows	CUP	CUP	CUP	CUP			22.30.100
Animal hospitals & veterinary medical facilities	MUP	MUP	CUP				22.30.100
Beef and dairy feedlots	CUP	CUP					22.30.100
Fowl and poultry ranches	MUP	MUP	MUP	MUP			22.30.100
Hog ranches	CUP	CUP					22.30.100
Horse ranches and other equestrian facilities	MUP	MUP	MUP	MUP	CUP		22.30.100
Kennels (6)	A1	A1	A1	A1	A1(7)		22.30.100
Zoos - Private, no display open to public	MUP	MUP	MUP				22.30.100
Zoos - Open to public							22.30.100
Animal Keeping	A2	A2	A2	A2	A2	A2	22.30.090
Crop Production and Grazing	~~A1~~A2	~~A1~~A2	A2	A2	A2	A2	22.30.200,204
Electricity generation - Except WECF	A2	A2	A2				22.32
Electricity generation - Wind energy conversion	MUP	MUP	MUP				22.32.050
Fisheries and Game Preserves	A1	A1	A1				
Forestry	A1	A1	A1	A1			
Mines and quarries	A2	A2	A2				22.36
Nursery Specialties	A2	A2	A2	A2			22.30.310
Petroleum Extraction	A2	A2	A2	A2			22.34

KEY TO PERMIT REQUIREMENTS

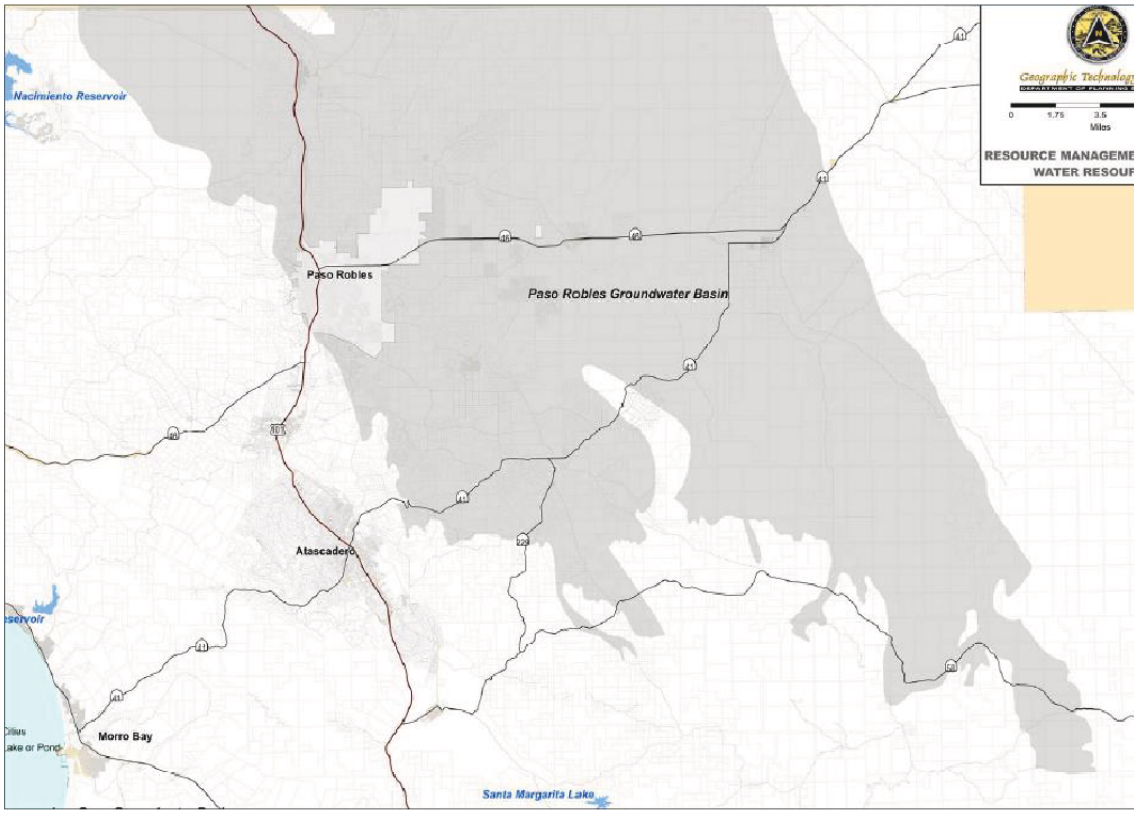
Symbol	Permit Requirement	Procedure is in Section:
A1	Allowable use, subject to the land use permit required by 22.06.030, Table 2-3	22.08.030
A2	Allowable use, subject to the land use permit required by the specific use standards.	22.30
P	Permitted use, Zoning Clearance required. (4)	22.62.030
SP	Permitted use, Site Plan Review required. (4)	22.62.040
MUP	Conditional use - Minor Use Permit required. (4)	22.62.050
CUP	Conditional use - Conditional Use Permit required. (4)	22.62.060
	Use not allowed. (See 22.06.030.C regarding uses not listed.)	22.06.030.C

Chapter 22.06.040 – Exemptions from Land Use Permit Requirements

E. Agricultural uses:

2. Crop Production and Grazing. No land use permit is required for crop production, except where an Agricultural Offset Clearance is required for new or expanded irrigated crop production that overlies the Paso Robles Groundwater Basin, as shown in Figure XX. No land use permit is required for grazing activities where allowable, provided that feedlots are subject to the standards of Section 22.30.100 (Livestock Specialties – Intensive).

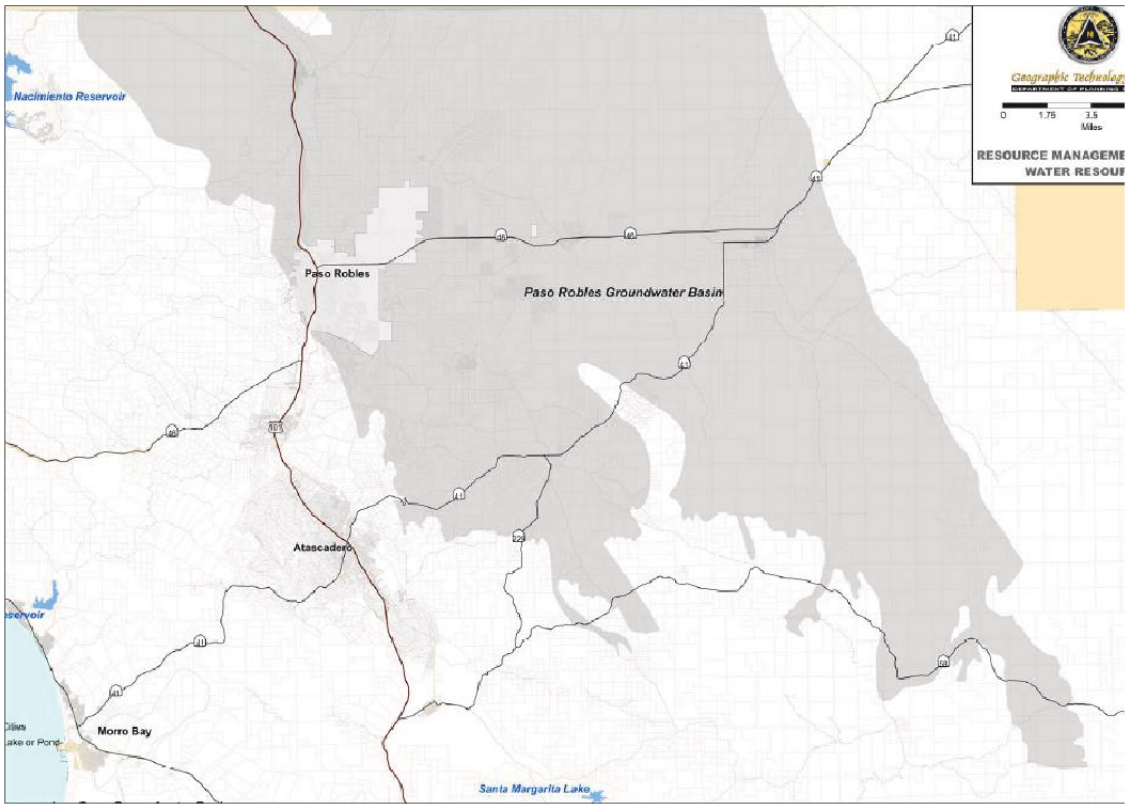
Figure XX – Paso Robles Groundwater Basin



Chapter 22.30.204 – New or Expanded Crop Production Overlying the Paso Robles Groundwater Basin.

Prior to new or expanded irrigated crop production, including conversion of dry farm or grazing land to new irrigated crop production overlying the Paso Robles Groundwater Basin (PRGWB), the following requirements apply where designated by Section 22.06.030 (Allowable Land Uses and Permit Requirements) as being subject to the provisions of this Section. All new or expanded irrigated crop production, conversion of dry farm or grazing land to new irrigated crop production, overlying the PRGWB shall be required to obtain an Agricultural Offset Clearance. The offset clearance shall be a modified version of a zoning clearance. The purpose of the Agricultural Offset Clearance is to allow for new, intensified, or conversion of irrigated crop production overlying the PRGWB while protecting the critical resource of groundwater.

Figure XX – Paso Robles Groundwater Basin



A. Where Applicable. The provisions of this chapter apply to sites which overlie the PRGWB, as defined by Figure XX. All sending and receiving sites shall overlie the PRGWB, as shown in Figure XX. In no case shall a request for an agricultural offset clearance be granted for a site outside the PRGWB.

B. Exemptions. Sites with existing irrigated crop production which have been under continuous rotational operation.

C. Agricultural Offset Clearance Fees. Fees for an Agricultural Offset Clearance are set forth in the County Fee Ordinance.

D. Permit Requirements. An Agricultural Offset Clearance shall be issued upon satisfactory compliance with section 22.30.204 F and G.

E. Eligible Sites for Participation. For the purpose of an Agricultural Offset Clearance, a site is as defined in section 22.80.030 (Definitions of Land Use). Owners of sites that overlie the PRGWB may be granted one of two Agricultural Offset Clearance types, as described below and referenced in Table 1:

1. On-site Offset means conversion or intensification of irrigated crop production on the same site. A site shall be contiguous and have the same ownership as the site of the new irrigated crop production.

2. Off-site Offset means new, expanded, or intensification of irrigated crop production on any site which obtains all or a portion of its planting credits from a sending site. Obtaining water would be in the form of reducing or eliminating water use from the sending site. A sending site could be contiguous or have the same owner as the site of the new irrigated crop production.

Table 1 – Agricultural Offset Clearance Categories

On-Site Offset	Off-Site Offset
• New crop production on site of crop being replaced • New crop production cannot exceed water demand of previous crop(s) • New crop production may exceed acreage of previous crop • Existing and proposed commodities of crop production must be declared • Deed restriction on property as necessary	• New crop production on different site (receiving site) as crop being reduced or taken out of production (sending site) • New crop production on receiving site cannot exceed water demand of crop production from sending site • New crop production on receiving site may exceed acreage of crop production on sending site • Commodities of crop production to be replaced on sending site and proposed for receiving site must be declared • ~~Receiving site cannot be within an area of severe decline~~ (revised 4/24/15) • Landowner agreements • Deed restriction on sending or crediting sites

F. Application Contents. In addition to meeting the application contents of section 22.62.030 (Zoning Clearance), a request for an Agricultural Offset Clearance shall include all of the following:

1. Vicinity of site(s) participating in the requested Agricultural Offset Clearance, including all parcels currently under crop production, and adjacent parcels with same ownership.

2. Identification of specific locations and acreage of current crop type(s).

3. Identification of specific locations and acreage of proposed crop type(s).

4. A current title report or lot book guarantee for all parcels participating in the requested Agricultural Offset Clearance.

G. Agricultural Offset Clearance Review and Approval. The criteria of this subsection shall be used in determining if a property is eligible for sending or receiving site status. If a sending or receiving site meets the criteria expressed, the site would then be eligible for participation in an Agricultural Offset Clearance. An Agricultural Offset Clearance may be granted only when the following criteria have been met:

1. Proposed sites included in the request for an Agricultural Offset Clearance overlie the PRGWB.

2. Proposed sending sites predominantly composed of soils designated as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland will remain in some form of crop production.

3. Proposed sites will remain in compliance with the provisions of any existing Williamson Act contract for the property and County of San Luis Obispo Rules of Procedure to Implement the California Land Conservation Act of 1965.

4. Water demand for the proposed irrigated crop production is equal to or less than the crop production it is replacing, such that a minimum 1:1 ratio is achieved. Water demand shall be derived from the crop-specific applied water figures as specified in Table 2 below.

5. Sending site credits will be determined by current demand of irrigated crop production on the sending site.

6. A copy of a signed landowner agreement for transfer of planting credits between participating private landowners for an off-site Agricultural Offset Clearance.

7. A deed restriction, in a form approved by County Counsel, has been recorded upon on all parcels of a sending site which is part of an off-site Agricultural Offset Clearance, and has been recorded, prior to any planting authorized under an Agricultural Offset Clearance in the Office of the County Recorder.

8. Verification of installation of a well meter on the well serving the plantings authorized under an Agricultural Offset Clearance has been provided prior to the issuance of the Agricultural Offset Clearance.

9. Any plantings approved under an Agricultural Offset Clearance will be completed prior to the termination of this ordinance.

Table 2 – Existing Crop-Specific Applied Water by Crop Type

Crop Group	Applied Water (AF/Ac/Yr)
Alfalfa	4.5
Citrus	2.3
Deciduous	3.5
Strawberries	2.3[1]
Nursery	2.5
Pasture	4.8
Vegetables	1.9
Vineyard	1.25[1]

1. Information obtained from RCD Program, UCCE, UC Davis (Strawberries 2011 data)

H. Termination. The provisions of this section shall expire upon the adoption of a Groundwater Sustainability Plan for the PRGWB.

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22.30.310 - Nursery Specialties

F. Establishment or Expansion of Nurseries Overlying the Paso Robles Groundwater Basin. The establishment or expansion of any nursery use overlying the PRGWB is subject to the standards set forth in section 22.30.204.

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22.62.030 – Zoning Clearance

A Zoning Clearance is a ministerial land use permit. When a Zoning Clearance is required by this Title to authorize a development proposal, its approval certifies that the land use or development will satisfy all applicable provisions of this Title. In cases where a construction permit is required by Title 19 of this Code, the Zoning Clearance is processed and approved as part of the construction permit application and approval process. Approval of a Zoning Clearance enables the establishment of a land use that does not require a construction permit but is still subject to the standards of this Title.

A. Zoning Clearance application. Zoning Clearance applications shall include the information required by Section 22.60.040.B, and the following additional information. Drawings shall be neatly and accurately prepared, at an appropriate scale that will enable ready identification and recognition of submitted information.

1. Zoning Clearance content. Zoning Clearance applications shall include a site layout plan containing the following information, using multiple sheets if necessary, except as provided by Section 22.60.040.D (Waivers of Content).

(1) Combining designation information. When required by Chapter 22.14 for sites within a combining designation identified by the Land Use Element.

(2) Drainage plan. When required by Chapter 22.52 (Drainage, or Chapter 22.14 (Combining Designations).

(3) Fire safety plan. When required by Chapter 22.50 (Fire Safety), to be submitted for projects outside the urban or village reserve lines.

(4) Grading plan. When required by Chapter 22.52 (Grading).

(5) Planning area requirements. An application shall also include all information required by Article 9 (Community Planning Standards) for a specific community, or area of the county.

(6) Sign information. When any use is proposed to have signs, a description of their location, size, design and copy shall be provided.

(7) Special standard requirements. An application shall also include all information required by the standards of Article 4 for a specific use, or by other Chapter of this Title.

(8) Solid waste disposal information. As required by Section 22.10.150.

(9) Trees. Applications for projects within urban or village reserve lines, or where required by planning area standards (Article 9), shall show the location of trees existing on the site in or within 50 feet of proposed grading or other construction, which are eight inches or larger in diameter at four feet above natural grade. Trees proposed to be removed

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shall be noted (any tree removal is subject to the requirements of Chapter 22.54 - Tree Preservation).

(10) New or expanded irrigated crop production overlying the Paso Robles Groundwater Basin. As required by Section 22.30.204.

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Definitions.

"Agricultural Offset Clearance" means a ministerial permit that may be granted pursuant to Section 22.30.204 (New or Expanded Crop Production Overlying the Paso Robles Groundwater Basin).

"Conversion of Dry Farm or Grazing Land to New or Expanded Irrigated Crop Production" means the conversion of a site that had been used for the purposes of farming a crop, orchard, vineyard or other agricultural product without using irrigation or for the purposes of raising or feeding of beef cattle, sheep, or goats by grazing or pasturing, to new or expanded irrigated crop production.

"New or Expanded Irrigated Crop Production" means the development, new plantings, or other improvements of a property for the purposes of farming the following, including but not limited to, grains, field crops, vegetables, berries, melons, fruits, tree nuts, flower fields and seed production, ornamental crops, tree and sod farms, other crops, orchards, vineyards or other agricultural products using irrigation. This includes intensification of any existing irrigated crop that results in an increase in water demand. This does not include planting of annual or rotational crops where satisfactory evidence is shown that those crops have been planted within the last five years on a site.

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