

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 8/25/2015	(3) CONTACT/PHONE Terry Wahler, Senior Planner/(805)781-5621	
(4) SUBJECT Hearings to consider resolutions for six proposals to amend and enter into agricultural preserves. AGP2014-00004 - McCrea Ranch - 2121 Shedd Canyon Road approximately 2.0 miles south west of the community of Shandon; AGP2014-00005 - Anderson-Middleton – south of Highway 46 and west of Shed Canyon, approximately 3.5 miles west of the community of Shandon; AGP2014-00009 - Garcia Trust - 1749 Toro Creek Road, approximately 2.5 miles northeast of the City of Morro Bay; AGP2014-00010 - Garcia Trust - 1710 Toro Creek Road, approximately 2.5 miles northeast of the City of Morro Bay; AGP2014-00011 - Garcia Trust - 1750 Toro Creek Road, approximately 2.5 miles northeast of the City of Morro Bay; AGP2014-00012 - James Procter - 2980 Atascadero Road (Highway 41) approximately 4.5 miles east of the City of Morro Bay; exempt from CEQA. Districts 1 and 2.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Consider the attached staff reports and recommendations of the Agricultural Preserve Review Committee and the Planning Commission; 2. Hold public hearings; and 3. Act on the individual requests in the staff reports and instruct the chairperson to sign the resolutions for Items A through F. 			
(6) FUNDING SOURCE(S) Application Fees	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT { } Consent { } Presentation {x} Hearing (Time Est. <u>30 minutes</u>) { } Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS {x} Resolutions { } Contracts { } Ordinances { } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5 Vote Required {x} N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY {x} N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa Howe			
(18) SUPERVISOR DISTRICT(S) District 1, District 2			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Terry Wahler, Senior Planner

VIA: Ellen Carrol, Planning Manager, Environmental Coordinator

DATE: 8/25/2015

SUBJECT: Hearings to consider resolutions for six proposals to amend and enter into agricultural preserves. AGP2014-00004 - McCrea Ranch - 2121 Shedd Canyon Road approximately 2.0 miles south west of the community of Shandon; AGP2014-00005 - Anderson-Middleton – south of Highway 46 and west of Shed Canyon, approximately 3.5 miles west of the community of Shandon; AGP2014-00009 - Garcia Trust - 1749 Toro Creek Road, approximately 2.5 miles northeast of the City of Morro Bay; AGP2014-00010 - Garcia Trust - 1710 Toro Creek Road, approximately 2.5 miles northeast of the City of Morro Bay; AGP2014-00011 - Garcia Trust - 1750 Toro Creek Road, approximately 2.5 miles northeast of the City of Morro Bay; AGP2014-00012 - James Procter - 2980 Atascadero Road (Highway 41) approximately 4.5 miles east of the City of Morro Bay; exempt from CEQA.. Districts 1 and 2.

RECOMMENDATION

It is recommended that the Board:

1. Consider the attached staff reports and recommendations of the Agricultural Preserve Review Committee and the Planning Commission;
2. Hold public hearings; and
3. Act on the individual requests in the staff reports and instruct the chairperson to sign the resolutions for Items A through F.

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.

These six applications to amend agricultural preserves include a detailed staff report and a proposed resolution with a map exhibit reflecting each action being taken. These six items involve family trusts, a corporation and, an individual as property owners. These applications will, upon execution of a Land Conservation Contract, result in approximately 333.5 acres being added to the Williamson Act program. We anticipate that the landowners will enter into Land Conservation Contracts by the end of the year.

LIST OF APPLICATIONS

- A. AGP2014-00004 - Proposal by McCrean Ranch to alter the boundaries of an Agricultural Preserve, rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property includes approximately 2,345 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-Carriso Sub-area of the North County Planning Area. APNs: 019-171-024, 028, 029, 033, 034, 035, 036, 037, 038 (ptn.); District 1
- B. AGP2014-00005 - Proposal by Anderson-Middleton to amend an Agricultural Preserve by altering the boundaries and changing the minimum parcel size of the land to be added; and to amend an existing land conservation contract by adding land. The property includes approximately 2,556 acres and with the added 17 acres will total approximately 2,573 acres. The subject parcel is located in the Agriculture land use category south of Highway 46, west of Shedd Canyon and approximately 3.5 miles west of the community of Shandon, in the Shandon-Carriso Sub-area of the North County planning area. APNs: 019-171-021, 022, 023 & 038 (ptn.); District 1
- C. AGP2014-00009 - Proposal by the Garcia Trust to amend the boundaries of an Agricultural Preserve, rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property consists of approximately 320 acres located within the Agriculture land use category, at 1749 Toro Creek Road, approximately 2.5 miles northeast of the City of Morro Bay. The site is in the Adelaida Sub-area of the North County planning area. Assessor Parcel Nos: 046-201-009 and 073-092-048 (ptn.); District 2
- D. AGP2014-00010 - Proposal by the Garcia Trust to amend the boundaries of an Agricultural Preserve to add land and rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property consists of approximately 138.5 acres located within the Agriculture land use category, at 1710 Toro Creek Road approximately 2.5 miles northeast of the City of Morro Bay. The site is in the Adelaida Sub-area of the North County planning area. Assessor Parcel Nos: 073-092-026 and 073-092-048 (ptn.); District 2
- E. AGP2014-00011 - Proposal by the Garcia Trust to amend the boundaries of an Agricultural Preserve, rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract. The property consists of approximately 40.5 acres located within the Agriculture land use category, at 1750 Toro Creek Road approximately 2.5 miles northeast of the City of Morro Bay. The site is in the Adelaida Sub-area of the North County planning area. Assessor Parcel No: 073-092-049; District 2
- F. AGP2014-00012 - Proposal by James Procter to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The property consists of approximately 331 acres located within the Rural Lands land use category at 2980 Atascadero Road (Highway 41), on the southern side of Atascadero Road at the intersection with Bear Ridge Road, approximately 4.5 miles east of the City of Morro Bay. The site is in the Estero planning area and the Salinas River Sub-area of the North County planning area. Assessor Parcel Nos: 073-011-059 & 060; District 2

OTHER AGENCY INVOLVEMENT/IMPACT

These applications have been reviewed and recommended for approval by the Planning Commission and the Agricultural Preserve Review Committee. The latter body includes representatives from different organizations including the County Agricultural Liaison Committee, Agricultural Commissioner, Assessor's Office, Farm Advisor and County Planning Department. County Counsel approved the resolutions as to form and legal effect.

FINANCIAL CONSIDERATIONS

Approval of agricultural preserve applications and ensuing 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 \$ 553.

The landowners anticipate entering into new land conservation contracts at the latest by December 15, 2015, the last Board of Supervisors meeting date for the year.

RESULTS

The amendments to agricultural preserves and the ensuing execution of a new land conservation contract (or amendment to an existing contract) between the property owner and the county will help keep this property in agriculture and compatible uses for at least 10 years. This is consistent with the countywide Vision Statement & Communitywide Results of having healthy and prosperous communities.

ATTACHMENTS

Attachment A-1 – Resolution and Graphic for AGP2014-00004 – McCrea Ranch
Attachment A-2 – Staff Report

Attachment B-1 – Resolution and Graphic for AGP2014-00005 – Anderson-Middleton
Attachment B-2 – Staff Report

Attachment C-1 – Resolution and Graphic for AGP2014-00009 – Garcia Trust
Attachment C-2 – Staff Report

Attachment D-1 – Resolution and Graphic for AGP2014-00010 - Garcia Trust
Attachment D-2 – Staff Report

Attachment E-1 – Resolution and Graphic for AGP2014-00011 – Garcia Trust
Attachment E-2 – Staff Report

Attachment F-1 – Resolution and Graphic for AGP2014-00012 – James Procter
Attachment F-2 – Staff Report