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

**Planning Commission**

MEETING DATE October 22, 2015	CONTACT/PHONE Stephanie Fuhs, 781-5721	APPLICANT Riboli Paso Robles, LLC	FILE NO. AGP2014-00016						
<b>SUBJECT</b> Proposal by Riboli Paso Robles, LLC to amend an agricultural preserve to decrease the minimum parcel size for conveyance of parcels from 80 acres to 40 acres and allow the applicant to enter into a land conservation contract. The subject property is an approximately 83 acre agricultural parcel that is currently planted with vineyards. The property is located within the Agriculture land use category, on the south side of Almond Drive, approximately four miles east of the City of Atascadero. The site is in the El Pomar-Estrella Sub-area of the North County planning area.									
<b>RECOMMENDED ACTION</b> Recommend approval of this request to amend an agricultural preserve to the Board of Supervisors as follows: <table border="0" style="margin-left: 40px;"> <tr> <td><b>Preserve Designation:</b></td> <td><b>El Pomar Agricultural Preserve No. 1, Amendment No. 21</b></td> </tr> <tr> <td><b>Minimum Parcel Size:</b></td> <td><b>40 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>El Pomar Agricultural Preserve No. 1, Amendment No. 21</b>	<b>Minimum Parcel Size:</b>	<b>40 Acres</b>	<b>Minimum Term of Contract:</b>	<b>20 years</b>
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<b>ENVIRONMENTAL DETERMINATION</b> A Class 17 Categorical Exemption was issued on August 11, 2015 (ED15-030).									
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 034-231-033	SUPERVISOR DISTRICT(S) 5						
<b>PLANNING AREA STANDARDS:</b> None Applicable		<b>LAND USE ORDINANCE STANDARDS:</b> Section 22.22.040 – Minimum parcel size for agriculture category							
<b>EXISTING USES:</b> Irrigated vineyards									
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> <i>North:</i> Agriculture/Grazing, scattered residences <i>East:</i> Agriculture/Orchards, undeveloped <i>South:</i> Agriculture/Orchards <i>West:</i> Agriculture/Vineyards, orchards									
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> None									
<b>TOPOGRAPHY:</b> Gently sloping		<b>VEGETATION:</b> Grasses, vineyards							
<b>PROPOSED SERVICES:</b> Not applicable to Agricultural Preserve application		<b>ACCEPTANCE DATE:</b> August 3, 2015							
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

El Pomar Agricultural Preserve Number 1 was established in 1972 by resolution number 72-2. The entire parcel is located within the agricultural preserve but is not currently under contract. This application involves a reduction in minimum parcel size from the current 80 acres to 40 acres to reflect the irrigated vineyard as an intensified agricultural use.

### Site and Area Characteristics

The property is located on Almond Drive, approximately four miles east of the City of Atascadero. The parcel has been used for irrigated vineyards since 2012. Currently, the vineyards comprise 71.4 acres of the approximately 83 acre parcel. The area has a long history of agriculture including vineyards, dry farm, orchards and grazing.

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

Land Capability Class		Irrigated Vineyard	Vacant/Suitable as Dry Farm	Acres in Soils Class
If Irrigated	If Non-Irrigated			
4	4	71.4	11.6	83
Totals		71.4	11.6	83

### Compliance with the Rules of Procedure for Agricultural Preserves

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. Since the applicant's property is already under an agricultural preserve with a minimum parcel size of 80 acres, the request needs only to bring the minimum parcel size up to date with the current intensified agricultural use. The appropriateness of the minimum parcel size must first be evaluated to make sure that it is consistent with the current eligibility standards for acreage, agricultural use, and soils.

With a total of 83 acres the property exceeds the minimum gross acreage of 40 acres required for prime land preserves. The property meets the soils and agricultural use eligibility requirements with 71.4 acres of irrigated vineyard on Class 4 soils. Thus the property satisfies all of the eligibility standards to establish a Prime Land Agricultural Preserve with a 40 acre minimum parcel size for conveyance according to Section B. 1.b. (2.b.) of the Rules of Procedure.

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

The property must also meet the eligibility standards for an individual contract. With 71.4 acres planted in irrigated vineyards on Class 4 soils the property meets the requirements.

The appropriate minimum parcel size is 40 acres and the appropriate term of the contract is 20 years since the site is located over one mile from the urban reserve line of the City of Atascadero.

### **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 31, 2015 at the SLO County Board of Supervisors Chambers, County Government Center, 1055 Monterey Street, Room D170, in San Luis Obispo, California, at 1:30 p.m.

Terry Wahler, staff: presents staff report via a Power Point presentation.

Lynda Auchinachie: opens Public Comment with no one coming forward.

Thereafter, on motion of Hugh Pitts, seconded by Dick Nock and on the following roll call vote:

AYES: Hugh Pitts, Dick Nock, Irv McMillan, Beverly Gingg, Lynda Auchinachie,  
Jeff Stranlund, Paul Hoover, Karen Nall, Robert Sparling

NOES: None

ABSENT: Don Warden, Jennifer Anderson, Lynn Moody, Royce Larson

Following the discussion the Agricultural Preserve Review Committee moved to recommend the Board of Supervisors approve this request to amend an agricultural preserve to decrease the minimum parcel size for conveyance of parcels from 80 acres to 40 acres and allow the applicant to enter into a land conservation contract. Preserve Designation El Pomar Agricultural Preserve No. 1, Amendment No. 21. Minimum Parcel Size: 40 Acres. Minimum Term of Contract: 20 years.

### **RECOMMENDATIONS**

Recommend approval of this request to amend an agricultural preserve to the Board of Supervisors as follows:

**Preserve Designation: El Pomar Agricultural Preserve No. 1 Amendment No. 21**  
**Minimum Parcel Size: 40 Acres**  
**Minimum Term of Contract: 20 years**

## **FINDINGS**

- A. The proposed amendment 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 amendment of this agricultural preserve is appropriate and consistent with the rural character of the surrounding area.

Report prepared by Stephanie Fuhs  
and reviewed by Terry Wahler, Senior Planner  
Agricultural Preserve Program