



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

Tentative Notice of Action

Promoting the wise use of

MEETING DATE November 13, 2015	CONTACT/PHONE Brandi Cummings Project Manager (805)781-1006	APPLICANT Templeton Farms LLC	FILE NO. DRC2014-00075
EFFECTIVE DATE November 27, 2015			
SUBJECT A request by TEMPLETON FARMS LLC for a Minor Use Permit (DRC2014-00075) to allow the phased expansion of an existing equestrian facility previously approved under Minor Use Permit (DRC2007-00099). At project completion, the proposed expansion will total 16 acres and will include equestrian related structural and non-structural improvements on an as-needed basis. Structural improvements anticipated include a 49,416 square-foot covered riding arena and other agricultural accessory structures of various sizes and dimensions. Non-structural uses include paddock areas, uncovered riding arenas, and trails. Future structures will be agrarian in nature and consistent with the existing development on the site (equestrian training, breeding, and rehabilitation programs). The project will result in the disturbance of approximately 16 acres on a 53 acre parcel. The proposed project is within the Agriculture land use category and is located at 1799 Templeton Road, approximately 900 feet west of Eureka Lane, east of the community of Templeton. The site is in the El Pomar-Estrella sub area of the North County planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2014-00075 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A General Rule Exemption was issued on September 8, 2015 (ED15-0060).			
LAND USE CATEGORY Agricultural	COMBINING DESIGNATION Flood Hazard, Extractive Resource Area	ASSESSOR PARCEL NUMBER 034-131-037	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: Archaeological Resources; Riparian and Wildlife Corridors; Grading, Removal of Vegetation, and Fuelbreaks; Light and Glare; Planning Impact Area <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Application Content; Conditions of Approval; Parking Requirements; Maintenance; Animal Density; Horse Ranches and Other Equestrian Facilities <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on November 27, 2015, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Equestrian training, breeding, and rehabilitation facility; single family dwelling			
SURROUNDING LAND USE CATEGORIES AND USES: North: Agricultural & Residential Rural/residences & agriculture East: Agricultural/residences & row crops South: City of Atascadero/residences & Salinas River West: Agricultural/residences & agriculture			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Agricultural Commissioner, Building Division, Cal Fire, Regional Water Quality Control Board, City of Atascadero, Templeton Area Advisory Group	
TOPOGRAPHY: Level to gently rolling	VEGETATION: Irrigated pastures, grasses
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: Cal Fire	ACCEPTANCE DATE: August 17, 2015

DISCUSSION

PROJECT HISTORY

Templeton Farms Equestrian Facility is a commercial operation that includes breeding, raising, exercising, and training of horses. The site is currently developed with a single family residence and a farm support quarter and the equine facility currently includes a 35,360 square-foot covered arena, horse barns, a covered walker, padlocks, agriculture barns, and irrigated pastures. The facility is at maximum occupancy and the applicant is proposing to amend a previously approved Minor Use Permit (DRC2007-00099) to allow the expansion of the existing equestrian facility. At project completion, the proposed expansion will total 16 acres and will include equestrian related structural and non-structural improvements on an as-needed basis. The 16 acres includes existing improvements currently onsite.

- Minor Use Permit DRC2007-00099 was approved January 2009 and allowed the establishment of the equestrian facility. The project included a 35,360 square-foot covered arena, an 11,395 square-foot 24-stall barn, and a 9,900 square-foot covered walker/treadmill. The project also included approval of up to 10 training clinics annually. No special events were authorized.

PLANNING AREA STANDARDS

The proposed project is located within the El Pomar-Estrella Planning sub-area and is subject to the following standards.

Archaeological Resources. All land use permit applications subject to discretionary review that propose development within 100 feet of the bank of a creek shall submit a preliminary site survey and may be subject to mitigation measures.

Staff comments: Applicant submitted an archaeological surface survey as part of their applicant package. Results of the survey did not find archaeological remains, and recommended that no further cultural studies be required. (Conway, 2008).

Riparian and Wildlife Corridors. New development in new land divisions and on publicly-owned property, and all new development subject to discretionary review shall be set back a minimum of 50 feet from the top of the bank of any watercourse.

Staff comments: All proposed development is located more than 300 feet from the top of the river bank.

Grading, Removal of Vegetation, and Fuelbreaks. Grading for the purposes of apply the ordinance standard includes cut/fill which exceeds 10 cubic yards or the removal of 10,000 square feet of vegetation on slopes which exceed 20%

Staff comments: No grading estimates have been provided, however it is presumed that a grading permit will be required due to the area of proposed site disturbance. The project has been conditioned to submit grading and drainage plans at time of applicant for construction permits.

Light and Glare. At the time of application for any land use permit or land division, the applicant shall provide details on any proposed exterior lighting, if applicable. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark-colored.

Staff comments: The proposed project will be conditioned so that any and all exterior lighting will comply with this standard.

Planning Impact Area. Discretionary permit and general plan amendment applications shall be referred to the city of Atascadero for review and comment.

Staff comments: The application was referred to the City of Atascadero for comment. No response was received.

LAND USE ORDINANCE STANDARDS

The proposed project is subject to Land Use Ordinance Sections 22.30.100 Animal Facilities – Specialized, Horse ranches and other equestrian facilities. The following outlines the ordinance requirements:

22.30.100.A1 Application Content. Permit applications required by this Section shall include a description of measures proposed for rodent and vector control, which shall be approved by the Agricultural Commissioner and Health Department.

Staff comments: a rodent and vector management plan was approved under DRC2007-00099. The plan ensures that all animal enclosures will be maintained free of litter, garbage, and accumulation of manure. Animal was is currently stored in the “muck pit” and hauled off-site weekly by a commercial waste disposal company.

22.30.100.A2 Conditions of Approval. Approval of a Minor Use Permit or Conditional Use Permit for a specialized animal facility shall include conditions of approval as necessary to assure sanitary operations which will not create a nuisance or health hazard.

Staff comments: The project has been conditioned to comply with this standard.

22.30.100.A3 Parking Requirements. Except where specific parking requirements are set through Minor Use Permit or Conditional Use Permit approval, no improved parking is required, provided that sufficient usable area is make available to accommodate all employee and user vehicles entirely on the site.

Staff comments: The property has sufficient parking area to accommodate all their employee and user vehicles entirely onsite.

22.30.100.A4 Maintenance. The specialized animal facilities allowed in compliance with this Section are subject to the same maintenance and operational standards as are applied to animal raising and keeping by Section 22.30.090.G, except where Minor Use Permit or Conditional Use Permit approval imposes conditions of approval that authorize alternative measures.

Staff comments: The project is conditioned to comply with operational standards.

22.30.100.A.5 Animal Density. There is no limitation on the number of animals that may be kept on a site approved for a specialized animal facility in compliance with this Section, except where limits may be set by the applicable approval body through conditions of approval, because of specific problems associated with keeping animals on the site that are identified through the land use permit process.

Staff comments: No density limits are proposed or conditioned with this project.

22.30.100.F Horse Ranches and Other Equestrian Facilities. The keeping of 30 or more horses, or horses at greater densities than provided by Section 22.30.090.H.9.b and H.9.c, or the establishment of equestrian facilities including boarding stables, riding schools and academies and horse exhibition facilities (for shows or other competitive events), is subject to a minimum site area requirement of 10 acres, except where a smaller site area is authorized through Conditional Use Permit approval.

Staff comments: The site is 53 acres and complies with this standard.

The project is also subject to the following ordinance standards:

22.30.060.D & E Setbacks. The front setback for agricultural accessory structures shall be 50 feet, and the side and rear setbacks shall be 30 feet. No side or rear setback shall be closer than 100 feet to any dwelling outside the applicant's ownership.

Staff comments: The project is designed to comply with this standard.

COMBINING DESIGNATIONS

The project is located within the following Combining Designations:

Extractive Resources Area (EX1). The purpose of this designation is to protect existing resource extraction operations from encroachment by incompatible land uses that could hinder resource extraction. Section 22.14.050 of the LUO states that 'approval of any use other than mineral resource extraction may be granted only when the finding is made that the proposed use will not adversely affect the continuing operation or expansion of a mineral resource extraction use'.

Staff Response: The EX1 designation includes the Salinas River bed and bank, and upslope areas on the project site, including a portion of the area proposed for the equestrian facility. It can be found that construction and operation of the proposed equestrian facility within an area currently used for cattle and equestrian grazing would not have an adverse effect on any mining activities in the river. The upslope area is currently fenced to separate livestock from the riverbank; this fence is proposed to remain.

Flood Hazard. The purpose of this designation is to prevent hazards to life and property from possible inundation by a 100 year flood and to minimize the effects of development on drainage ways and watercourses. Section 22.14.060 requires drainage plan approval where any portion of the proposed site is located within a Flood Hazard combining designation.

Staff Response: The access road crosses the Flood Hazard designation for a blue-line creek, which historically traversed the project site. The historic blue-line creek has been disturbed by previous agricultural development, and no longer has a defined bed and bank. The proposed

development would be located outside of the Flood Hazard designation for the Salinas River. The proposed project was referred to the County Public Works Department; the Department noted that flood hazard and drainage issues would be addressed upon application for building permits. The project is conditioned to submit a drainage plan.

WILLIAMSON ACT CONTRACT

The property is under a Williamson Act Contract (3466 OR 601). Under the previously approved Minor Use Permit (DRC2007-00099), the Agricultural Preserve Review Committee (APRC) reviewed the original project and determined that the use was compatible with on-site agricultural use. APRC made three recommendations with the original project: 1) the property shall maintain a minimum of ten acres of a qualifying use, such as row crops, or absent that, ten acres of irrigated pasture; 2) the horse facility should consume less than 50 percent of the available land area of the site; and 3) the conditions of approval of the Minor Use Permit include a condition to require periodic monitoring of the site for ongoing agricultural production.

Staff comments: The property maintains over ten acres of irrigated pasture and undergoes periodic monitoring to ensure compliance, as conditioned under the previous Minor Use Permit. As proposed, at project completion the equestrian facility will consume 16 acres of land, which is less than 50 percent of the land area of the site. This project will be conditioned with the APRC's previous conditions of approval.

COMMUNITY ADVISORY GROUP COMMENTS

This project was referred to Templeton Area Advisory Group (TAAG). The project was heard at the August 20, 2015 meeting and was approved on the consent agenda.

AGENCY REVIEW

Building Division – per response dated January 30, 2015

1. All plans and engineering shall be prepared by a California Licensed Architect of Record unless exempted by the Business and Professions Code.
2. The project is subject to a construction permit as well as the currently adopted California Codes.
3. The project may require a full soils report for the design of all building foundations at the time of construction permit application submittal.
4. The project is subject to the California State Title 24 accessibility laws.
5. Whether or not a grading permit is required, the project shall conform to the "National Pollutant Discharge Elimination System" storm water management program regulations.
6. A fire sprinkler system will be required. The sprinkler plans shall be submitted with a separate application for a separate fire sprinkler permit with the application for the structure(s). The application for the sprinkler system and any water tank storage required for the system shall be approved prior to issuance of the structure(s). Cal Fire requires that all commercial sprinkler systems be reviewed by a licensed fire protection engineer.

Public Works – per response dated March 17, 2015

1. The proposed project is within the Templeton B Road Fee Area. Payment of Road Improvement Fees may be required prior to building permit issuance.
2. The proposed project is located on property that contains a special flood hazard area.

Environmental Health – No Response.

Ag Commissioner – per response dated July 27, 2015

The Agriculture Department recommends all the recommendations from the APRCs original response be conditions of approval for the current proposal.

Cal Fire – No response.

City of Atascadero – No response.

Regional Water Quality Control Board (RWQCB) – No response.

LEGAL LOT STATUS

This lot was legally created through a recorded parcel map CO76-0505.

Staff report prepared by Brandi Cummings and reviewed by Karen Nall.