

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 11/17/2015	(3) CONTACT/PHONE Terry Wahler, Senior Planner/(805)781-5621	
(4) SUBJECT Hearings to consider resolutions for two proposals, one to amend and one to enter into an agricultural preserve. AGP2014-00016 – Riboli Paso Robles, LLC - south side of Almond Drive, approximately 1.0 mile east of the intersection of Almond Drive and South El Pomar Road, 4.0 miles east of the City of Atascadero. AGP2015-00002 - Ronald Denner - north side of Adelaida Road approximately 1 mile west of the intersection of Adelaida Road and Nacimiento Lake Drive, 2 miles west of the City of Paso Robles. Districts 1 and 5.			
(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; 3. Act on the individual requests in the staff reports and instruct the chairperson to sign the resolutions for Items A and B; and 4. Direct the Clerk to record the resolutions for Items A and B. 			
(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 <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>20 minutes</u>) <input type="checkbox"/> Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input 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, 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: 11/17/2015

SUBJECT: Hearings to consider resolutions for two proposals, one to amend and one to enter into an agricultural preserve. AGP2014-00016 – Riboli Paso Robles, LLC - south side of Almond Drive, approximately 1.0 mile east of the intersection of Almond Drive and South El Pomar Road, 4.0 miles east of the City of Atascadero. AGP2015-00002 - Ronald Denner - north side of Adelaida Road approximately 1 mile west of the intersection of Adelaida Road and Nacimiento Lake Drive, 2 miles west of the City of Paso Robles. Districts 1 and 5.

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;
3. Act on the individual requests in the staff reports and instruct the chairperson to sign the resolutions for Items A and B; and
4. Direct the Clerk to record the resolutions for Items A and B.

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 two applications to enter into an agricultural preserve and to amend an existing agricultural preserve include a detailed staff report and a proposed resolution with a map exhibit reflecting each action being taken. These two items include a limited liability company and a corporation as property owners. These applications will, upon execution of a Land Conservation Contract, result in approximately 206.5 acres being added to the Williamson Act program. We anticipate that the landowners will enter into Land Conservation Contracts upon approval by the Board on a future consent agenda.

LIST OF APPLICATIONS

- A. AGP2014-00016 - 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 that will 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 1.0 mile east of the intersection of Almond Drive and South El Pomar Road and approximately 4.0 miles east of the City of Atascadero. The site is in the El Pomar-Estrella Sub-area of the North County planning area. Assessor Parcel No.: 034-231-033; District 5
- B. AGP2015-00002 - Proposal by Ronald Denner to establish an agricultural preserve that will enable the applicant to enter into a land conservation contract. The 123.5 acre parcel is located within the Agriculture land use category on the north side of Adelaida Road approximately 1 mile west of the intersection of Adelaida Road and Nacimiento Lake Drive, approximately 2 miles west of the City of Paso Robles. The site is in the Adelaida Sub-area of the North County planning area. Assessor Parcel No.: 026-232-014; District 1

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 Department of Planning and Building. 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 two properties being considered today. The total estimated annual reduction in property taxes for the two properties is \$35,421.

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 calendar 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

1. Attachment A1 – Resolution and Graphic for AGP2014-00016 - Riboli Paso Robles, LLC
2. Attachment A2 – Staff Report - AGP2014-00016 - Riboli Paso Robles, LLC
3. Attachment B1 – Resolution and Graphic for AGP2015-00002 – Ronald Denner
4. Attachment B2 – Staff Report - AGP2015-00002 - Ronald Denner