



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

**Board of Supervisors**

*Promoting the wise use of land  
Helping build great communities*

MEETING DATE November 1, 2016	CONTACT/PHONE Terry Wahler, 781-5621	APPLICANT Las Piletas Ranch, LLC	FILE NO. AGP2015-00010
SUBJECT Proposal by Las Piletas Ranch, LLC to expand an existing Agricultural Preserve to enable the landowner to add approximately 2,430 acres to the existing Land Conservation Contract. The property to be added is in two parcel groupings, 160 acres located 2.0 miles due east of the intersection of San Juan Creek Road and Hay Canyon Road and 2,270 acres located west of and abutting Branch Mountain Road, west of and abutting the Village of California Valley and approximately one half mile south of the Topaz Solar facility. The site is in the Shandon-Carrizo Sub-area of the North County Planning Area.			
RECOMMENDED ACTION The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to amend an agricultural preserve to the Board of Supervisors as follows: <b>Preserve Designation: La Panza Agricultural Preserve No. 9, Amendment No. 2</b> <b>Minimum Parcel Size : 320 Acres</b> <b>Minimum Term of Contract: Remaining term of existing contract (10 years)</b>			
ENVIRONMENTAL DETERMINATION Categorical Exemption (Class 17) ED16-047.			
LAND USE CATEGORY Agriculture, Open Space & Rural Lands	COMBINING DESIGNATION Sensitive Resource Area	ASSESSOR PARCEL NUMBERS 072-131-006, 072-191-005, 072-191-014, 072-201-005, 072-201-006	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: None Applicable	LAND USE ORDINANCE STANDARDS: Section 22.22.040 – Minimum parcel size for agriculture category (new agricultural preserves)		
EXISTING USES: Cattle grazing			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North: Agriculture/ Cattle grazing</i> <span style="float:right"><i>East: Agriculture/ Cattle grazing</i></span> <i>South: Agriculture/ Cattle grazing</i> <span style="float:right"><i>West: Agriculture/ Cattle grazing</i></span>			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: None			
TOPOGRAPHY: Gently to steeply sloping	VEGETATION: Grasses, oaks, shrubs		
PROPOSED SERVICES: None required	ACCEPTANCE DATE: August 26, 2016		
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			

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## PROJECT REVIEW

### Background

The land owner is requesting that their existing agricultural preserve be expanded to include additional adjacent property so it can be added to their land conservation contract and entered into the Williamson Act program.

The property in this request includes the following five Assessor parcel numbers: 072-131-006, 072-191-005, 072-191-014, 072-201-005, and 072-201-006 encompassing six legal parcels.

The existing contracted property is located within the La Panza Agricultural Preserve No. 9, established on January 19, 1981 and under Land Conservation Contract recorded on February 25, 1981 as Document No. 8395, Book 2307, Pages 706 through 736 inclusive.

The land will be included in a contract amendment or alternatively, a new updated contract including the entire property.

### Site and Area Characteristics

Several of the parcels are relatively flat with good soil ratings but very low rainfall, thus they have been evaluated as “moderately suited as rangeland” in the table below (where in other parts of the county they might be considered “well suited as rangeland”). The Class 7 soils are considered “poorly suited as rangeland” due to low rainfall, steep slopes, extensive shrub coverage and sparse grass.

The property has no residences or accessory structures at this time. There are wells and stock ponds on the property to provide a water source for cattle. The landowner currently leases the land for cattle grazing. The ranch typically has approximately 250 to 300 head of cattle on the property. Surrounding agriculturally zoned properties are also primarily used for cattle grazing. The following table shows the Natural Resources Conservation Service soils rating of the site:

Land Capability Class		Rangeland suitability	Grazing	Homesites & barns	Acres
If Irrigated	Non-Irrigated				
1	4	moderately suited	267	na	267
2	4	moderately suited	1569	na	1569
7	7	poorly suited	478	na	478
8	8	na	116	na	116
Totals			2430		2430

Exhibit A shows the location, topography, and land use designations of the site and adjacent properties.

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### **Compliance with the Williamson Act and the Rules of Procedure**

The Rules of Procedure state that a property must first be under an Agricultural Preserve in order to qualify for a land conservation contract as an individual property. In this case the property to be added is not already under an agricultural preserve so the adjacent agricultural preserve boundaries are being expanded so the additional parcels can be included in the preserve and added to the existing contract.

The parcels would be eligible for a separate contract (or possibly multiple contracts) however the landowner simply wants to add these parcels to the existing contract. The 320 acre minimum parcel size would allow some of these parcels to be sold individually or in groups without violating the minimum parcel size provision. However, it is not the intention of the land owner to sell any of these parcels in the immediate future.

The parcels qualify for addition to the existing agricultural preserve and land conservation contract according to the following provision in the Rules of Procedure: *“A property owner under contract who acquires adjacent parcels of any size may add this land by amendment of the existing agricultural preserve and contract; the contract amendment is to recognize the remaining term of the original contract but in no event less than 10 years.”*

The proposed addition constitutes a large increase of land to be added to the contracted property.

The appropriate minimum parcel size for the expanded Agricultural Preserve and Land Conservation Contract is 320 acres and the appropriate minimum term of contract is 10 years because the site is currently under contract with a 10 year term.

### **Agricultural Preserve Review Committee**

The following is an excerpt from the Minutes of the Regular Meeting of the Agricultural Preserve Review Committee held on September 12, 2016 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 and provides a Power Point presentation.

Committee members: discuss the request and begin their deliberations.

Committee Members: request information on ownership

Steve Bryant, Managing Partner: explains family ownership structure

Bill Robeson, Chairman: opens Public Comment with no one coming forward.

Thereafter, on motion of Don Warden, seconded by Kaila Dettman and on the following roll call vote:

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AYES: Don Warden, Dick Nock, Irv Mc Millan, Hugh Pitts, Kaila Dettman, Paul Hoover, Lynda Auchinachie, Ross Felthousen, and Bill Robeson

NOES: None

ABSENT: Farm Service Agency, Farm Advisor, Public at Large Member

The Review Committee moved to recommend the Board of Supervisors approve this request to expand an existing Agricultural Preserve and add approximately 2,430 acres to the existing Land Conservation Contract. Preserve Designation: La Panza Agricultural Preserve No. 9, Amendment No. 2; Minimum Parcel Size: 320 acres. Minimum term of contract: 10 years.

### **RECOMMENDATIONS**

The Agricultural Preserve Review Committee and Planning Commission recommend approval of this request to amend an agricultural preserve to the Board of Supervisors as follows:

**Preserve Designation: La Panza Agricultural Preserve No. 9, Amendment No. 2**  
**Minimum Parcel Size: 320 Acres**  
**Minimum Term of Contract: Remaining term of existing contract (10 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, the Agriculture Element, the Conservation and Open Space Element, and the County's Rules of Procedure to Implement the California Land Conservation Act of 1965 since the preserve is being adjusted to reflect new property boundaries and the agricultural land uses and agricultural productivity will be unchanged.
- B.** The proposed amendment of this agricultural preserve is appropriate and consistent with the rural character of the surrounding area.

Report prepared by Terry Wahler, and reviewed By Karen Nall  
Agricultural Preserve Program

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