



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

(1) DEPARTMENT Planning and Building		(2) MEETING DATE 3/21/2017		(3) CONTACT/PHONE Airlin M. Singewald, Senior Planner / (805) 781-5198	
(4) SUBJECT Hearing to consider the second extension of the Agricultural Ponds Urgency Ordinance No. 3326 pursuant to Section 65858 of the California Government Code for a period of up to one year. Ordinance No. 3326 modifies permitting procedures, application content requirements, and development standards for agricultural ponds, reservoirs, and basins in the Inland area (does not include the Coastal Zone) of the unincorporated portions of the county. Exempt from CEQA. All Districts.					
(5) RECOMMENDED ACTION It is recommended that the Board consider a second extension of the Agricultural Ponds Interim Zoning/Urgency Ordinance No. 3326 for a period of up to one year from the expiration date (May 14, 2017) through and until May 13, 2018 by 4/5 vote.					
(6) FUNDING SOURCE(S) Department Funds		(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 min.</u> ) <input type="checkbox"/> Board Business (Time Est. _____)					
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input checked="" 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"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A		(15) BUSINESS IMPACT STATEMENT? Yes		(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date <u>6/21/16 (Board direction)</u> , <u>7/15/16 (Urgency Ord. adoption)</u> , <u>8/16/16 (Urgency Ord. extension)</u> , <u>1/24/17 (Status update)</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe					
(18) SUPERVISOR DISTRICT(S) All Districts					



## COUNTY OF SAN LUIS OBISPO

TO: Board of Supervisors

FROM: Planning and Building / Airlin M. Singewald, Senior Planner

VIA: Bill Robeson, Deputy Director

DATE: 3/21/2017

SUBJECT: Hearing to consider the second extension of the Agricultural Ponds Urgency Ordinance No. 3326 pursuant to Section 65858 of the California Government Code for a period of up to one year. Ordinance No. 3326 modifies permitting procedures, application content requirements, and development standards for agricultural ponds, reservoirs, and basins in the Inland area (does not include the Coastal Zone) of the unincorporated portions of the county. Exempt from CEQA. All Districts.

### **RECOMMENDATION**

It is recommended that the Board consider a second extension of the Agricultural Ponds Interim Zoning/Urgency Ordinance No. 3326 for a period of up to one year from the expiration date (May 14, 2017) through and until May 13, 2018, by 4/5 vote.

### **DISCUSSION**

The Agricultural Ponds Urgency Ordinance No. 3326 expires on May 14, 2017. If adopted on March 21, 2017, the permanent Agricultural Ponds Ordinance will become effective and replace the urgency ordinance in 30 days, or on April 20, 2017. However, if the Board continues the discussion on the permanent Agricultural Ponds Ordinance to a future date, the urgency ordinance would have to be extended to avoid a lapse in the modified permitting and design standards for agricultural ponds.

The hearing today is to consider extending Ordinance No. 3326 for a period of up to one year from May 14, 2017 (Attachment 1). Any action to extend the current urgency ordinance requires a 4/5 vote of your Board.

## **OTHER AGENCY INVOLVEMENT/IMPACT**

County Counsel has reviewed the resolution attached herein as Attachment 1.

## **BUSINESS IMPACT STATEMENT**

The attached ordinance would extend Urgency Ordinance No. 3326 for up to one year. Ordinance No. 3326 eliminates the Alternative Review Program as a permitting option for agricultural ponds and establishes requirements for projects to study and mitigate impacts on groundwater supplies. While these requirements could make it more expensive for property owners to permit and construct agricultural ponds, they are necessary to ensure the protection of groundwater supplies for adjacent agricultural and rural residential parcels.

## **FINANCIAL CONSIDERATIONS**

This staff report was prepared under the Department's current budget.

## **RESULTS**

Adoption of the Second Extension Ordinance will extend the Urgency Ordinance for a period of up to one year, through and until May 13, 2018. The ordinance modifies permitting procedures, application content requirements, and development standards for agricultural ponds, reservoirs, and basins in the Inland area (does not include the Coastal Zone) of the unincorporated portions of the county.

This is consistent with providing a prosperous and well-governed, safe, healthy and livable community.

## **ATTACHMENTS**

1. Attachment 1 – Proposed Second Extension to Urgency Ordinance No. 3326
2. Attachment 2 – Adopted Urgency Ordinance No. 3326
2. Attachment 3 – Environmental Determination