

# IN THE BOARD OF SUPERVISORS

County of San Luis Obispo, State of California

Tuesday, December 6, 2022

PRESENT: Supervisors John Peschong, Dawn Ortiz-Legg, Lynn Compton, Debbie Arnold  
and Chairperson Bruce S. Gibson

ABSENT: None

## **RESOLUTION NO. 2022-287**

### RESOLUTION ADOPTING AMENDMENTS TO THE AGRICULTURE AND CONSERVATION AND OPEN SPACE ELEMENTS OF THE SAN LUIS OBISPO COUNTY GENERAL PLAN

The following resolution is now offered and read:

WHEREAS, State Law requires that a General Plan be adopted; and,

WHEREAS, the Agriculture Element of the San Luis Obispo County General Plan was adopted by the Board of Supervisors on December 15, 1998, and is a proper element of the General Plan; and,

WHEREAS, the Conservation and Open Space Element of the San Luis Obispo County General Plan was adopted by the Board of Supervisors on May 11, 2010, and is a proper element of the General Plan; and,

WHEREAS, public necessity, convenience, and general welfare requires that the elements of a General Plan be amended from time to time; and,

WHEREAS, the Planning Commission of the County of San Luis Obispo held a public hearing on October 27, 2022, to consider the San Luis Obispo County General Plan amendment; and,

WHEREAS, the Planning Commission, at the conclusion of the public hearing, recommended approval to the Board of Supervisors of the amendments to the Agriculture and Conservation and Open Space Element of the San Luis Obispo County General Plan; and,

WHEREAS, the Board of Supervisors of the County of San Luis Obispo held a public hearing on December 6, 2022, to consider the San Luis Obispo County General Plan amendment; and,

WHEREAS, the Board of Supervisors has duly considered the San Luis Obispo County General Plan amendment, and finds that the recommendation of the Planning Commission on October 27, 2022 should be accepted.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the project, after completion of an initial study, is found to potentially have a significant effect on the environment, and therefore, a Program Environmental Impact Report has been prepared for this project.
3. It is in the public's interest to adopt these amendments to the Agriculture and Conservation and Open Space Element of the San Luis Obispo County General Plan to facilitate the adoption of an ordinance to regulate planting of irrigated crops utilizing groundwater from wells within the Paso Basin Land Use Management Area (PBLUMA).
4. Adopt the Amendments to the Agriculture and Conservation and Open Space Element of the San Luis Obispo County General Plan and the exhibits listed below, and which are expressly referred to and incorporated herein as though fully set forth.
  - a. Exhibit LRP2021-00001: A – Strikethrough Amendment to the Agriculture and Conservation and Open Space Elements; and
  - b. Exhibit LRP2021-00001: B – Clean Amendment to the Agriculture and Conservation and Open Space Elements.

Upon motion of Supervisor Arnold, seconded by Supervisor Peschong, and on the following roll call vote, to wit:

AYES: Supervisors Arnold, Peschong and Compton

NOES: Chairperson Gibson and Supervisor Ortiz-Legg

ABSENT: None

ABSTAINING: None

the foregoing resolution is hereby adopted.

Bruce S. Gibson  
Chairperson of the Board of Supervisors

ATTEST:

WADE HORTON  
Ex-officio Clerk of the Board of Supervisors

By: Niki Martin  
Deputy Clerk

[SEAL]

APPROVED AS TO LEGAL FORM AND EFFECT:  
RITA L. NEAL  
County Counsel

By: /s/ Benjamin Dore  
Deputy County Counsel

Dated: November 4, 2022

STATE OF CALIFORNIA ) ss.  
COUNTY OF SAN LUIS OBISPO  
I, **WADE HORTON**, Ex-Officio Clerk of the Board of Supervisors thereof, do hereby certify the foregoing to be a full, true and correct copy of an order entered in the minutes of said Board of Supervisors, and now remaining of record in my office.  
Witness, my hand and seal of said Board of Supervisors on December 20, 2022.  
**WADE HORTON,**  
Ex-Officio Clerk of the Board of Supervisors  
By: Niki Martin  
Deputy Clerk

**EXHIBIT LRP2021-00001: A - STRIKETHROUGH AMENDMENT**

**TO THE AGRICULTURE AND CONSERVATION AND OPEN SPACE ELEMENTS**

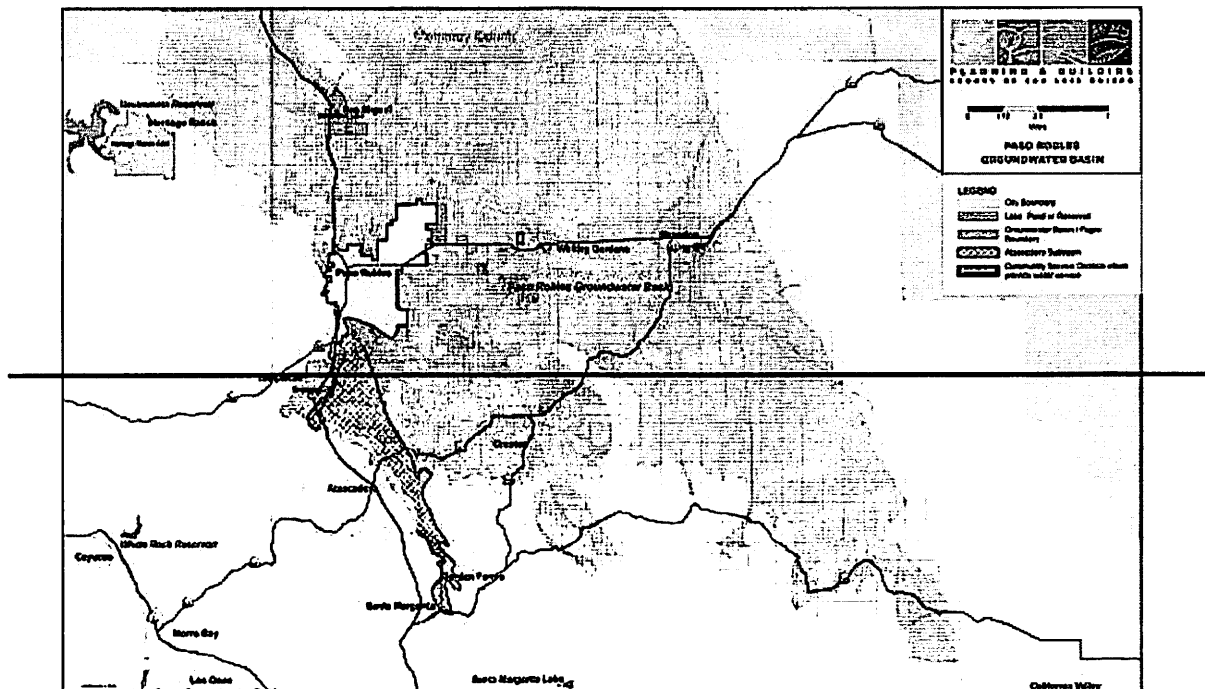
SECTION I. Chapter 2, Section C – Agricultural Goals of the Agriculture Element of the San Luis Obispo County General Plan is amended to read as follows:

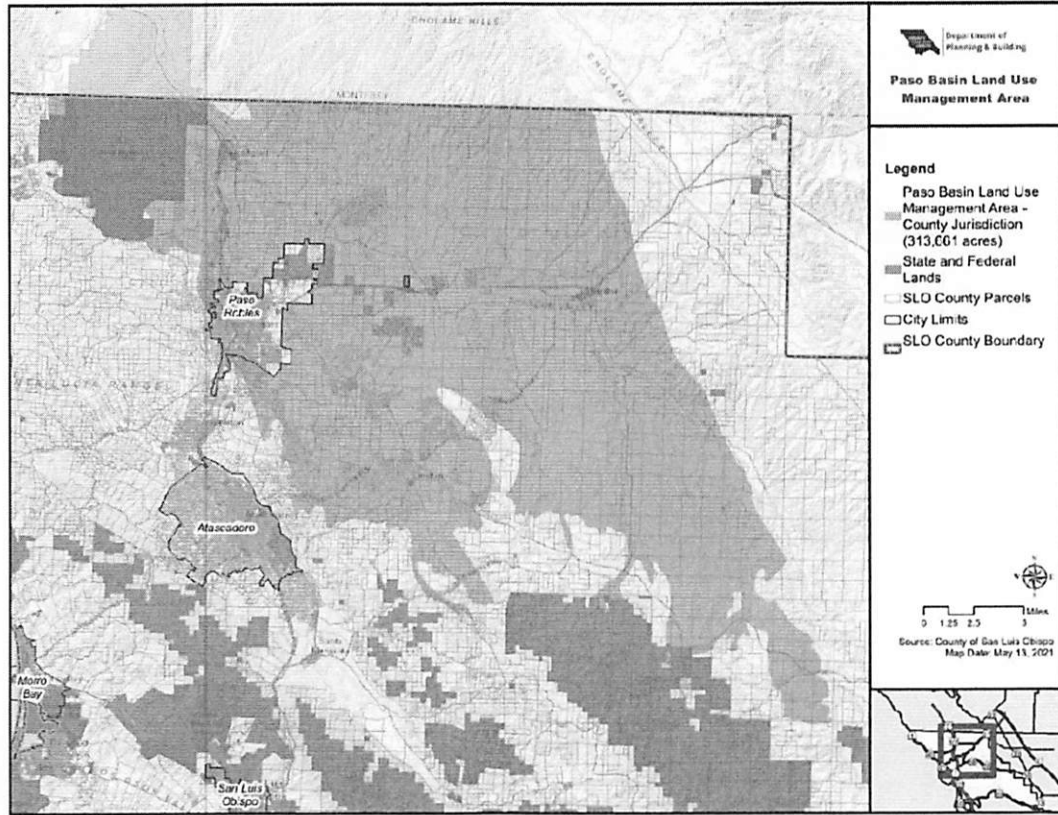
**Page 2-14, AGRICULTURAL GOALS (AG)**

**AG1: Support County Agricultural Production.**

- d. **Develop agricultural permit processing procedures that are rapid and efficient. Do not require permits for agricultural practices and improvements that are currently exempt, with the exception of a groundwater offset program in the Paso Robles Groundwater Basin, excluding the Atascadero sub-basin, as shown in Figure 2-2 ministerial permits to regulate production agriculture irrigated with groundwater wells within the Paso Basin Land Use Management Area. Keep the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources, sensitive habitats, and groundwater supply.**

**Figure 2-2 - ~~Paso Robles Groundwater Basin Excluding the Atascadero Sub-basin~~ Paso Basin Land Use Management Area**





SECTION II. Chapter 2, Section C – Agricultural Policies of the Agriculture Element of the San Luis Obispo County General Plan is amended to read as follows:

**Page 2-16, AGRICULTURAL POLICIES (AGP)**

To the maximum extent possible, the following policies, implementation measures and programs try to balance protection of open space resources and the needs of production agriculture, and minimize the impacts to ongoing production agriculture. It is the intent to **not** require land use permits for agriculturally-related projects that are currently exempt (with the exception of a groundwater offset program in the Paso Robles Groundwater Basin excluding the Atascadero Sub-basin ministerial permits to regulate production agriculture irrigated with groundwater wells within the Paso Basin Land Use Management Area), and to **keep** the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources, sensitive habitats, and groundwater supply as described in the Sustainable Groundwater Management Act (Water Code Section 10720 et seq.) and in any applicable Groundwater Sustainability Plan or regulation adopted pursuant thereto. The policies and recommended implementation

measures apply to discretionary land use permits for new development (see Glossary for definition of development) and proposed land divisions.

**Page 2-22, AGP10: Water Conservation**

- ~~c. In the Paso Robles Groundwater Basin (excluding the Atascadero Sub-basin), require new agricultural water use to be offset through mechanisms such as a water offset program.~~**

**Discussion:** Land area, the water falling on it, and groundwater stored beneath its surface are inseparable in determining agricultural values and productivity in the County. Other than the land itself, water is the most precious resource for agriculture. Conserving water can benefit agriculture by reducing groundwater pumping. Uncontrolled runoff can contribute to soil loss, reduced water quality in streams, and increased impacts on riparian habitat, decreased opportunity for groundwater recharge and degradation of the general productivity of the watershed. ~~The Paso Robles Groundwater Basin (excluding the Atascadero Sub-basin) requires special conservation measures to address unique issues within the basin.~~

SECTION III. Chapter 10 – Water Resources of the Conservation and Open Space

Element of the San Luis Obispo County General Plan is amended to read as follows:

**Policy WR 1.14 ~~Limit~~Avoid net increase in water use**

~~Limit~~Avoid a net increase in water use in groundwater basins that are certified at Level of Severity II or III for water supply, except where the net increase is the result of actions to promote the agricultural use of the supply in a manner that is equitable and consistent with groundwater rights. In addition, place limitations on further land divisions in these areas and establish and implement water offset programs for all groundwater users until plans are in place and funded to ensure that the safe yield will not be exceeded.

**EXHIBIT LRP2021-00001: B – CLEAN AMENDMENT  
TO THE AGRICULTURE AND CONSERVATION AND OPEN SPACE ELEMENTS**

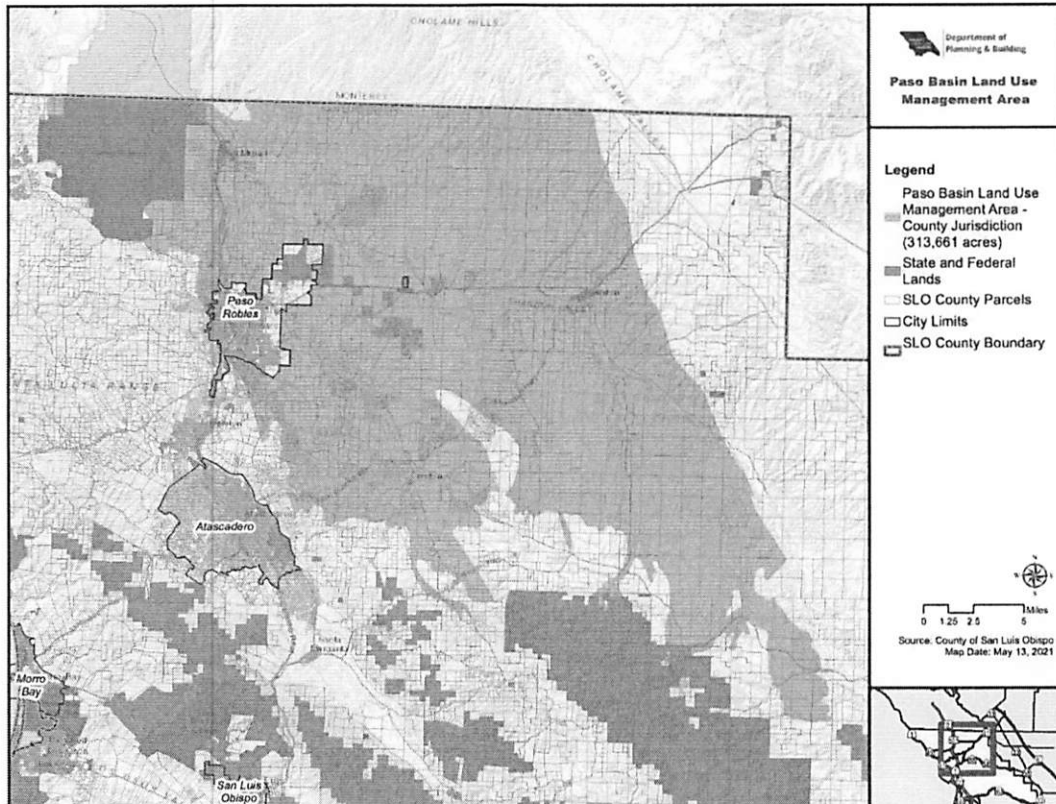
SECTION I. Chapter 2, Section C – Agricultural Goals of the Agriculture Element of the San Luis Obispo County General Plan is amended to read as follows:

**Page 2-14, AGRICULTURAL GOALS (AG)**

**AG1: Support County Agricultural Production.**

- d. **Develop agricultural permit processing procedures that are rapid and efficient. Do not require permits for agricultural practices and improvements that are currently exempt, with the exception of ministerial permits to regulate production agriculture irrigated with groundwater wells within the Paso Basin Land Use Management Area. Keep the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources, sensitive habitats, and groundwater supply.**

**Figure 2-2 –Paso Basin Land Use Management Area**



SECTION II. Chapter 2, Section C – Agricultural Policies of the Agriculture Element of the San Luis Obispo County General Plan is amended to read as follows:

**Page 2-16, AGRICULTURAL POLICIES (AGP)**

To the maximum extent possible, the following policies, implementation measures and programs try to balance protection of open space resources and the needs of production agriculture, and minimize the impacts to ongoing production agriculture. It is the intent to **not** require land use permits for agriculturally-related projects that are currently exempt (with the exception of ministerial permits to regulate production agriculture irrigated with groundwater wells within the Paso Basin Land Use Management Area), and to **keep** the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources, sensitive habitats, and groundwater supply as described in the Sustainable Groundwater Management Act (Water Code Section 10720 et seq.) and in any applicable Groundwater Sustainability Plan or regulation adopted pursuant thereto. The policies and recommended implementation measures apply to discretionary land use permits for new development (see Glossary for definition of development) and proposed land divisions.

**Page 2-22, AGP10: Water Conservation**

**Discussion:** Land area, the water falling on it, and groundwater stored beneath its surface are inseparable in determining agricultural values and productivity in the County. Other than the land itself, water is the most precious resource for agriculture. Conserving water can benefit agriculture by reducing groundwater pumping. Uncontrolled runoff can contribute to soil loss, reduced water quality in streams, and increased impacts on riparian habitat, decreased opportunity for groundwater recharge and degradation of the general productivity of the watershed.

SECTION III. Chapter 10 – Water Resources of the Conservation and Open Space Element of the San Luis Obispo County General Plan is amended to read as follows:

**Policy WR 1.14 Limit net increase in water use**

Limit a net increase in water use in groundwater basins that are certified at Level of Severity II or III for water supply, except where the net increase is the result



of actions to promote the agricultural use of the supply in a manner that is equitable and consistent with groundwater rights. In addition, place limitations on further land divisions in these areas and establish and implement water offset programs for all groundwater users until plans are in place and funded to ensure that the safe yield will not be exceeded.