

**PBLUMA PLANTING ORDINANCE (LRP2021-00001)**  
**POST-ADOPTION SUMMARY**  
**Prepared December 12, 2022 by County Planning Staff**

**Summary of Board Action.** On December 6, 2022, the San Luis Obispo County Board of Supervisors adopted the Paso Basin Land Use Management Area (PBLUMA) Planting Ordinance (LRP2021-00001), amending Title 8 and Title 22 of the San Luis Obispo County Code and the Agriculture and Conservation and Open Space Elements of the County General Plan to require “water neutral” ministerial planting permits for production agriculture irrigated from groundwater wells within the PBLUMA until 2045, with a 25-acre-foot per year (AFY) exemption allowed per site. The Board of Supervisors also certified a Final Program Environmental Impact Report (FPEIR) (SCH 2021080222) (ED22-183-PL) for the project pursuant to CEQA.

The hearing documents (including adopted ordinance) are available at:  
<https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/15524>.

The ordinance was adopted and the FPEIR certified by the following roll call:  
AYES: Supervisors Arnold, Peschong, and Compton  
NOES: Supervisors Gibson and Ortiz-Legg

**Effective Date.** The ordinance will take effect on March 1, 2023 and terminate on January 31, 2045. The existing agricultural offset requirements will terminate and be rescinded on March 1, 2023.

**Outstanding Offset Clearances.** 1:1 agricultural offset clearances and replanting exemptions that have received conditional approval under the existing ordinance but have not been fully planted out will automatically be issued new “water neutral” planting permits under the new ordinance *without having to submit a new application*. Landowners would have 18 months from March 1, 2023 to finish planting, with automatic annual extensions during drought years and the option to request two additional one-year extensions subject to Planning Director approval and a third one-year extension subject to Planning Commission approval.

5-AFY exemptions issued under the existing ordinance will automatically be issued partial 25-AFY exemptions under the new ordinance *without having to submit a new application*, with the option of submitting new applications to expand the proposed water demand on-site up to 25-AFY.

**Dry Farm Crops and Non-Production Agriculture are Not Subject to the Planting Ordinance.**

**No Applications Required for Replanting Same Crop Type and Acreage for Crops Irrigated Between March 1, 2017 and March 1, 2023.** Replanting may be anywhere on site anytime while the ordinance remains in effect.

**Application Process.** For new and expanded plantings that require a planting permit or 25-AFY exemption, the application materials will be made available on the Department of Planning & Building website by February 6, 2023. The application requirements are as follows:

<b>Application Requirement</b>	<b>“Water Neutral” Planting Permit</b>	<b>25-AFY Exemption</b>
Proposed planting plan, including:	x	x
<ul style="list-style-type: none"> <li>Groundwater well locations</li> </ul>	x (on-site only)	x (on-site and off-site within 750')
<ul style="list-style-type: none"> <li>50' setback from riparian and wetland vegetation</li> </ul>	x	x
<ul style="list-style-type: none"> <li>Carbon sequestration measures<sup>1</sup></li> </ul>	N/A	x
Water demand estimates based on water duty factors	x	x
Verification of property ownership (lot book guarantee or title report dated within 6 months of application date)	x	x
Verification of previous irrigation within six years of proposed planting period	x	N/A
Proof of enrollment in a GSA-approved Multi-Benefit Irrigated Land Repurposing (MILR) Program (if applicable)	x	N/A
Copy of Williamson Act contract (if applicable)	x	x
Hydrology report verifying no more than 2' of drawdown over 5 years in off-site groundwater wells within 750'	N/A	If applicable

**Planting Timeline.** Approved “water neutral” planting permits will have up to 6 years after the irrigation stop date of the previous crop on site plus 18 months to finish planting the new or expanded crop, with automatic annual extensions during drought years and the option to request two additional one-year extensions subject to Planning Director approval and a third one-year extension subject to Planning Commission approval. Years enrolled in a GSA-approved MILR Program do not count towards these time limits.

Approved 25-AFY Exemptions may be planted anytime before January 31, 2045.

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<sup>1</sup> Include a description of conservation practices (e.g., cover cropping, composting) to sequester carbon by at least 0.15 MT CO<sub>2</sub>e per acre of planting area as estimated by COMET-Planner according to the California Department of Food and Agriculture (CDFA) Healthy Soils Program guidelines, to be implemented prior to final planting. <http://www.comet-planner-cdfahsp.com/>.