



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

SUBDIVISION REVIEW BOARD

Promoting the wise use of land

MEETING DATE November 1, 2013		CONTACT/PHONE Megan Martin (805) 781-4163 mamartin@co.slo.ca.us		APPLICANT Margaret Randall and Greenspace		FILE NO. COAL 13-0067 SUB2013-00011	
SUBJECT A request by Margaret Randall, Greenspace and The Cambria Land Trust for a Lot Line Adjustment (COAL 13-0067) to adjust the lot lines between two (2) parcels of 2.11 acres and 3.33 acres each, resulting in two (2) parcels of 4.78 acres and 0.65 acres, respectively. The intent of the adjustment is to donate the 4.78 acre parcel and have it be acquired by Greenspace as permanent open space. The project will not result in the creation of any additional parcels or development. The site is within the Residential Suburban land use category and is located at 3290 Bradford Circle, in the community of Cambria. The site is in the North Coast planning area.							
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 13-0067 based on the findings listed in Exhibit A and the conditions listed in Exhibit B							
ENVIRONMENTAL DETERMINATION A General Rule Exemption (ED13-059) was issued on September 16, 2013.							
LAND USE CATEGORY Residential Single-Family (RSF)		COMBINING DESIGNATION Geologic Study Area (GSA), Terrestrial Habitat		ASSESSOR PARCEL NUMBER 024-301-028, 029, and 031		SUPERVISOR DISTRICT(S): 2	
PLANNING AREA STANDARDS: Section 22.014.070 Geologic Study Area, 23.070.176 Terrestrial habitat, T23 North Coast – Visible Hillside							
LAND USE ORDINANCE STANDARDS: Title 23. Section 23.04.027. - Parcel Size Standards, Residential Single-Family; Section 21.02.030 - Real Property Division Ordinance							
EXISTING USES: Single-Family Dwelling, Open Space							
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Single Family / Single Family Residence East: Residential Single Family / Single Family Residence South: Residential Single Family and Agriculture / Vacant West: Residential Single Family / Single Family Residence							
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Cambria CSD (Water/Sewer), Cambria CSD (Fire), Coastal Commission, and North Coast Advisory Council (Cambria)							
TOPOGRAPHY: Moderate to steep slopes (>30%)				VEGETATION: Decorative landscaping and native vegetation			
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: Cambria Fire Department				ACCEPTANCE DATE: September 6, 2013			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242							

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two (2) legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
2.11 (Parcel 1)	4.78 (Parcel 1 in open space)
3.33 (Parcel 2)	0.65 (Parcel 2)

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The property is located in the Residential Single-Family land use category. The Coastal Zone Land Use Ordinance, Section 23.04.027 establishes the minimum parcel size for new lots within each land use category based upon the following test such as the type of public road serving the property, terrain features, and the type of sewage disposal facilities to be used. The minimum parcel size allowed in the Residential Single-family category based upon the existing lot line configuration and based upon the above test is 1 acre. The existing parcels (Parcel 1 and Parcel 2) currently conform to the minimum parcel size.

The proposed adjustment configuration for Parcel 1 will result in a 4.78 acre parcel located on average slopes greater than 30 percent which requires a minimum parcel size of one (1) acre. The proposed adjustment configuration for Parcel 2 will result in a 0.65 acre parcel located on average slopes between 0 to 30 percent which requires a minimum parcel size of 15,000 square feet. The resulting parcel configurations would conform to the minimum parcel size based on the slope test.

The proposed lot line adjustment will result in the reconfiguration of the parcels to allow the property owner to donate approximately 4.78 acres (Parcel 1) to Greenspace - The Cambria Land Trust. An open space easement shall be recorded for Parcel 1 for 4.78 acres as shown in Exhibit A. The open space easement would assure the intent of the lot line adjustment to maintain the 4.78 acre parcel in open space. The creation of the 4.78 parcel in open space provides for the land to be protected as an environmentally sensitive habitat and as a migration corridor for species from urban to rural lands. As conditioned the open space easement shall be held in single ownership or transferred to a public trust or conservancy agency approved by the Department of Planning and Building. The open space parcels shall be maintained as in such perpetuity.

The adjustment will not result in the creation of any additional parcels and does not create any additional development potential than what exists today. The parcels resulting from the proposed lot line adjustment will maintain a position which is "equal to or better" than the existing situation relative to the county's zoning and building ordinances.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcels as adjusted are consistent with the minimum parcel sizes as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law.

COASTAL ZONE LAND USE ORDINANCE

Section 23.07.120 – Local Coastal Program

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

COASTAL PLAN POLICIES:

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: Policy No(s): 1, 29, 33

Agriculture: N/A

Public Works: N/A

Coastal Watersheds: N/A

Visual and Scenic Resources: N/A

Hazards: N/A

Archaeology: N/A

Air Quality: N/A

COASTAL PLAN POLICY DISCUSSION:

Environmentally Sensitive Habitats

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats. New development within or adjacent to locations of environmentally sensitive habitats (within 100 feet unless sites further removed would significantly disrupt the habitat) shall not significantly disrupt the resource. Within an existing resource, only those uses dependent on such resources shall be allowed within the area.

Staff Comments. The proposed project is within an area designated as an Environmentally Sensitive Habitat. The proposed project does not include any new development and would actually result in protection of habitat area. The proposed project will not disrupt any onsite resources and as such complies with this standard.

Policy 29: Protection of Terrestrial Habitats. Designated plant and wildlife habitats are environmentally sensitive habitat areas and emphasis for protection should be placed on the entire ecological community.

Staff Comments. The proposed project is within an area designated as terrestrial habitat. The proposed project complies with this standard, as the lot line adjustment does not permit any disturbance to the existing vegetation.

Policy 33: Agriculture and Open Space Preserves. The county should encourage the uses of Agriculture Preserves or Open Space Preserves to protect sensitive habitat areas where public acquisition is not feasible.

Staff Comments. The proposed project includes a consideration to donate approximately 4.78 acres of property to Greenspace, The Cambria Land Trust and dedicate to permanent open space. The proposed project complies with this standard.

LEGAL LOT STATUS:

The two (2) existing parcels were legally created by a recorded map, Parcel Map CO-85-0381, Parcel 1 (APN: 024-301-031) and Parcel 2 (APNs: 024-301-028 and -029) (Book 39, Page 31 of Parcel Maps) at a time when that was a legal method of creating parcels.

Staff report prepared by Megan Martin
and reviewed by Holly Phipps and Steve McMasters.