



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

**SUBDIVISION REVIEW BOARD**

*Promoting the wise use of land*

<b>MEETING DATE</b> January 6, 2014	<b>CONTACT/PHONE</b> Megan Martin (805) 781-4163 mamartin@co.slo.ca.us	<b>APPLICANT</b> Monty Red	<b>FILE NO.</b> SUB2013-00027 COAL13-0083
<b>SUBJECT</b> A request by Monty Red for a Lot Line Adjustment (COAL 13-0083) to adjust the lot lines between two (2) parcels of 5,600 square feet and 2,800 square feet. The adjustment will result in two (2) parcels of 3,500 square feet and 4,900 square feet. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Single-Family land use category and is located at 3486 Shearer Avenue in the community of Cayucos. The site is in the Estero planning area.			
<b>RECOMMENDED ACTION</b> Approve Lot Line Adjustment SUB2013-00027 (COAL13-0083) based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 5 Categorical Exemption (ED13-080) was issued on November 14, 2013			
<b>LAND USE CATEGORY</b> Residential Single-Family	<b>COMBINING DESIGNATION</b> Estero Area Plan, Coastal Zone	<b>ASSESSOR PARCEL NUMBER</b> 064-432-028	<b>SUPERVISOR DISTRICT(S)</b> 2
<b>PLANNING AREA STANDARDS:</b> Estero Area Plan, Local Coastal Plan			
<b>LAND USE ORDINANCE STANDARDS:</b> Title 23, Section 23.04.028 – Parcel Size Standards, Residential Single-Family, Title 21, Section 21.02.030 – Real Property Division Ordinance – Lot Line Adjustments			
<b>EXISTING USES:</b> Vacant			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Residential Single-Family / Residences East: Residential Single-Family and Rural Lands / Residences South: Residential Single-Family / Residences West: Residential Single-Family / Residences			
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			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Cayucos Citizens' Advisory Council	
TOPOGRAPHY: Gently rolling to moderately sloping; average slopes (11%)	VEGETATION: Scattered grasses
PROPOSED SERVICES: Water supply: Community system (County Service Area 10) Sewage Disposal: Community sewage disposal system (Cayucos Sanitary District) Fire Protection: Cayucos Fire Department	ACCEPTANCE DATE: October 16, 2013

**ORDINANCE COMPLIANCE:**

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

EXISTING LOT SIZES (SQ. FT.)	ADJUSTED PARCEL SIZES (SQ. FT.)
2,800 (Parcel 1)	4,900 (Parcel 1)
5,600 (Parcel 2)	3,500 (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 project site is located in the Residential Single-Family land use category. The assessor's parcel number consists of historical lots 31, 32, and 33 in a map that was recorded in 1928. The 1928 maps are no longer a valid method to create legal lots; however, per the deeds on the property, Lot 31 (Parcel 1) is a separate legal parcel and Lots 32 and 33 (Parcel 2) together, are one legal parcel. The proposed lot line adjustment would reconfigure the lots to more nearly equalize the parcels resulting in an adjustment that will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

*Minimum Lot Size*

The Coastal Zone Land Use Ordinance, 23.04.028, establishes the minimum parcel size for new lots based upon three tests: 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 land use category based upon the above tests is 6,000 square feet. Currently Parcel 1 and 2 are below the minimum required parcel and will remain so after the proposed lot line adjustment (see Table above). Parcel 1 and 2 are legal non-conforming to the minimum parcel size as defined in section 23.09.060, as they were created by means which were consistent with applicable legal requirements at the time the lots were created (see section Lot Legality below).

*Lot Line Adjustment*

The proposed lot line adjustment will result in a 4,900 square foot parcel for Parcel 1 and a 3,500 square foot parcel for Parcel 2. 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 because the adjustment will not result in the creation of any additional parcels and does not create any additional development potential than what exists today.

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 parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, 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 Program.

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: N/A  
Agriculture: N/A  
Public Works: N/A  
Coastal Watersheds: N/A  
Visual and Scenic Resources: N/A  
Hazards: N/A  
Archeology: N/A  
Air Quality: N/A

COASTAL PLAN POLICY DISCUSSION:

There are no relevant coastal plan policies essential to the discussion of this project.

COMMUNITY ADVISORY GROUP COMMENTS:

Cayucos Citizens' Advisory Council: No concerns as submitted.

AGENCY REVIEW:

Public Works – No concerns as submitted

Environmental Health – No concerns as submitted

California Coastal Commission – No response submitted

LEGAL LOT STATUS:

Parcel 1 consists of Lot 31 in Block 13 of Morro Strand Unit No. 1, which was filed for record May 21, 1928 in Book 3, Page 105 of Maps, and was legally created by deed at a time when that was a legal method of creating parcels.

Parcel 2 consists of Lots 32 and 33 in Block 13 of Morro Strand Unit No. 1, which was filed for record May 21, 1928 in Book 3, Page 105 of Maps, and was legally created by deed 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.