



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

SUBDIVISION REVIEW BOARD

Promoting the wise use of land

MEETING DATE February 3, 2014	CONTACT/PHONE Megan Martin (805) 781-4163 mamartin@co.slo.ca.us	APPLICANT Avila Community Services District and County General Services Department	FILE NO. COAL 11-103 SUB2013-00030
SUBJECT A request by Avila Community Services District and the County General Services Department on behalf of Central Coast Aquarium for a Lot Line Adjustment (COAL11-103) to adjust the lot lines between two (2) parcels of approximately 5,196 square feet and 70,381 square feet. The adjustment will result in two (2) parcels of approximately 12,719 square feet and 62,858 square feet. The project will not result in the creation of any additional parcels and will allow for the Central Coast Aquarium to expand their educational facilities. The county park adjacent to the aquarium will not be changed, modified or impacted by the lot line adjustment. The proposed project is within the Recreation land use category and is located at 50 San Juan Street in the community of Avila. The site is in the San Luis Bay Coastal planning area. The project is exempt from CEQA (Class 5).			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL11-103 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption (ED13-092) was issued on December 17, 2013.			
LAND USE CATEGORY Recreation	COMBINING DESIGNATION San Luis Bay Planning Area – Coastal, Avila Beach Specific Plan, Coastal Zone, Flood Hazard	ASSESSOR PARCEL NUMBER 076-212-007, 076-212- 008	SUPERVISOR DISTRICT(S) 3
PLANNING AREA STANDARDS: Avila Beach Specific Plan, San Luis Bay Planning Area – Coastal, Coastal Appealable Zone, Section 23.07.120 - Local Coastal Program Area, Coastal Special Community, Coastal Access Area, Visitor Serving Area			
LAND USE ORDINANCE STANDARDS: Section 23.04.032 – Site Design Standards – Recreation Category Section 23.07.060 – Combining Designation Standards – Flood Hazard			
EXISTING USES: Central Coast Aquarium Marine Science Facility, County Park and Playground			
SURROUNDING LAND USE CATEGORIES AND USES: North: Recreation / Golf Course East: Commercial Retail / Motel (51-100 units) South: Recreation / Avila Beach West: Recreation / Beach			
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, General Services/Parks, Coastal Commission, Avila Valley Advisory Council	
TOPOGRAPHY: Gently sloping	VEGETATION: Decorative/ornamental landscaping
PROPOSED SERVICES: Water supply: Community system / Avila Community Services District Sewage Disposal: Community sewage disposal system / Avila Community Services District Fire Protection: Avila Fire Department	ACCEPTANCE DATE: December 23, 2013

PROJECT DESCRIPTION:

The project site is currently occupied by the Central Coast Aquarium Marine Science Facility (Parcel 1) and a County Park (Avila Beach Park; Parcel 2). Both the park and aquarium are open to the general public and are visitor-serving uses. In an effort to expand the marine science facility, the proposed lot line adjustment will allow Central Coast Aquarium to expand their building and meet building setback requirements. The lot line adjustment will not impact the amenities of Avila Beach Park. The area affected by the proposed lot line adjustment encompasses the decorative landscaping area located just east of the existing marine science facility and north of the developed area of the park.

PLANNING AREA STANDARDS:

San Luis Bay Area Plan (Coastal)

Visitor Serving and Recreational Facilities

The proposed lot line adjustment will allow for the future expansion of the Central Coast Aquarium Marine Science Facility. The aquarium is a visitor serving use and is offered as an affordable service to the general public.

ORDINANCE COMPLIANCE:

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

EXISTING LOT SIZES (SF)	ADJUSTED PARCEL SIZES (SF)
5,196 (Parcel 1)	12,719 (Parcel 1)
70,381 (Parcel 2)	62,858 (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 adjustment will result in the reconfiguration of the two (2) parcels to allow for the expansion of the marine science facility, Central Coast Aquarium. The lot line adjustment will facilitate the expansion to meet building setback requirements resulting in the parcels positions to be better than the existing situation relative to the county's zoning and building ordinance.

Minimum lot size – Recreation Land Use Category

There is no predetermined minimum parcel size in the Recreation Land Use Category; however, the range specified by the Land Use Element identifies parcels within/inside urban and village areas to be between 6,000 square feet to 20 acres. The two resulting parcels will be both greater than 6,000 square feet and less than 20 acres. The resulting lot sizes will be in character with the surrounding land uses and consistent with the Recreation land use category.

Combining Designation – Flood Hazard

Parcel 2 has a portion of its lot within an identified flood hazard area as designated by the Official Maps (Part III) of the Land Use Element. Land divisions, including lot line adjustments, are prohibited within hazard areas where they create new buildable areas within a hazard zone (Section 23.07.065). The proposed lot line adjustment will increase the size of Parcel 1 and decrease the size of Parcel 2 and will not create new buildable areas within the flood hazard zone which is located in the western-most portion of Parcel 2.

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, the adjustment is in an area with an average slope of less than 20%, does not result in any changes in land use or density, and is a minor lot line adjustment not resulting in the creation of any new parcels, staff has concluded that the adjustment is consistent with both state and local law.

COASTAL PLAN POLICIES:

Shoreline Access: N/A

Recreation and Visitor Serving: Policy No(s): 1, 2, 3

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: Policy No(s): 1, 10

Coastal Watersheds: N/A

Visual and Scenic Resources: N/A

Hazards: N/A

Archeology: N/A

Air Quality: N/A

COASTAL PLAN POLICY DISCUSSION:

Recreation and Visitor Serving

Policy 1: Recreation Opportunities. Coastal recreational and visitor-serving facilities, especially lower-cost facilities, shall be protected, encouraged and where feasible provided by both public and private means.

Staff Response: The proposed adjustment is consistent with this standard. The proposed adjustment will facilitate the future expansion of the Central Coast Aquarium, a low-cost visitor-serving facility.

Policy 2: Priority for Visitor-Serving Facilities. Recreational development and commercial visitor-serving facilities shall have priority over non-coastal dependent use, but not over agriculture or coastal dependent industry in accordance with PRC 30222.

Staff Response: The proposed lot line adjustment is consistent with this standard. The Central Coast Aquarium and County Park are currently open to the public. The lot line adjustment will not impact the park or the aquarium in any way other than allowing the aquarium to expand its facilities. The lot line adjustment and future expansion will not impact the park.

Policy 3: Low Cost Facilities. Larger visitor-serving projects shall make provisions for services where are geared to a range of costs, including low cost facilities.

Staff Response: The proposed lot line adjustment is consistent with this standard. The Central Coast Aquarium is a low cost facility providing marine science education to the general public.

Public Works

Policy 1: Availability of Service Capacity. New development (including divisions of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Priority shall be given to infilling within existing subdivided areas. Prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban service line for which services will be needed consistent with the Resource Management System where applicable.

Staff Response: The lot line adjustment is consistent with this standard. The adjustment will allow for the future expansion of Central Coast Aquarium. The aquarium is currently serviced by the Avila Community Services District. Avila Community Services District has the capacity to service the expanded facility with necessary services.

Policy 10: Encouraging Development within the Urban Services Line. New or expanded urban development should be required to be located within the Urban Services Line (USL) of coastal communities.

Staff Response: The proposed lot line adjustment is consistent with this standard. The adjustment will occur within the USL. Additionally, the expansion of the marine science facility will be located within the USL.

COMMUNITY ADVISORY GROUP COMMENTS:

Avila Valley Advisory Council – No referral response received.

AGENCY REVIEW:

Public Works – Please refer to Attachment 3 – Referrals.

Staff Response: Public Works asked the applicant to revise the submitted Lot Line Adjustment COAL11-103 map to provide additional information and corrections needed to comply with 21.02.030. The applicant submitted the corrections and Public Works approved the submitted Lot Line Adjustment COAL11-103.

General Services/Parks – A referral was received on October 25, 2013. General Services had no comment as submitted.

California Coastal Commission – No referral response received.

LEGAL LOT STATUS:

One of the two existing parcels is Public Lot 01-448, Parcel 1, and was legally created by approval of a public lot application by the San Luis Obispo County Subdivision Review Board and subsequent recordation of a deed from the County of San Luis Obispo to the Avila Beach Community Services District (document #2002-049127) at a time when that was a legal method of creating parcels (076-212-008).

One of the two existing parcels is Public Lot 01-448, Parcel 2, and was legally created by approval of a public lot application by the San Luis Obispo County Subdivision Review Board and subsequent recordation of a deed from the County of San Luis Obispo to the Avila Beach Community Services District (document #2002-049127) at a time when that was a legal method of creating parcels (076-212-007).

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