



**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 Stephanie Fuhs 781-5721 sfuhs@co.slo.ca.us		APPLICANT Henri Degroot		FILE NO. CO 13-0002 SUB2012-00044	
SUBJECT Hearing to consider a request by Henri Degroot for a Vesting Tentative Parcel Map/Conditional Use Permit (CO 13-0002/SUB2012-00044) to subdivide an existing one acre parcel into a planned development condominium project. The six condominium units will be located within an existing 18,000 square foot industrial building and will be approximately 3,000 square feet each for the purpose of sale and/or lease. The project will not result in any site disturbance. The proposed project is within the Industrial land use category and is located at 2385 Precision Drive, approximately 600 feet west of Winterhaven Way, in the Callender-Garrett Village Area. The site is in the South County (Inland) planning area.							
RECOMMENDED ACTION Approve Vesting Tentative Parcel Map CO 13-0002 and Conditional Use Permit SUB2012-00044 based on the findings listed in Exhibits A and C and the conditions listed in Exhibits B and D.							
ENVIRONMENTAL DETERMINATION A Class One Categorical Exemption was issued on January 13, 2014 (ED13-131).							
LAND USE CATEGORY Industrial		COMBINING DESIGNATION None		ASSESSOR PARCEL NUMBER 091-402-001		SUPERVISOR DISTRICT(S) 4	
PLANNING AREA STANDARDS: 22.112.060 – Callender-Garrett Village Area Standards							
LAND USE ORDINANCE STANDARDS: 22.22.100 – Subdivision Design Standards for the Industrial land use category (Industrial condominium /planned development project)							
EXISTING USES: 18,000 square foot industrial building							
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Industrial-undeveloped, Residential Suburban - Residences <i>East:</i> Industrial-undeveloped, Residential Suburban - Residences <i>South:</i> Industrial - Undeveloped <i>West:</i> Industrial - Storage yards, Residential Suburban - Residences							
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: South County Advisory Council, Public Works, Environmental Health, , County Parks, CalFire, APCD, Cal Trans							
TOPOGRAPHY: Mostly level				VEGETATION: Ornamentals			
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CalFire				ACCEPTANCE DATE: December 2, 1013			
<p align="center">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</p>							

PROJECT HISTORY

The project site has been the subject of a few land use decisions. Following review of County records, the list below summarizes decisions pertinent to the current application:

Zoning:

1980 – The Land Use Element is adopted. The property is zoned Industrial at that time.

1988 – The Public Hearing draft of the South County Area Plan Update is circulated. That plan shows the site proposed to change from Industrial to Residential Suburban.

1991- Revised Hearing Draft of the South County Area Plan Update is circulated. That plan shows the site remaining as Industrial at the request of the property owner at that time (Kiler).

1994 – South County Area Plan Update is adopted with the property zoned Industrial.

Land Use Permits:

1991 – Parcel Map CO 88-0292 is approved subdividing a 10 acre parcel into 4-one acre parcels with a remainder parcel. The subject site for this permit is Lot 1 of Parcel Map CO 88-0292.

2000- Minor Use Permit D980214P is approved for the 18,000 square foot industrial building on Lot 1. Conditions of approval for the land use permit include limitations on uses, standards for site development, including landscaping, traffic and circulation, noise mitigation, wastewater and drainage (see attached conditions).

2003 – Construction Permit for the 18,000 square foot industrial building is issued. Permit is finalized in 2005. The building has been vacant for several years.

2013- Current subdivision application for an industrial condominium project is submitted.

ORDINANCE COMPLIANCE

Minimum Parcel Size

Section 22.22.100 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Industrial land use category. The standards are based on the type of water supply and sewage disposal. This section of the ordinance also allows for the Review Authority, through Conditional Use Permit approval, to determine minimum parcel size for an Industrial planned development. The proposed parcel meets all requirements for one acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Services and Location	Community Water <u>or</u> sewer	One acre

Because the project is for condominium units, the final map will show the one acre parcel. The six individual units are shown on a recorded condominium plan for the project.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation. Because the project does not involve the construction of any residential structures, staff has determined that Quimby fees are not applicable in this case.

Inclusionary Housing Fees

Title 29, the Affordable Housing Fund, establishes an in-lieu fee to create a fund that would help to meet, in part, the housing needs of the County's very low, low, moderate income and workforce households. Section 22.12.080 of Title 22, the Land Use Ordinance, describes the options the applicant may choose to satisfy the requirement. Because the project is a condominium conversion of an existing industrial structure that does not increase the structural floor area or convert to a more intensive commercial use than what is already allowed, staff has determined that inclusionary housing fees are not applicable in this case.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

PLANNING AREA STANDARDS

Applicable standards include limitations on uses. These uses are further limited by the conditions of approval adopted for Minor Use Permit D980214P (discussed above under the Background section).

ENVIRONMENTAL DETERMINATION

The project qualifies for a Class 1 Categorical Exemption because it will be located within an existing building and does not involve any new construction beyond interior walls for future owners/tenants of the building.

COMMUNITY ADVISORY GROUP COMMENTS

The South County Advisory Council did not comment on the project initially due to questions about water supply and applicable land use standards. At the time of staff report preparation, no further comments have been received.

STAFF COMMENTS

While no formal comments have been received from the South County Advisory Council, correspondence has been received by two members of the advisory group expressing concerns over zoning of the property, land use standards pertaining to the project and lack of maintenance of the required landscaping.

As was stated previously, the zoning has been Industrial since the Land Use Element was adopted in 1980. The Land Use Ordinance allows Industrial condominium or planned development with an application for a subdivision and conditional use permit. As for the landscaping, the current applicant has installed and maintained the landscaping along the perimeter of Lot 1. Landscaping along Winterhaven has not been properly installed or maintained apparently due to property ownership and water company ownership changes. According to a verbal referral response from CalFire, no fire code compliance or fire protection system inspections were being done on the existing building due to the water company shutting off water to the building and landscaping.

With the current application, staff required some landscaping to be installed along Winterhaven Way prior to acceptance of the project for processing and will require more extensive landscaping to be installed prior to recordation of the final map in order for the project to comply with the conditions of approval from the previous land use permit in order to provide a buffer between the residentially zoned properties and the industrial property. In addition, staff is recommending that a maintenance bond be posted prior to recordation of the final map to ensure that the landscaping remains regardless of potential future ownership changes. The responsibility for maintenance falls to the current applicant.

AGENCY REVIEW

Public Works – Initial concerns with map not showing all information required by Title 21, subsequent review showed all revisions acceptable

Environmental Health – Preliminary evidence of water letter submitted, testing that wastewater system is operating properly

County Parks – Responded with “no comment”

CalFire - See attached fire safety plan

APCD – No comments received

Cal Trans – No comments received

Building Division – Concerns over building meeting building and fire code standards for interior walls

LEGAL LOT STATUS

The one lot was legally created by a recorded map (CO88-0292) at a time when that was a legal method of creating lots.