



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

**PLANNING DEPARTMENT HEARING**

*Promoting the wise use of land*

<b>MEETING DATE</b> March 7, 2014	<b>CONTACT/PHONE</b> Jo Manson (805) 781-4660 jmanson@co.slo.ca.us	<b>APPLICANT</b> Jerry Philipps and Terri Belter	<b>FILE NO.</b> COAL 13-0081 SUB2013-00026
<b>SUBJECT</b> Hearing to consider a request by <b>JERRY PHILIPPS &amp; TERRI BELTER</b> for a Lot Line Adjustment (COAL 13-0081) to adjust the lot lines between two parcels of approximately 0.90 and 4.55 acres each. The adjustment will result in two parcels of approximately 2.58 and 2.86 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Rural land use category and is located at 1139 Mesa View Drive, approximately 150.0 feet north of the intersection of Randy Lane and Mesa View Drive, southwest of the village of Palo Mesa and north of the village of Callender-Garrett. The site is in the South County planning area.			
<b>RECOMMENDED ACTION</b> Approve Lot Line Adjustment COAL 13-0081 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> A Class 5 Categorical Exemption was issued on January 16, 2014 (ED13-136).			
<b>LAND USE CATEGORY</b> Residential Rural	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 075-311-023 and 075-311-055	<b>SUPERVISOR DISTRICT(S):</b> 4
<b>PLANNING AREA STANDARDS:</b> 22.112.040, Rural Area Standards and G. Residential Rural – None applicable.			
<b>LAND USE ORDINANCE STANDARDS:</b> 22.22.060 – Subdivision design standards for the Residential Rural land use category			
<b>EXISTING USES:</b> Single-family residence, shed, barn			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Residential Rural /single family residences East: Residential Rural / single family residences South: Residential Rural / single family residences West: Residential Rural / single family residences			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> The project was referred to: Public Works, Environmental Health, Cal Trans, South County Advisory Council and Cal Fire			
<b>TOPOGRAPHY:</b> Level to gently sloping		<b>VEGETATION:</b> Grasses, ornamentals, oak trees	
<b>PROPOSED SERVICES:</b> Water supply: Individual well system Sewage Disposal: Individual septic system Fire Protection: CAL FIRE		<b>ACCEPTANCE DATE:</b> January 16, 2014	

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 legal parcels as follows:

<b>EXISTING LOT SIZES (ACRES)</b>	<b>ADJUSTED PARCEL SIZES (ACRES)</b>
0.90 acres	2.58 acres
4.55 acres	2.86 acres

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 two (2) existing parcels are developed with a single family residence and shed on the 0.90 acre parcel, and a barn on the 4.55 acre parcel. The driveway providing residential access from Mesa View Dr. is located on both parcels. Proposed Parcel 1 will have the existing single family residence, shed, barn and driveway. Proposed Parcel 2 will be undeveloped. The applicant has stated that proposed Parcel 2 will be eventually developed with a residential use. The minimum parcel size as required in Section 22.22.060 for the Residential Rural land use category is five (5) acres. Both of the existing and proposed parcel sizes do not meet the minimum parcel size of five (5) acres.

The adjustment will result in the reconfiguration of the two parcels into two parcels to reflect the existing uses on the site and allow for an exchange of land. This exchange will maintain a position which is "equal to" the existing situation relative to the county's zoning and building ordinances. The proposed adjustment allows for the existing residence, shed, barn and driveway to be entirely located on proposed Parcel 1 as part of estate planning with both property owners. The proposed lot line adjustment does not create more 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 both parcel sizes are below the minimum parcel size as set through the General Plan and both of the two adjusted parcels will remain so after the adjustment, staff has concluded that the proposed adjustment is equal to the existing lot line situation and is also consistent with both state and local law.

**STAFF COMMENTS:**

The applicant intends to use an access/utility easement across proposed Parcel 1 in favor of Parcel 2. Public Works concurs with the proposed access easement for proposed Parcel 2. The applicant has stated that proposed Parcel 2 will be eventually developed with a residential use. Planning staff coordinated with Cal Fire regarding the width of the proposed access easement to ensure that the width would meet the requirements of a fire safety plan for future residential development of this parcel. Cal Fire indicated that they would consider the easement an access road for proposed Parcel 2. Cal Fire indicated that they would require a 24 foot width at this time with the tentative adjustment map because they do not yet know the specifics of the

proposed residential development for proposed Parcel 2. Cal Fire noted that it is possible that they would reduce the easement width to 16 feet based upon a future review of a building permit application.

**AGENCY REVIEW:**

Public Works – Concurs with proposed access easement across proposed Parcel 1 in favor of proposed Parcel 2. Recommends approval.

Environmental Health – No comment.

Cal Trans – No comment.

South County Advisory Council – Recommends approval

Cal Fire – Require 24 foot wide access/utility easement across proposed Parcel 1 in favor of Parcel 2 with the tentative map, with possible reduction to 16 feet after review of a future building permit application for proposed Parcel 2.

**LEGAL LOT STATUS:**

One of the two existing parcels was legally created by a recorded map, Lot Line Adjustment COAL 99-0136, Parcel #5 (Book 55, Page 19 of Parcel Maps) at a time when that was a legal method of creating parcels.

One of the two existing parcels is a portion of Lot 131 of parts of the Ranchos Corral de Piedra, Pismo and Bolsa de Chemisal which was filed for record November 25, 1873 in Book A, Pages 65 of Maps, and was legally created by deed at a time when that was a legal method of creating parcels.

**ATTACHMENTS**

Attachment 1 - Findings

Attachment 2 - Conditions of Approval

Attachment 3 - Project Graphics

Attachment 4 - Project Referral Responses