

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 7/15/2014	(3) CONTACT/PHONE Stephanie Fuhs, Planner/(805)781-5721	
(4) SUBJECT Hearing to consider an appeal by PB Coastview LLC of the Subdivision Review Board's approval of a Lot Line Adjustment/Coastal Development Permit, exempt from CEQA, (COAL 14-0026/SUB2013-00055). District 3.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt and instruct the Chairperson to sign the resolution modifying the decision of the Subdivision Review Board and conditionally approving the application of PB Coastview LLC, a California Limited Liability Company for Lot Line Adjustment COAL 14-0026.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>45 Minutes</u>) <input type="checkbox"/> Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 3			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 7/15/2014

SUBJECT: Hearing to consider an appeal by PB Coastview LLC of the Subdivision Review Board's approval of a Lot Line Adjustment/Coastal Development Permit, exempt from CEQA, (COAL 14-0026/SUB2013-00055). District 3.

RECOMMENDATION

It is recommended that the Board adopt and instruct the Chairperson to sign the resolution modifying the decision of the Subdivision Review Board and conditionally approving the application of PB Coastview LLC, a California Limited Liability Company for Lot Line Adjustment COAL 14-0026.

DISCUSSION

Project Description

The proposed project is a request by PB Coastview LLC for a Lot Line Adjustment/Coastal Development Permit to adjust the lot lines between four parcels of 40, 132, 335, and 394 acres each. The adjustment will result in the reduction of the total number of parcels from four to two parcels. The first parcel will be 20 acres and the second will be 880 acres. The intent of the Lot Line Adjustment is to provide the majority of the property for open space, conservation, public access and will facilitate the creation of what is known as the "Pismo Preserve" property.

The proposed project is within the Rural Lands land use category and is located along Mattie Road to the west, Thousand Hills Road to the east, and is adjacent to the City Limits of Pismo Beach to the south (Pismo Heights) neighborhood. The site is in the San Luis Bay (Inland and Coastal) planning areas.

Background

The project was heard and approved by the Subdivision Review Board on June 2, 2014 with conditions of approval to provide for an open space easement covering the entire 880 acre parcel and 15 acres of the 20 acre parcel.

Appeal

After the Subdivision Review Board's decision to approve the lot line adjustment, it was found that two conditions of approval had the potential to jeopardize the Land Conservancy's funding and procurement of the property. The applicant has appealed the Subdivision Review Board's decision requesting that conditions 12 and 13 pertaining to the open space agreement be removed.

Staff Response to Appeal

Staff is supportive of the applicant's request and recommends that the Board uphold the appeal and modify the decision of the Subdivision Review Board.

It is the Land Conservancy's intention to acquire and hold the open space easement on close to 900 acres of the Pismo Preserve property. Because the Land Conservancy is a non-profit agency, they have the ability to receive land grants and record deed restrictions to acquire and preserve land in open space in perpetuity, therefore eliminating the need for the County to hold an open space easement on the property.

Conditions 12 and 13 discuss the requirement and timing an open space agreement. However, the application of an open space agreement over the property, at this stage in the process, causes issues with the value of the property appraisal and thus the land Conservancy's ability to procure grant funding and subsequent acquisition of the property.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel reviewed and approved the resolution as to form and legal effect.

FINANCIAL CONSIDERATIONS

Application fees covered the processing of the Lot Line Adjustment application. Appeal fees have been waived because the project is within the Coastal Zone.

RESULTS

Upholding the appeal and modifying the Subdivision Review Board's decision to remove the conditions pertaining to the open space agreement will allow the Lot Line Adjustment to proceed without requiring County standard open space measures. This will allow for potential future acquisition of the property by the Land Conservancy to preserve approximately 900 acres of land for open space and public access. This is consistent with the countywide goal of promoting a prosperous and livable community.

ATTACHMENTS

- Attachment 1 - BOS Resolution
- Attachment 2 - Draft Minutes of the June 2, 2014 Subdivision Review Board Meeting
- Attachment 3 - Notice of County Action
- Attachment 4 - June 2, 2014 Subdivision Review Board Staff Report
- Attachment 5 - Graphics