



Promoting the wise use of land

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

PLANNING DEPARTMENT HEARING

MEETING DATE September 5, 2014	CONTACT/PHONE Xzandrea Fowler (805) 781-1172 xfowler@co.slo.ca.us	APPLICANT Major Domo, LLC	FILE NO. COAL 12-0081 SUB2012-00025
SUBJECT Hearing to consider a request by MAJOR DOMO, LLC, for a Lot Line Adjustment (COAL 12-0081) to adjust the lot lines between two existing parcels of approximately 1,696 acres and 20 acres in size. The adjustment will result in two parcels, of approximately 623 acres and 1,082 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located on the east side of El Camino Real, approximately 900 feet northeast of the intersection of Estrada Avenue (CA-58) and El Camino Real, northeast of the community of Santa Margarita. The site is in the Salinas River sub area of the North County planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL12-0081 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption was issued on July 25, 2014 (ED13-274).			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Flood Hazard Area	ASSESSOR PARCEL NUMBER 070-091-037, -039	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: FEMA Flood Hazard Area, Salinas River Planning Area, Atascadero Planning Impact Area, Highway Corridor Design Standards, Santa Margarita Ranch – Rural			
LAND USE ORDINANCE STANDARDS: 22.22.040- Subdivision Design Standards for the Agricultural land use category			
EXISTING USES: Grazing, agricultural uses; smaller lot serves as access road for quarry			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture & Rural Lands/grazing & quarry <i>East:</i> Agriculture, Residential Rural, Rural Lands/grazing & quarry <i>South:</i> Agriculture, Residential Suburban, Public Facility/ grazing, residential, elementary school, cemetery <i>West:</i> Agriculture, Residential Suburban, Commercial Retail /grazing, residential, tank facility, commercial			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner, Cal Fire, Caltrans, RWQCB, Santa Margarita Area Advisory Council, Atascadero Community Development Department			
TOPOGRAPHY: Gently rolling to some moderately sloping areas	VEGETATION: Grasses, oak woodland, chaparral, riparian near Trout Creek		
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: Cal Fire	ACCEPTANCE DATE: July 25, 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

SUMMARY

The proposed lot line adjustment will result in the reconfiguration of two existing parcels. The smaller parcel (APN 070-091-039), originally a railroad spur easement, is roughly 100 feet wide and approximately 20 acres in size. The northern portion of the small parcel serves as a paved access road (roughly 28 feet wide) to the Santa Margarita Quarry (operated by Hanson Aggregate). The smaller parcel will be increased in acreage from roughly 20 acres to 623 acre. Reconfiguring the two parcels will allow for agricultural development consistent with the County's Land Use Ordinance. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located on the east side of El Camino Real, approximately 900 feet northeast of the intersection of Estrada Avenue (CA-58) and El Camino Real, northeast of the community of Santa Margarita. The site is in the Salinas River sub area of the North County planning area.

LAND USE ORDINANCE (TITLE 22), PLANNING AREA STANDARDS COMPLIANCE::

The following standards from the Land Use Ordinance (LUO/Title 22) apply to the property:

- A. FEMA Flood Hazard Area (22.014.060). This combining designation is applied when new development and their uses may be subject to inundation by a 100-year flood event. These standards are also intended to minimize the effects of development on drainage ways and watercourses. No development is proposed with this lot line adjustment. This standard would be applied at the time development is proposed on the project site.
- B. Salinas River Planning Area (22.104). Section 22.104.020 contains the Salinas River Areawide Standards. Project conformity with these standards is discussed briefly below:
 1. Open Space Preservation (22.104.020 C). This standard applies to land that contains important biological, visual, historic, and/or prime agricultural resources either onsite or on adjacent properties. The intent of this standard is to encourage new development to preserve such resources in permanent open space. Further this standard indicates that lot lines should be adjusted to concentrate development in suitable areas and leave other areas undeveloped and subject to open space or conservation easements. As indicated in the Santa Margarita Ranch Agricultural Residential Subdivision Project and Future Development Program Environmental Impact Report (EIR) the project site does contain important resources. The reconfiguration of the existing two parcels will result in parcels of 623 and 1,082 acres each and will retain the site's roughly 1,716 acre site in agricultural uses. The proposed lot line adjustment will result in a parcel configuration and size that is more amenable to agricultural uses while not adversely affecting the site's natural resources. No development is proposed with this lot line adjustment. New development would be reviewed for consistency with this standard.
 1. Section D, Salinas River Resource Protection (22.104.020 D). This standard indicates that discretionary permits and land divisions shall protect the habitats and resource integrity of the Salinas River floodplain. Development shall be designed and located to protect the river as a water resource and to maintain the

natural features and habitats within the floodplain. The Salinas River is located east of the project site. No new development is proposed under this lot line adjustment. Agricultural uses would be retained onsite. New development proposed onsite would be reviewed for consistency with this standard.

2. *Section E, Prime Agricultural Areas – Prime Soils Retention (22.104.020 E)*. This standard indicates that new development on lands the Soil Conservation Service¹ designates as prime, Class I or II soil if irrigated, shall be designed to minimize the loss of prime agricultural soils for potential agricultural use by selective placement of buildings and new parcels. According to the Natural Resource Conservation Service Web Soil Survey, soils on the project site have a non-irrigated capability class of IV or higher. The proposed lot line adjustment would reconfigure two existing parcels into a 623 acre parcel and a 1,082 acre parcel. Both parcels would exceed the County's minimum Agricultural land use category parcel size of 320 acres (based on the current grazing use of the property). No development is proposed with this lot line adjustment. New development would be reviewed for consistency with this standard.
 3. *Section F, Other Land of Agricultural Value – Soils Retention (22.104.020 F)*. This standard indicates that new development on land that has existing agricultural production or that is classified by the Soil Conservation Service¹ as Class III or IV soils shall be designed to minimize the loss of soils for potential agricultural use by selective placement of buildings and new parcels. As noted above, according to the Natural Resource Conservation Service Web Soil Survey, soils on the project site have a non-irrigated capability class of IV or higher. The proposed lot line adjustment would retain agricultural uses onsite. No new development is proposed under this lot line adjustment. New development proposed onsite would be reviewed for consistency with this standard.
 5. *Section G, Transit-Oriented Standards (22.104.020 G)*. Minor Use Permit, Conditional Use Permit, and subdivision applications shall provide a design and site development that is consistent with the standards for implementing the County Circulation Element and the Regional Transportation Plan. Agricultural uses would be retained onsite. New development proposed in the future would be reviewed for consistency with this standard.
- C. Atascadero Planning Impact Area (22.104.020B). This standard applies when a project is located within the planning impact area of the city of Atascadero. In such a case, discretionary permits are referred to the city for review and comment. This standard requires that project improvements be evaluated for consistency with city plans. Per this section of the Land Use Ordinance, Figure 104-3 (Atascadero Planning Impact Area), a small portion of the project site (across from Garden Farms) is within the referral area. The proposed lot line adjustment was referred to the city on Atascadero on August 1, 2014. The city had no comment on the proposed lot line adjustment.

¹ The Soil Conservation Service has now been replaced by the Natural Resource Conservation Service.

- D. Highway Corridor Design Standards (22.104.020 H). This planning standard indicates that construction of new residential structures, residential accessory buildings, residential access roads, specified agricultural accessory buildings, and signs may be subject to Highway Corridor Design Standards. No development is proposed with this lot line adjustment. This standard would be applied at the time development is proposed on the project site.
- E. Santa Margarita Ranch – Rural (22.104.040A). This standard applies to lands that are part of the Santa Margarita Ranch and have a land use designation of Agriculture (as identified in Figure 104-25). Per this standard a specific plan must be prepared and approved for the areas defined in Figure 104-25 prior to the approval of additional Ranch subdivisions. The proposed lot line adjustment is within the area designated on Figure 104-25; however, this Planning Area Standard indicates that this restriction does not apply to lot line adjustments.

REAL PROPERTY DIVISION ORDINANCE (TITLE 21) COMPLIANCE:

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

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
Lot 1 = ~20	Lot 1 = ~623
Lot 2 = ~1,696	Lot 2 = ~1,082

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 two existing parcels. The smaller parcel (APN 070-091-039), originally a railroad spur easement, is roughly 100 feet wide and approximately 20 acres in size. The northern portion of the small parcel serves as a paved access road (roughly 28 feet wide) to the Santa Margarita Quarry (operated by Hanson Aggregate). The smaller parcel will be increased in acreage from roughly 20 acres to 623 acre. The smaller parcel's new configuration will conform to the County's minimum parcel size (i.e., 320 acres) required under the Agricultural land use category and result in a parcel configuration and acreage that is better suited for agricultural uses. The larger parcel (APN 070-091-037), which will be approximately 1,082 acres in size, will remain in compliance with the 320 acre minimum parcel size requirement of the Agricultural land use category, and would be equal to the existing situation. This area of Santa Margarita has a history of viable agricultural uses. Reconfiguring the two parcels will allow for agricultural development consistent with the County's Land Use Ordinance.

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 will be consistent with the minimum parcel size as set forth in the General Plan and the proposed lot line adjustment would result in a lot configuration for Parcel 1 that is better suited for agricultural operations, staff has concluded that the adjustment is consistent with both state and local law.

ACCESS

Both proposed parcels would have frontage on a public road. Proposed Parcel 1 and 2 would have frontage on El Camino Real and potentially Highway 58 (Calf Canyon Road). In addition, Parcel 2 would have frontage on Highway 58 (Pocho Road). In order to assure access, the adjusted parcels must provide access from a road by the recordation of either Offer(s) of Dedication or Declaration(s) of Restrictive Covenant. This requirement is reflected in the conditions of approval.

FUTURE DEVELOPMENT

The Santa Margarita Ranch Agricultural Residential Subdivision Project and Future Development Program EIR evaluated the entire ranch property including the area proposed under the current lot line adjustment. Several future development scenarios for Santa Margarita Ranch were evaluated under this Program EIR. Although the area proposed under the current lot line adjustment was not a part of the cluster subdivision evaluated in the EIR, mitigation measures identified in the EIR would be applicable to the lot line adjustment properties at the time development is proposed on the resulting parcels.

COMMUNITY ADVISORY GROUP COMMENTS:

The Santa Margarita Area Advisory Council (SMAAC) reviewed and supported, with a unanimous vote, the project on March 13, 2013.

LEGAL LOT STATUS

The two existing lots were legally created certificates of compliance (Document #2001-076581 and #2004-4069803) at a time when that was a legal method of creating lots.

Staff report prepared by Xzandrea Fowler and reviewed by Steve McMasters, Supervising Planner.