

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 9/9/2014	(3) CONTACT/PHONE Stephanie Fuhs, Planner III/(805)781-5721	
(4) SUBJECT Submittal of a resolution approving an agreement establishing Restrictions and Obligations for real property adjusted by Lot Line Adjustment COAL 13-0098 With Stephen B. Samerjan, III, Trustee of the Lifetime Benefit Trust. District 2.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt and instruct the Chairperson to sign the resolution approving and accepting the agreement establishing restrictions and obligations for real property adjusted by Lot Line Adjustment COAL 13-0098 with Stephen B. Samerjan, III, Trustee of the Lifetime Benefit Trust.			
(6) FUNDING SOURCE(S) Current Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input checked="" 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 2			



County of San Luis Obispo

TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner III

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 9/9/2014

SUBJECT: Submittal of a resolution approving an agreement establishing Restrictions and Obligations for real property adjusted by Lot Line Adjustment COAL 13-0098 With Stephen B. Samerjan, III, Trustee of the Lifetime Benefit Trust. District 2.

RECOMMENDATION

It is recommended that the Board adopt and instruct the Chairperson to sign the resolution approving and accepting the agreement establishing restrictions and obligations for real property adjusted by Lot Line Adjustment COAL 13-0098 with Stephen B. Samerjan, III, Trustee of the Lifetime Benefit Trust.

DISCUSSION

Attached is an agreement establishing restrictions and obligations that was required by conditions of approval for Lot Line Adjustment COAL 13-0098. The agreement was required in order to provide mitigation measures for protection of California Red Legged Frog, a federally listed endangered species.

The project is a Lot Line Adjustment (COAL 13-0098) to adjust the lot lines between two parcels of approximately 32.16 and 21.48 acres each, resulting in two parcels of approximately 27.14 and 27.12 acres each. The proposed project is within the Rural Lands land use category and is located at 8890 Toro Creek Road, approximately 2.5 miles west of Highway 41 and 4 miles west of the City of Atascadero. The site is in the Salinas River planning area. The project was approved at a Planning Department Hearing on April 18, 2014.

The attached proposed agreement is found to be consistent with the County's general plan.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel prepared the agreements and approved the resolutions and documents as to form and legal effect. County Public Works reviewed and approved the legal description of the area subject to the provisions of the mitigation agreement.

FINANCIAL CONSIDERATIONS

None.

RESULTS

Approving and accepting the agreement establishing restrictions and obligations will require pre-construction surveys and monitoring during construction along with mitigation measures for protection of the California Red Legged Frog, a federally listed endangered species. This is consistent with the County goal of providing a healthy and livable community.

ATTACHMENTS

Attachment 1- Resolution
Attachment 2 - Agreement
Attachment 3 - Graphics