



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

PLANNING DEPARTMENT HEARING

Promoting the wise use of land

MEETING DATE December 5, 2014		CONTACT/PHONE Megan Martin mamartin@co.slo.ca.us (805) 781-4163		APPLICANT Robert Wilcox		FILE NO. COAL 14-0056 SUB2014-00005	
SUBJECT A request by Robert Wilcox for a Lot Line Adjustment (COAL14-0056) to adjust the lot lines between two parcels of 2.06 acres each. The adjustment will result in two parcels of 1.51 acres and 2.61 acres. The proposed project is within the Agriculture land use category and is located on the south side of Ground Squirrel Hollow, (approximately 0.3 miles east of Geneseo Road), and approximately 6 miles east of the City of Paso Robles. The site is in the El Pomar-Estrella Sub Area of the North County Planning Area.							
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 14-0056 based on the findings listed in Exhibit A and the conditions listed in Exhibit B							
ENVIRONMENTAL DETERMINATION A Class 5 Categorical Exemption (ED14-018) was issued on August 22, 2014.							
LAND USE CATEGORY Agriculture		COMBINING DESIGNATION Not applicable		ASSESSOR PARCEL NUMBER 015-325-033 and 015-325-034		SUPERVISOR DISTRICT(S) 5	
PLANNING AREA STANDARDS: None applicable							
LAND USE ORDINANCE STANDARDS: Section 21.02.030 – Lot Line Adjustments Section 22.22.040 – Subdivision Design, Agriculture Category							
EXISTING USES: Single family residences							
SURROUNDING LAND USE CATEGORIES AND USES: North: Agriculture/ Residential Single Family East: Agriculture / Residential Single Family South: Agriculture Residential Single Family West: Agriculture / Residential Single Family							
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Agricultural Commissioner, Ground Squirrel Hollow Community Services District							
TOPOGRAPHY: Gently to moderately sloping				VEGETATION: Non-native grasses, oak trees			
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic Fire Protection: Cal Fire				ACCEPTANCE DATE: August 22, 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:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
2.06 (Parcel 1)	1.51 (Parcel 1)
2.06 (Parcel 2)	2.61 (Parcel 2)

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 parcels are located in an antiquated subdivision known as Ground Squirrel Hollow which is predominantly non-agricultural. No agricultural activities are occurring on either property. The two parcels lie adjacent to one another, south of Ground Squirrel Hollow Road. Both lots take access from Ground Squirrel Hollow Road along an existing easement. Parcel 1 is developed with a single family residence at the northernmost portion of the lot, Parcel 2 is developed with a single family residence located at the southernmost portion of the lot. An existing buffer of oak trees runs through both parcels in a southwest to northeast direction limiting development and access to the southernmost portion of Parcel 1. The southernmost portion of Parcel 1 lies adjacent to the existing single family residence on Parcel 2.

The adjustment will result in the reconfiguration of the two parcels to reflect existing vegetation, topography, access and the use of the southernmost portion of Parcel 1. An existing buffer of trees and vegetation currently impedes the owner of Parcel 1 from utilizing and accessing this portion of the parcel. Reconfiguring the lot line will allow Parcel 2 to utilize the southernmost portion of Parcel 1 which is directly adjacent to the existing residential use. The parcels resulting from the proposed lot line adjustment are consistent with the surrounding parcel sizes.

According to Section 22.22.040 of the Land Use Ordinance, the minimum parcel size for the Agriculture land use category is 20 acres to 320 acres. The minimum parcel size in the Agriculture land use category is based upon features including use of land that could result in a minimum parcel size of 20 acres. The project is located in an antiquated subdivision which is predominantly non-agricultural with no agricultural activities occurring on the property; immediately adjacent (south) to the project site are larger agricultural parcels with non-intensive agricultural activity (grazing). Parcel sizes in the subdivision range from 1 acre to 2.9 acres, with most lots developed with single family dwellings.

The Agricultural Department reviewed the proposed project (Lynda Auchinachae, July 24, 2014) and considers the proposed lot line adjustment equal to the existing parcel configuration. The Agricultural Department recommended that an agricultural buffer of 150 feet from the south property line be placed across Parcels 1 and 2. The existing single family residence on Parcel 2 would be within the recommended buffer. Neighboring parcels have similar development (residences and accessory structures) within 150 feet of the southern property lines adjacent to the same agricultural property. The agriculture property south of Ground Squirrel Hollow is used primarily for grazing. Similar agriculture buffers have been required on properties adjacent

to agricultural land to protect residences and visitors from nuisances associated with more intense agricultural uses and activities (i.e. machinery, pest control, weed abatement.) Because of the existing single family residence on Parcel 2, similar lot development patterns in the immediate vicinity, and the less intense nature of agriculture activities (grazing) on the adjacent agricultural property, an agricultural buffer along the southern property line would not be effective or justified.

Agriculture and Open Space Element, AGP17: Agricultural Buffers, states the following:

Protect land designated Agriculture and other land in production agriculture by using natural or man-made buffers where adjacent to non-agricultural land uses in accordance with the agricultural buffer policies adopted by the Board of Supervisors.

Staff has determined the adjustment will result in new parcel configurations that maintain a position which is equal to or better than the existing situation relative to the county's zoning and building ordinances.

Public Works reviewed the proposed project (Doug Rion, July 24, 2014 and September 22, 2014). All comments on the Lot Line Adjustment checklist were addressed by the applicant; Public Works recommended an easement be recorded for the existing driveway that crosses the adjacent property (APN 015-325-023). Access for both parcels is from Ground Squirrel Hollow Road off of an existing driveway. Ground Squirrel Hollow Road and a portion of the existing 10 foot driveway is located on the adjacent property. The driveway from Ground Squirrel Hollow Road leads to the existing 15 foot easement (Per 2206-OR-78) located entirely on Parcels 1 and 2. The project, as conditioned, will be required to obtain and record an easement for the driveway located on the adjacent property.

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 parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

The two lots were legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Megan Martin and reviewed by Holly Phipps and Steve McMasters.