



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

*Promoting the wise use of land
Helping build great communities*

PLANNING DEPARTMENT HEARING

MEETING DATE January 16, 2015		CONTACT/PHONE Holly Phipps /781-1162/ hhipps@co.slo.ca.us		APPLICANT HIOJT Ranches, LLC		FILE NO. COAL 14-0082 SUB2014-00008	
SUBJECT A request by HIOJT Ranches, LLC for a Lot Line Adjustment (COAL 14-0082) to adjust the lot lines between (2) two parcels of 402.47 acres, and 367.63 acres. The adjustment will result in (2) two parcels of 379.83 acres, and 390.27 acres. The proposed project is within the Agriculture land use category and Flood Hazard combining designation and is located (at 4890 Huasna Road) approximately 2.5 miles southeast of the City Arroyo Grande. The site is in the South County Planning Area, Huasna-Lopez Sub area.							
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 14-0082 based on the findings listed in Exhibit A and the conditions listed in Exhibit B							
ENVIRONMENTAL DETERMINATION A General Rule Exemption (ED14-136) was issued on December 9, 2014.							
LAND USE CATEGORY Agriculture		COMBINING DESIGNATION Flood Hazard		ASSESSOR PARCEL NUMBER 048-191-001 and 002		SUPERVISOR DISTRICT(S) 4	
PLANNING AREA STANDARDS: None applicable							
LAND USE ORDINANCE STANDARDS: Section 22.22.040 – Subdivision Design, Agriculture							
EXISTING USES: Residences, accessory structures, row crops and grazing							
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture / scattered residential uses <i>East:</i> Agriculture / undeveloped <i>South:</i> Agriculture / agricultural uses, rangeland <i>West:</i> Agriculture / agricultural uses, row crops							
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							

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Agriculture Department, Public Works, Environmental Health, and South County Advisory Council	
TOPOGRAPHY: Gently sloping to steeply sloping	VEGETATION: Row Crops, oak woodland and chaparral
PROPOSED SERVICES: Water supply: On-site wells Sewage Disposal: Individual septic system Fire Protection: CAL FIRE	ACCEPTANCE DATE: November 7, 2014

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)
402.47	379.83
367.63	390.27

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 proposed lot line configuration will consolidate all agricultural uses and maintain access to each parcel. The lot line adjustment is being proposed to keep the flatter areas of the site on one parcel in order to consolidate the row crop operation on one property. A large portion of the site is located on steep slopes containing oak woodland that is marginally suitable for grazing. The proposed lot line adjustment will not create any additional development potential than what currently exists today.

The property (Parcel 1 of the lot line adjustment) consists of mostly level land with approximately 110 acres planted in row crops and approximately and 45 acres of open grassland used for cattle. The remainder of the property (approximately 225 acres) has creeks, extensive oak woodland and steep slopes. The property has two residences and accessory structures. There are seven wells on the property that produce between 150 and 390 gallons per minute of water. Surrounding agriculturally zoned properties are primarily undeveloped with large row crop operations to the west and to the south, rangeland.

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 are consistent with the minimum parcel sizes as set forth in the General Plan, and the adjustment does not change the use or buildable area of the properties staff has concluded that this adjustment is consistent with both state and local law. The outcome of this adjustment is equal to the existing property configuration with regards to compliance with the County's General Plan.

The present use of the land is 110 acres of irrigated row crops on Class 2 soils and grazing. According to Section 22.22.040 of the Land Use Ordinance, the minimum parcel size is 160 acres for row crops and 320 acres for grazing. The existing parcels are legal conforming to minimum parcel size and would remain so after the proposed lot line adjustment. The parcels resulting from the lot line adjustment will maintain a position which is equal to the existing situation relative to the county's zoning and building ordinances for parcel size based on the Land Use designation.

Williamson Act

The Parcel 1 is located within the Arroyo Grande Valley Agricultural Preserve No. 3 established on 2/9/73 by Ordinance No. 1261 and is under a land conservation contract recorded on 4/9/73 as Document No. 12178, Book 1720, Pages 432 through 448 inclusive.

The alteration of the agricultural preserve boundary and new contract are necessary because the Government Code (Williamson Act) requires new contracts to be entered into when contracted land is subject to lot line adjustment. Also, the legal description for the contract must match the legal description for the new parcel.

The Board of Supervisors approved the applicant's request to alter the boundaries of the existing Agricultural Preserve on December 2, 2014. After approval of the lot line adjustment and the legal descriptions for the new parcel configuration the new land conservation contract can be prepared. The land conservation contract and certificates of compliance for the lot line adjustment need to be recorded simultaneously.

LEGAL LOT STATUS:

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

AGENCY COMMENTS:

Agriculture Department – The Agricultural Department reviewed the proposed project (L. Auchinachie, August 15, 2014) and considers the proposed lot line adjustment to be equal to the existing configuration;

Environmental Health – No concerns;

Public Works – No concerns.

Staff report prepared by Holly Phipps and reviewed by Terry Wahler.