



Promoting the wise use of land

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

SUBDIVISION REVIEW BOARD

MEETING DATE February 2, 2015	CONTACT/PHONE Stephanie Fuhs (805)781-5721 sfuhs@co.slo.ca.us	APPLICANT San Geronimo LLC	FILE NO. CO 07-0163 SUB2007-00131
SUBJECT Hearing to consider a Request by SAN GERONIMO LLC for a Vesting Tentative Parcel Map (CO07-0163) to subdivide two existing parcels totaling 30.08 acres into three parcels of approximately ten acres each for the purpose of sale and/or development. The project includes off-site road improvements to Venice Road and an existing driveway to be used for secondary access. The project will result in the disturbance of approximately 15,000 square feet for road improvements and up to 2.5 acres for future residential development on the resulting parcels. The proposed project is within the Residential Rural land use category and is located on Venice Rd, approximately 1,000 feet south of El Pomar Road, approximately 2.5 miles northeast of the city of Atascadero . The site is in the El Pomar-Estrella sub area of the North County planning area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 07-0163 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 1, 2015 for this project. Mitigation measures are proposed to address Aesthetics, Air Quality, Biological Resources, Public Services/Utilities, and Water/Hydrology and are included as conditions of approval			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 034-111-014 & 034-101-003	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: Section 22.94.025 – Paso Robles Groundwater Basin, Section 22.94.040 – El Pomar-Estrella Sub-Area Standards, Section 22.94.042 – Land Use Category Standards for the El Pomar-Estrella Sub-Area			
LAND USE ORDINANCE STANDARDS: Section 22.22.060 – Subdivision Design standards for the Residential Rural land use category			
EXISTING USES: Single family residence			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural/Single family residences <i>East:</i> Residential Rural/Single family residences <i>South:</i> Residential Rural and Agriculture/Single family residences <i>West:</i> Residential Rural/Single family residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Templeton Area Advisory Group, Public Works, Environmental Health, Ag Commissioner, County Parks, CalFire, APCD			

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

TOPOGRAPHY: Moderately to steeply sloping	VEGETATION: Grasses, shrubs, oak woodland, walnut orchard
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CalFire	ACCEPTANCE DATE: February 6, 2008

BACKGROUND

This project was applied for December 14, 2007 and accepted for processing February 6, 2008. After the project was accepted, concerns were raised by CalFire regarding secondary access in case of an emergency. This led to some delays as the owner attempted to work through this issue. In the intervening years, ownership of the properties also changed a couple of times. In May 2014, planning and CalFire staff met with the current owner on-site to attempt to address the secondary access issue. Following several inspections, CalFire is “satisfied that all required primary and secondary access road standards have been met.” Please see the attached e-mail from Clint Bullard dated May 13, 2014.

The site is currently developed with one residence on Proposed Parcel 3, the other two parcels are undeveloped. With the proposed subdivision, two additional primary residences and three secondary residences could be constructed, along with other structures allowed in the Residential Rural land use category.

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests (see table below).

Normally the minimum parcel size for a property designated Residential Rural is between five and twenty acres depending on several factors including slope, distance from and urban reserve line, fire response time and road access to the property. In this instance, planning area standards for properties within Bowers Orchard Tract as described in the North County Area Plan require a minimum parcel size of ten acres (see discussion below under planning area standards).

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	2.5 miles from the City of Atascadero urban reserve line	5 acres
Fire Hazard/ Response Time	10-15 minute response time In the high fire hazard area	5 acres
Access	Located on a 40-foot right-of-way	5 acres
Slope	Average slope is between 16 and 30% and outside a Geologic Study Area	7 acres

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Inclusionary Housing Fees

Title 29, the Affordable Housing Fund, establishes an in-lieu fee to create a fund that would help to meet, in part, the housing needs of the County's very low, low, moderate income and workforce households. Because this project is a vesting map that was accepted before these standards were adopted, this ordinance does not apply to the current project. Instead, the affordable housing fee that was in effect in 2008 would apply. Conditions have been added accordingly.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

Road Improvements

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This is in response to the potential for further divisions and development in the site vicinity. As a result of this review, road improvements are recommended as a means of providing appropriate access and circulation for this area.

PLANNING AREA STANDARDS

Section 22.94.025 – Paso Robles Groundwater Basin (PRGWB) – These standards were adopted in 2014 and pertain to new development within the basin boundaries. Because this project is a vesting map that was accepted before these standards were adopted, this ordinance does not apply to the current project. Please see staff comments below regarding the recommendation for approval with the prohibition on new land divisions.

Section 22.94.040 (Was Section 22.94.020D when the project was accepted in 2008) – El Pomar-Estrella Sub-Area Standards - D. Light and Glare. As applicable, land division applications shall provide details on exterior lighting. *There is an existing residence on proposed Parcel 3; the other two parcels are undeveloped. A condition has been added that future development comply with exterior lighting standards, including shielded lighting and dark-colored light hoods.*

Section 22.94.042C.4 (Was Section 22.94.040F.4 when the project was accepted in 2008)– Land Use Category Standards for the El Pomar-Estrella Sub-Area – C. Residential Rural – Offer of dedication. As applicable, new development shall provide for offers of dedication for a public road right-of-way across the entire property frontage along the proposed road. *In this case, an offer of dedication already exists, so only road improvements are required to meet county A1-j (gravel) standards. Conditions have been added accordingly.*

STAFF COMMENTS

The project is a Vesting Tentative Map that was accepted for processing in 2008 before Paso Robles Groundwater standards were in effect, including the standard prohibiting new land divisions within the groundwater basin. Because of the vested status, the project must comply with the standards that were in place when the project was accepted in 2008; however, the environmental review and

mitigation measures reflect the water availability constraints facing this particular region currently. Mitigation measures from the Mitigated Negative Declaration and proposed conditions of approval include the standards from the Land Use Ordinance and Urgency Ordinances 3246 and 3247 pertaining to the PRGWB.

COMMUNITY ADVISORY GROUP COMMENTS

The Templeton Area Advisory Group supported the project at their January 23, 2008 meeting.

AGENCY REVIEW

Public Works – Require conditions for road improvements and maintenance

Environmental Health – Provide stock conditions for on-site water and septic

Ag Commissioner- No comments received

County Parks – Require Quimby fees

CalFire – Road standards meet the requirements for primary and secondary access

APCD – No comments received

LEGAL LOT STATUS

The two existing lots were legally created by a recorded map (Bowers Orchard Tract, Book 2 Page 1) at a time when that was a legal method of creating lots.