



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

**PLANNING DEPARTMENT HEARING**

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

<b>MEETING DATE</b> March 20, 2015	<b>CONTACT/PHONE</b> Jo Manson (805) 781-4660 jmanson@co.slo.ca.us	<b>APPLICANT</b> George H. Andrews & Susan L. Andrews	<b>FILE NO.</b> COAL 14-0075 SUB2014-00010
<b>SUBJECT</b> Hearing to consider a request by <b>GEORGE H. ANDREWS &amp; SUSAN L. ANDREWS</b> for a Lot Line Adjustment (COAL 14-0075) to adjust the lot lines between five parcels of approximately 41.1, 32.3, 6.0, 65.5 and 164.0 acres each. The adjustment will result in four parcels of approximately 54.0, 54.6, 84.7 and 115.6 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Rural Lands land use category and is located at 4490 West Pozo Road, approximately 1.75 miles southeast of the intersection of West Pozo Road and Santa Margarita Lake Road, southeast of the community of Santa Margarita. The site is in the Las Pilitas Sub Area in the North County planning area.			
<b>RECOMMENDED ACTION</b> Approve Lot Line Adjustment COAL 14-0075 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is exempt from and not subject to CEQA. [Reference: State CEQA Guidelines sec. 15061(b)(3), General Rule Exemption] A General Rule Exemption (ED14-155) was issued on January 21, 2015.			
<b>LAND USE CATEGORY</b> Rural Lands	<b>COMBINING DESIGNATION</b> None	<b>ASSESSOR PARCEL NUMBER</b> 070-431-007 and 070-431-012	<b>SUPERVISOR DISTRICT(S):</b> 5
<b>PLANNING AREA STANDARDS:</b> 22.94.050, Las Pilitas Sub-area Standards.			
<b>LAND USE ORDINANCE STANDARDS:</b> 22.22.050 – Subdivision design standards for the Rural Lands land use category Two single-family residences, pole barn, shop, ranching, grazing			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Rural Lands / undeveloped South: Open Space, Rural Lands / undeveloped, grazing East: Open Space, Rural Lands / residence, grazing West: Rural Lands, Agriculture / residence, grazing			
<b>OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:</b> The project was referred to: Public Works, Agricultural Commissioner and Santa Margarita Area Advisory Council			
Level to steeply sloping		Grasses, oak trees	
<b>PROPOSED SERVICES:</b> Water supply: Individual well system Sewage Disposal: Individual septic system Fire Protection: CAL FIRE		<b>ACCEPTANCE DATE:</b> January 21, 2015	

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 five legal parcels as follows:

<b>EXISTING LOT SIZES (ACRES)</b>	<b>ADJUSTED PARCEL SIZES (ACRES)</b>
41.1 acres	54.0 acres
38.3 acres (32.3 acres and 6.0 acres)	54.6 acres
65.5 acres	84.7 acres
164.0 acres	115.6 acres

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 five (5) existing parcels are developed with a single family residence, pole barn and shop on the 65.5 acre parcel, and a residence that straddles both the 65.5 acre and 41.1 acre parcels. Residential access from West Pozo Road is located on both developed parcels. Proposed Parcel 1 will have the existing single family residence that currently straddles both the 65.5 and 41.1 acre parcels. The proposed adjustment will bring this house into conformance with setback requirements (30 foot minimum). Proposed Parcel 2 will have the other existing single family residence, pole barn and shop. The purpose of the adjustment is to reconfigure the parcels so that each parcel (except proposed parcel 4) is lying entirely either north or south of West Pozo Road and to bring the one residence that straddles two existing parcels into conformance with setback requirements. The minimum parcel size as required in Section 22.22.050 for the Rural Lands land use category is one hundred and sixty (160) acres. Four (4) of the five (5) existing parcel sizes do not meet the minimum parcel size of one hundred and sixty (160) acres. All of the proposed four (4) parcel sizes do not meet the minimum parcel size of one hundred and sixty (160) acres.

The adjustment will result in the reconfiguration of the five (5) parcels into four (4) parcels to reflect the existing uses on the site and allow for an exchange of land which 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 adjustment does not create more development potential than what exists today.

**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 three of the four existing parcel sizes are below the minimum parcel size as

set through the General Plan and all of the adjusted parcels will remain so after the adjustment, staff has concluded that the proposed adjustment is equal to the existing lot line situation and is also consistent with both state and local law.

**AGENCY REVIEW:**

Public Works – Concurs with proposed adjustment. Recommend approval.

Agricultural Commissioner – Concurs with proposed adjustment and considers the proposal to be equal to the existing parcel configuration in terms of agricultural resources.

Santa Margarita Area Advisory Council – No comments

**LEGAL LOT STATUS:**

Each of the five (5) existing parcels is a portion of Section 21 of Township 30 South, Range 14 East, Mount Diablo Base and Meridian and all were legally created by deed and/or patent at a time when that was a legal method of creating parcels.

**ATTACHMENTS**

Attachment 1 - Findings

Attachment 2 - Conditions of Approval

Attachment 3 - Project Graphics

Attachment 4 - Project Referral Responses