

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 5/5/2015	(3) CONTACT/PHONE Airlin Singewald, Senior Planner / (805) 781-5198	
(4) SUBJECT Hearing to consider a request by the Santa Margarita Cemetery District to amend the County's Land Use and Circulation Element by changing the land use category on 3.63 acres from Agriculture to Public Facilities and make related area plan text and mapping amendments. District 5.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Hold the public hearing on the amendment recommended for approval by the Planning Commission as set forth in the attached Exhibits and staff reports. 2. Take final action on the amendment heard by adopting and instructing the Chairperson to sign the attached resolution and ordinances.			
(6) FUNDING SOURCE(S) Current Budge	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT { } Consent { } Presentation {x} Hearing (Time Est. <u>30 Minutes</u>) { } Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS {x} Resolutions { } Contracts {x} Ordinances { } N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5 Vote Required {x} N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY { } N/A Date: <u>January 6, 2015 (Authorization)</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa Howe			
(18) SUPERVISOR DISTRICT(S) District 5			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Airlin Singewald, Senior Planner

VIA: Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 5/5/2015

SUBJECT: Hearing to consider a request by the Santa Margarita Cemetery District to amend the County's Land Use and Circulation Element by changing the land use category on 3.63 acres from Agriculture to Public Facilities and make related area plan text and mapping amendments. District 5.

RECOMMENDATION

It is recommended that the Board:

1. Hold the public hearing on the amendment recommended for approval by the Planning Commission as set forth in the attached Exhibits and staff reports.
2. Take final action on the amendment heard by adopting and instructing the Chairperson to sign the attached resolution and ordinance.

DISCUSSION

At today's meeting, your Board will hold a public hearing on the following amendment recommended for approval by the Planning Commission and take final action through adoption of a resolution and ordinance.

The Planning Commission is transmitting the record of its meeting of March 26, 2015 to your Board for the attached proposed amendments to the Land Use and Circulation Element as follows:

- Item 1.** Hearing to consider a request by the **SANTA MARGARITA CEMETERY DISTRICT** to amend the County's Land Use and Circulation Element by changing the land use category on 3.63 acres from Agriculture (AG) to Public Facilities (PF) for the Santa Margarita Cemetery Expansion Project. The project site is located at 7500 West Pozo Road (Highway 58), approximately 0.5-mile east of the community of Santa Margarita, in the Salinas River sub-area of the North County planning area.

County File Number: **LRP2008-00004**
Assessor Parcel Number(s): 070-091-015 & 037
Supervisory District: 5
Date Authorized: January 6, 2015

The Planning Commission considered the above amendments and took the following action to recommend approval of the proposed amendment:

On the motion of Commissioner Don Campbell, seconded by Commissioner Meyer and carried (5-0), recommending to the Board of Supervisors approval of the amendments as shown in Exhibit LRP2008-00004:B, based on Findings in Exhibit LRP2008-00004:A.

Background

The Santa Margarita Cemetery District is requesting to change the land use category on 3.63 acres from Agriculture (AG) to Public Facilities (PF). The proposed land use category change would recognize the longstanding public use of the 2.95-acre Santa Margarita Cemetery and would facilitate a 0.68-acre expansion of the cemetery. Following approval of this general plan amendment, conditional use permit approval will be needed to bring the existing cemetery into conformance with the land use ordinance and authorize the expansion area.

The Santa Margarita Cemetery District was formed in 1909. In 1915, Santa Margarita Ranch owner Frank Reis gifted the District three acres for the creation of the Santa Margarita Cemetery. Since that time, it has served the communities of Santa Margarita, Garden Farms, La Panza, and surrounding rural areas. The cemetery includes 1,740 plots, of which only 20 remain available for new burials. The current Santa Margarita Ranch ownership (Major Domo, LLC) has donated an additional 0.68-acre of adjacent land to the east for the cemetery expansion. The District estimates that this expansion area would allow for an additional 1,000 burials at a rate of 20 new burials each year for the next 50 years. Physical development associated with the proposed expansion would include some grading for future burial spaces and the extension of interior roads to accommodate services and visitors to the cemetery.

The Santa Margarita Cemetery Expansion Project will require three entitlements:

- **General Plan Amendment.** This is the subject of this staff report. The project requires a general plan amendment to change the land use category of the 2.95-acre cemetery and 0.68-acre expansion area from Agriculture (AG) to Public Facilities (PF). This is necessary because, based on Article 2 of the Land Use Ordinance, cemeteries are not allowed in the Agriculture land use category. Cemeteries are allowed (with conditional use permit approval) only in the following land use categories: Public Facilities, Rural Residential, and Residential Suburban. As a public cemetery, the Public Facilities category is the most appropriate designation for the Santa Margarita Cemetery.
- **Lot Line Adjustment.** The expansion project will require a lot line adjustment to add the 0.68-acre of donated land to the existing Santa Margarita Cemetery parcel. The lot line adjustment (SUB2014-00040 / COAL14-0112) was approved at a Planning Department Hearing on March 20, 2015.
- **Conditional Use Permit.** The project will also require a conditional use permit, in accordance with Article 2 of the Land Use Ordinance, to permit the existing cemetery and authorize the proposed expansion. The conditional use permit (DRC2014-00077) for this project will be scheduled for a hearing before the Planning Commission following your Board's approval of this GPA.

Refer to the attached Planning Commission staff report for a detailed analysis of the proposed land use category change.

OTHER AGENCY INVOLVEMENT/IMPACT

The amendments were referred to all applicable responsible agencies and were reviewed and recommended for approval by the Planning Commission.

In addition, County Counsel reviewed the resolution and ordinance as to form and content.

FINANCIAL CONSIDERATIONS

The amendment is being processed using funds in the current Planning and Building Department budget through a Board authorized fee waiver.

RESULTS

Final approval of the requests will allow the amendments to become effective 30 days after today's date. This action is consistent with the countywide goal of promoting well governed communities.

ATTACHMENTS

- Attachment 1 – Board Resolution for Adoption
- Attachment 2 – Exhibit A – Ordinance for Adoption
- Attachment 3 - Exhibit LRP2008-00004:A - Findings
- Attachment 4 - Exhibit LRP2008-00004:B - Official Map Amendment Exhibit
- Attachment 5 - March 26, 2015 Planning Commission Resolution
- Attachment 6 - Draft Minutes from the March 26, 2015 Planning Commission Meeting
- Attachment 7 - March 26, 2015 Planning Commission Staff Report