



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

Promoting the wise use of land

Helping build great communities

MEETING DATE October 22 2015	CONTACT/PHONE Schani Siong / ssiong@co.slo.ca.us (805) 781-4374	APPLICANT County of San Luis Obispo – Parks and Recreation Department	FILE NO. DTM2015-00001
DETERMINATION DATE October 8, 2015			
SUBJECT Determination of conformity with the General Plan for the proposed sale of County-owned real property (3 parcels) located within the 3,430 acres proposed Eagle Ranch Specific Plan, adjacent to the southwestern Atascadero city limits. The parcels are located in the Agriculture land use category and within the Salinas River sub-area of the North County Planning Area.			
RECOMMENDED ACTION Receive and file the determination that the proposed surplus and sale of the parcels by the General Services Agency is in conformity with the County General Plan.			
ENVIRONMENTAL DETERMINATION This General Plan Conformity Report is not considered a project under CEQA and therefore does not require an environmental determination. Any subsequent land use permit application, however, would require an environmental determination.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION N/A	ASSESSOR PARCEL NUMBER 051-491-002, 051-521-002, 051-521-003	SUPERVISOR DISTRICT(S) 5
PLANNING AREA STANDARDS: N/A			
LAND USE ORDINANCE STANDARDS: Agriculture			
EXISTING USES: Grazing land			
SURROUNDING LAND USE CATEGORIES AND USES: North: Agriculture / Open space, grazing land East: Agriculture / Open space, grazing land South: Agriculture / Open space, grazing land West: Agriculture / Open space, grazing land			
TOPOGRAPHY: Gentle to moderate slopes			
PROPOSED SERVICES: Water Supply: Atascadero Mutual Water Company Sewage Disposal: On-site Septic Fire Protection: Cal Fire			
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			

PROJECT DESCRIPTION

The County of San Luis Obispo Parks and Recreation Department is proposing to surplus and sell three properties totaling approximately 24,826 square feet of vacant land in the Agriculture land use category. These parcels are approximately 53 square feet, 2,122 square feet, and 0.52 acre each. The County's Parks and Recreation Element does not recognize these lots and does not call out a future recreational use or purpose for these lots. The County Department of Parks and Recreation does not foresee using these lots because:

- i. Their small sizes do not allow for any significant recreation opportunities;
- ii. There is no public access to these lots;
- iii. They are within the proposed Eagle Ranch Specific Plan and surrounded by the private ownership;
- iv. The Eagle Ranch Specific Plan, if approved by the City of Atascadero, includes a new 10 acre park and public trails.

The Eagle Ranch Specific Plan proposes the annexation to the City of Atascadero of an approximately 3,450 acres of undeveloped land located adjacent to the city's southwestern boundary. The majority of the site is part of the historic Atascadero Colony and contains approximately 452 undeveloped Colony lots and a network of unbuilt Colony roads (E.G. Lewis 1914 Atascadero Colony Map). The Specific Plan proposes reconfiguring these existing lots and roadways and will identify a variety of land uses including housing, commercial uses, parks, trails, open space, and tourist-serving facilities.

As part of the Specific Plan and annexation process, the City of Atascadero requested the developer to extinguish all of the existing colony lots concurrent with recording of the new final map. These three parcels are part of the 1914 colony lots; 2 of which are in Park and Creekway Reservations, which are subject to development restrictions per City of Atascadero Land Use Park and Creekway Reservation Policy (APN 051-491-002: 0.5ac and APN 051-521-003: 2,122 sq.ft.). The 3rd parcel (APN 051-521-002: 53 sq.ft.) is a very small, legal parcel created through a historical deed in 1947. The surplus of these 3 parcels is intended for sale to the owner of the surrounding property for incorporation into the larger Eagle Ranch subdivision.

GENERAL PLAN CONFORMITY

When the acquisition or disposal of real property, or the construction of structures, is proposed by a public agency within the unincorporated area, the proposal must be evaluated for consistency with the county General Plan before the action is authorized. Pursuant to Government Code section 65100, this department is authorized to prepare and issue conformity reports that are required by Government Code section 65402. Because the property sale is a project that is required to be found consistent with the county general plan, this conformity report is being prepared.

The determination of conformity is to be based on the County General Plan including the text, standards, programs, and maps contained therein. Factors that are listed in Framework for Planning, Part I of the Land Use Element that may be considered in determining conformity include, but are not limited to, include the following:

1. The proposed project bears a reasonable relationship to pertinent policies and mapped locations of the most applicable General Plan elements, specific plan or facility master plan.
2. The project is consistent with the goals, objectives and policies of the Land Use Element and any other applicable General Plan element.

3. A proposed construction project is designed in conformance with the standards of the Land Use Ordinance as well as any standards contained in Chapter 8 of the applicable Land Use Element area plan.
4. The disposal or sale of public property will not eliminate, delay or unreasonably interfere with the opportunity to develop public sites or structures as identified in the General Plan. The proposal should be evaluated for its possible use as a public facility, or for its exchange or sale and subsequent purchase of a better site within the community.

APPLICABLE GENERAL PLAN POLICIES

Agriculture Element

AGP19: Consolidation of Public and Private Land Holdings.

- a. Encourage consolidation of publicly and privately owned lands that will facilitate both better management of public lands and better operation of farms and ranches.
- b. Encourage the sale or trade of isolated publicly-owned parcels that are contiguous to privately owned lands designated Agriculture. Use voluntary merger or lot line adjustment processes so there is no increase in the number of privately owned parcels.

Response: The sale of these parcels meets the factors as set forth in the Land Use Element and Agriculture Policy 19. These parcels are irregularly shaped, do not meet the minimum parcel size for agricultural parcels, and currently are not developed nor used for agricultural purposes. These three parcels are approximately 24,826 square feet of vacant land in the Agriculture land use category.

Of the three parcels, two parcels (APN 051-491-002: 0.5 acre, APN 051-521-003: 2,122 sq.ft.) are in the Park and Creekway Reservation, which are subject to development restrictions policy. The 3rd parcel (APN 051-521-002: 53 sq.ft.) is a very small parcel, where development is highly unlikely. Sale of these parcels is consistent with the consolidation policy for publicly-owned parcels that are contiguous to privately owned lands designated Agriculture. At the request of the City of Atascadero, these three underlying Colony lots will be extinguished via parcel consolidation within the proposed Eagle Ranch subdivision.

DETERMINATIONS AND FINDINGS

Proposed surplus and sale of the three parcels totaling approximately 24,826 square feet in conformity with the County General Plan based on the following findings:

- A. The disposal or sale of public property will not eliminate, delay or unreasonably interfere with the opportunity to develop public sites or structures as identified in the General Plan, as there are no public uses identified in the Parks and Recreation Element affecting these three parcels.
- B. Consolidation of these isolated publicly-owned parcels with contiguous privately own lands designated Agriculture is consistent with the Agriculture Element and will facilitate better management of land and farming operations.
- C. The proposed surplus and sale does not conflict with other elements of the County General Plan.

Attachments

1. Graphics:
 - Vicinity Map
 - Land Use Category Map
 - Eagle Ranch Specific Plan Boundary
 - Eagle Ranch Subdivision Site Plan
 - Eagle Ranch Subdivision Vicinity Plan
 - Eagle Ranch Subdivision Site Plan
 - Site Plan (APN 051-521-002, 051-521-003)
 - Site Plan (APN 051-491-001)

2. Parks and Recreation Department Request Letter

Staff report prepared by Schani Siong and reviewed by Steven McMasters, Supervising Planner.