



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

**PLANNING COMMISSION**

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

MEETING DATE October 29, 2015	CONTACT/PHONE Megan Martin (805) 781-4163	APPLICANT County Department of Parks and Recreation	FILE NO. DTM2015-00002
DETERMINATION DATE November 12, 2015	mamartin@co.slo.ca.us		

**SUBJECT**  
Determination of conformity with the County General Plan for a request by the County of San Luis Obispo Parks and Recreation Department to acquire a 26-foot wide easement on a portion of APN 070-09-036 for development of a segment of the Juan Bautista De Anza National Historic trail between Santa Margarita and Garden Farms. The parcel is located in the Agriculture land use category in the Salinas River sub-area of the North County planning area.

**RECOMMENDED ACTION**  
Receive and file the determination that the proposed acquisition of an easement from the landowner to the County by the Parks and Recreation Department 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 Flood Hazard	ASSESSOR PARCEL NUMBER 070-09-036	SUPERVISOR DISTRICT(S) 5
----------------------------------	---------------------------------------	--------------------------------------	-----------------------------

**PLANNING AREA STANDARDS:**  
None Applicable

**LAND USE ORDINANCE STANDARDS:**  
None Applicable

**EXISTING USES:**  
Santa Margarita Ranch, special events, grazing

**SURROUNDING LAND USE CATEGORIES AND USES:**  
*North:* Agriculture/Vacant, Grazing  
*East:* Agriculture/Vacant, Grazing  
*South:* Residential Single Family/Single Family Residences  
*West:* Agriculture/Vacant, Grazing

**TOPOGRAPHY:**  
Gently to moderately sloping

**PROPOSED SERVICES:**  
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 Department of Parks and Recreation has been working with the owners of the property, APN 070-09-036, to acquire a 26-foot wide easement to establish a segment of the Juan Bautista de Anza National Historic trail (Juan Bautista trail) between Santa Margarita and Garden Farms. The multi-use trail is proposed in the Park and Recreation Element of the General Plan and the easement is necessary for its construction.

A management plan for the trail has not yet been prepared and the area to be developed will remain in its natural condition until a formal management plan to install the trail has been prepared.

### 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 purchase 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 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.

*Staff Response: Acquisition of the easement will allow the development of a segment of the Juan Bautista trail. The trail is identified in the Parks and Recreation Element of the General Plan. As discussed in the Parks and Recreation Element, the Juan Bautista trail travels across the county and represents an important recreational activity and link to California's past (p. 23, Parks and Recreation Element).*

2. The project is consistent with the goals, objectives and policies of the Land Use Element and any other applicable General Plan element.

*Staff Response: Policy 3.10 of the Parks and Recreation Element seeks to establish an extensive trail system throughout the county. The Juan Bautista trail is one of the identified trails within the county's trail system. The policy discusses establishing and constructing segments of the trail only when a viable link can be established connecting residential communities, parks, staging area, or other public points of interest. The proposed trail will connect Santa Margarita and Garden Farms; acquiring this easement is a necessary step to implement the policies that will allow Parks and Recreation Department to construct the trail.*

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 9 of the Land Use Element Ordinance.

*Staff Response: The proposed project consists of acquiring an easement through the donation of land from the landowner of APN 070-09-036 to the County in order to establish a portion of the Juan Bautista trail. A management plan for the trail has not yet*

*been prepared and the area to be developed will remain in its natural condition until a formal management plan to install the trail has been prepared. Construction of the trail will be subject to the standards of the County Land Use Ordinance as well as any applicable standards contained in Chapter 9 of the Land Use Element.*

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.

*Staff Response: The proposed project does not include the abandonment (disposal) or sale of public property. Acquiring the 26-foot wide easement between Santa Margarita and Garden Farms will not interfere with development of future structures or sites on adjacent properties or the subject site.*

#### DETERMINATIONS AND FINDINGS

Proposed acquisition of the easement on APN 070-09-036 is in conformity with the county General Plan based on the following findings:

- A. The proposed future use of the easement as a trail is allowed pursuant to Table 2-2 of the Land Use Ordinance, Title 22 of the County Code, Agriculture land use category, and Flood Hazard designation. Any future development and improvements would require further analysis and are subject to the Land Use Ordinance standards.
- B. The proposed acquisition does not conflict with other elements of the county General Plan because the its intended use (establishment of the Juan Bautista trail) are consistent with the goals, objectives and policies of the Parks and Recreation element of the general plan.

#### ATTACHMENTS

##### 1. Graphics

- Vicinity Map
- Land Use Category Map
- Aerial Map
- Proposed Trail Site Plan

##### 2. County of San Luis Obispo Department of Parks and Recreation Conformity Request – September 11, 2015.

##### 3. Perpetual Easement Agreement Juan Bautista de Anza National Historic Trail.

Staff Report prepared by Megan Martin and reviewed by Karen Nall, Supervising Planner.