



Promoting the wise use of land

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

SUBDIVISION REVIEW BOARD

MEETING DATE December 7, 2015	CONTACT/PHONE Stephanie Fuhs (805)781-5721 sfuhs@co.slo.ca.us	APPLICANT Obispo 400 LLC	FILE NO. COAL 14-0047 SUB2013-00071
SUBJECT A request by OBISPO 400 LLC . for a Lot Line Adjustment (COAL 14-0047) to adjust the lot lines between three parcels of 5.5, 229.3 and 129.6 acres each (364.4 acres total). The adjustment will result in three parcels of 20.0, 249.3 and 95.1 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Rural Lands and Agriculture land use categories. The property is located at 4970 Huasna Townsite Road, approximately 800 feet west of the Huasna Road and Huasna Townsite Road intersection, approximately 10 miles east of the City of Arroyo Grande. The site is in the Huasna-Lopez sub-area of the South County Area Plan.			
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 Lot Line Adjustment COAL 14-0047 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 October 22, 2015 for this project. Mitigation measures are proposed to address Aesthetics, Biological Resources, Cultural Resources, and Public Services/Utilities, and are included as conditions of approval.			
LAND USE CATEGORY Agriculture, Rural Lands	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 085-231-002, 085-233-003, 085-101-010	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: None applicable			
LAND USE ORDINANCE STANDARDS: 22.22.040- Subdivision Design Standards for the Agriculture land use category, 22.22.050 – Subdivision Design Standards for the Rural Lands land use category			
EXISTING USES: Two single family residences, one on Parcel 1, one on Parcel 2			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/Grazing <i>East:</i> Agriculture/Scattered residences, grazing <i>South:</i> Rural Lands/Grazing <i>West:</i> Agriculture/Grazing			
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			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner, CalFire	
TOPOGRAPHY: Gently sloping to moderately sloping	VEGETATION: Grasses, oaks
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CalFire	ACCEPTANCE DATE: July 17, 2015

DISCUSSION

Government Code Section 66412(d) – Lot Line Adjustments

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels (*Senate Bill 497*). 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 polices and requirements.

Title 21 / Real Property Division Ordinance

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.

Proposed Adjustment

The applicant is proposing to adjust the lot lines between three legal parcels as follows:

LOT NUMBER	EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
1	5.5	20.0
2	129.6	95.1
3	229.3	249.3

The adjustment will result in the reconfiguration of the three parcels to better reflect topography, access and land use. Parcel 1 is currently a rural Huasna Townsite residential parcel. Enlarging parcel 1 will bring the parcel into the range of parcel sizes for the Agriculture land use category. Parcels 2 and 3 have moderate slopes and areas of dense oak woodland with remaining areas used as grazing land. While the adjustment will result in two parcels with both Agriculture and Rural Lands land use categories (mixed zoning), the potential agricultural uses based on the types of soil, topography and vegetation present on Parcels 2 and 3 are basically unchanged.

Because Parcel 1 is being enlarged to 20 acres it is therefore within the range of parcel sizes for the Agriculture land use category and is considered a betterment of the situation. Parcels 2 and 3 are not being changed significantly in size and the new configurations will better reflect topography, soils, vegetation and improve accessibility. Overall, proposed Parcels 2 and 3 are equal to the current situation. Staff has concluded that the adjustment is consistent with both state and local law.

ACCESS

Parcel 3 does not have frontage on a public road. In order to assure access, the adjusted parcel(s) must be provided access from a road by the recordation of either Offer(s) of Dedication or Declaration(s) of Restrictive Covenant. This requirement is reflected in the conditions of approval.

WILLIAMSON ACT

The applicant filed a notice of non-renewal in 2005. The property came out of the Land Conservation contract on April 28, 2015.

LEGAL LOT STATUS

The three lots were legally created by deeds (2008-019167, 2009-039823, and 2004-001730) at a time when that was a legal method of creating lots.