



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

PLANNING DEPARTMENT HEARING

Promoting the wise use of land

MEETING DATE October 21, 2016	CONTACT/PHONE Stephanie Fuhs sfuhs@co.slo.ca.us (805) 781-5721	APPLICANT George White/ Jim Jeffers	FILE NO. COAL 15-0111 SUB2015-00047
SUBJECT A request by GEORGE WHITE AND JIM JEFFERS for a Lot Line Adjustment (COAL 15-0111) to adjust the lot lines between two parcels of 9.97 and 28.45 acres each, resulting in two parcels of 9.97 and 28.45 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture and Commercial Service land use categories and is located at 17995 East Highway 46, approximately 1.5 miles west of Bitterwater Road, east of the community of Shandon. The site is in the Shandon-Carrizo sub-area of the North County planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 15-0111 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class Five Categorical Exemption was issued on September 16, 2016 (ED16-060).			
LAND USE CATEGORY Agriculture/ Commercial Service	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 017-131-039 and -050	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: Section 22.94.090C. – Commercial Service Standards in the Shandon Carrizo Subarea of the North County Area Plan			
LAND USE ORDINANCE STANDARDS: None applicable			
EXISTING USES: Steel fabrication yard, undeveloped			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture/Grazing <i>East:</i> Agriculture/Grazing <i>South:</i> Agriculture/Grazing <i>West:</i> Agriculture/Grazing			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, CalTrans, Shandon Advisory Committee			
TOPOGRAPHY: Mostly level		VEGETATION: Grasses, ornamentals	
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CalFire		ACCEPTANCE DATE: March 23, 2016	
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			

BACKGROUND

The subject properties were the subject of a recently approved General Plan and corresponding Planning Area Standard Amendment to change the land use category on approximately eight acres of property from Agriculture to Commercial Service in order to encompass an existing steel fabrication yard on a single parcel. These amendments were approved by the Board of Supervisors on September 13, 2016 and are effective on October 13, 2016.

The proposal includes two parcels, one 9.98 acre parcel zoned Agriculture and Commercial Service (APN 017-131-039, adjacent to Highway 46 East) and the other, a 28.2 acre parcel (APN 017-131-050), that is zoned Agriculture and is currently being used for grazing. The site is located at 17995 East Highway 46, approximately 2.6 miles northeast of the community of Shandon.

The smaller commercial service property contains a steel fabrication yard that was permitted by the County in November 2004. The original approval in 2004 granted use of a portion of the property (approximately 1.8 acres) to be used for the business. The approval included construction of a shop building, office and storage yard. Since then, the operation has expanded onto the neighboring property to include additional storage of materials used in the fabrication business.

The General Plan and planning area standard amendments that were approved by the Board allow the processing of the current Lot Line Adjustment to reconfigure the 9.98 acre parcel by shifting approximately eight acres along Highway 46 to encompass the expanded operations of the fabrication yard, resulting in the same parcel size that currently exists (9.98 acres). The existing agriculturally zoned parcel of 28.2 acres will remain the same size as well, just reconfigured to encompass the land along Highway 46 that will shift over to the existing business (see attached graphic depiction).

ORDINANCE COMPLIANCE

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

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
9.98	9.98
28.2	28.2

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 adjustment will result in the reconfiguration of the two parcels to better reflect the respective uses on the properties and is therefore considered a betterment of the situation.

WILLIAMSON ACT

The White parcel (APN 017-131-050) is under an agricultural preserve and land conservation contract. (Shandon Agricultural Preserve No. 1 established on 2/7/1972 by Resolution No. 72-78 and land conservation contract recorded on 2/14/1972 as Document No. 4626, Book 1653, Pages 240 through 255 inclusive.) The Jeffers parcel (APN 017-131-050), is not under contract.

The alteration of the agricultural preserve boundary and a new contract are necessary because the Government Code (Williamson Act) requires new contracts to be entered into when contracted land is subject to a lot line adjustment. An application to amend the agricultural preserve boundaries and replace the existing land conservation contract with a new one to reflect the lot line adjustment is in process at this time. The Government Code requires that no more than 10% of the total contract acreage be adjusted, that there be no net loss of contracted acreage and the land being exchanged is of equal quality. The application complies with these requirements.

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 the parcels as adjusted are consistent with the minimum parcel sizes as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS

The two lots were legally created by a deed and a certificate of compliance at a time when that was a legal method of creating lots.