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

PLANNING DEPARTMENT HEARING

Promoting the wise use of land
Helping build great communities

MEETING DATE	CONTACT/PHONE	APPLICANT	FILE NO.
April 1, 2005	Inge Lundegaard 805-781-5136	Cool, Stephen & Karla	COAL 04-0552 SUB2004-00177

SUBJECT
Request by Stephan and Karla Cool for a Lot Line Adjustment to adjust the lot lines between two (2) parcels of approximately 1.29 gross and 1.93 gross acres each. The adjustment will result in two (2) parcels of approximately 1.91 gross and 1.31 gross acres each. The project will not result in the creation of any additional parcels. The proposed project is within the residential rural land use category and is located at 266 Tolbert Pl., Arroyo Grande. The site is in the South County planning area.

RECOMMENDED ACTION
Approve Lot Line Adjustment COAL 04-0552 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION
A Class 5 Categorical Exemption (ED#04-369) was issued on February 16, 2005

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Residential Rural	None	075-061-045 075-061-045	4

PLANNING AREA STANDARDS:
22.106.020 – San Luis Bay Rural Area Standards

LAND USE ORDINANCE STANDARDS:
22.22.060 – Residential Rural Category

EXISTING USES:
One single family residence on each lot

SURROUNDING LAND USE CATEGORIES AND USES:
North: Residential rural/*single family residences* *East:* Residential rural/*single family residences*
South: Residential rural/*single family residences* *West:* Residential rural/*single family residences*

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER ✦ SAN LUIS OBISPO ✦ CALIFORNIA 93408 ✦ (805) 781-5600 ✦ FAX: (805) 781-1242

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner, CDF, City of Arroyo Grande	
TOPOGRAPHY: Level to gently rolling	VEGETATION: Oak trees, Non-native ornamentals
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: December 22, 2004

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)
1.29 gross	1.91 gross
1.93 gross	1.31 gross

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 (2) parcels to configure the parcels to reflect topography, access and use. Parcel A is currently using a portion of Parcel B as their yard and gardens.

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 parcel sizes are below minimum parcel size as set through the General Plan and will remain so after the adjustment, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

The two (2) lots were legally created by deed at a time when that was a legal method of creating lots.

Staff report prepared by Inge Lundegaard and reviewed by Kami Griffin

FINDINGS - EXHIBIT A

A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because the new parcels resulting from the adjustment will maintain a position which is better than the existing situation relative to the county's zoning and building ordnances.

B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.

C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.

D. The project qualifies for a Categorical Exemption (Class 5) pursuant to CEQA Guidelines Section 15305 because it is a lot line adjustment not resulting in the creation of any new parcels.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
   a. All public utility easements.
   b. All approved street names.

2. Any private easements described in the title report must be shown on the map, with recording data.

3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.

4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.

5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.

6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. <u>Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.</u>

7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.

8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.

9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action

11. All parcels shall be provided with legal access from a public road. Easements or offers of dedication with a minimum width of 20 feet shall be recorded for all parcels that currently do not have access. These shall be shown on a map (if a map is used to final the adjustment) or recorded with the certificates of compliance.

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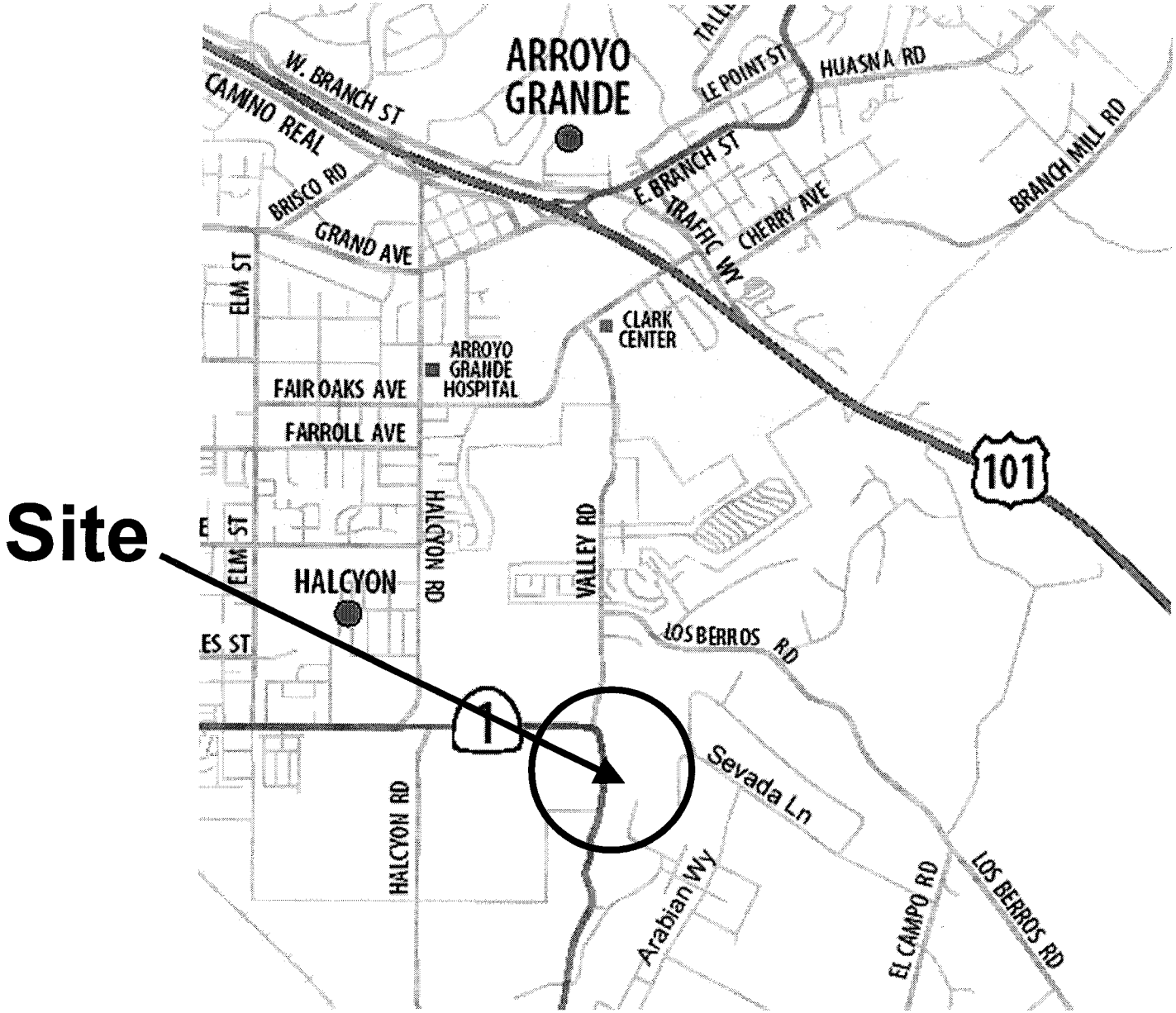


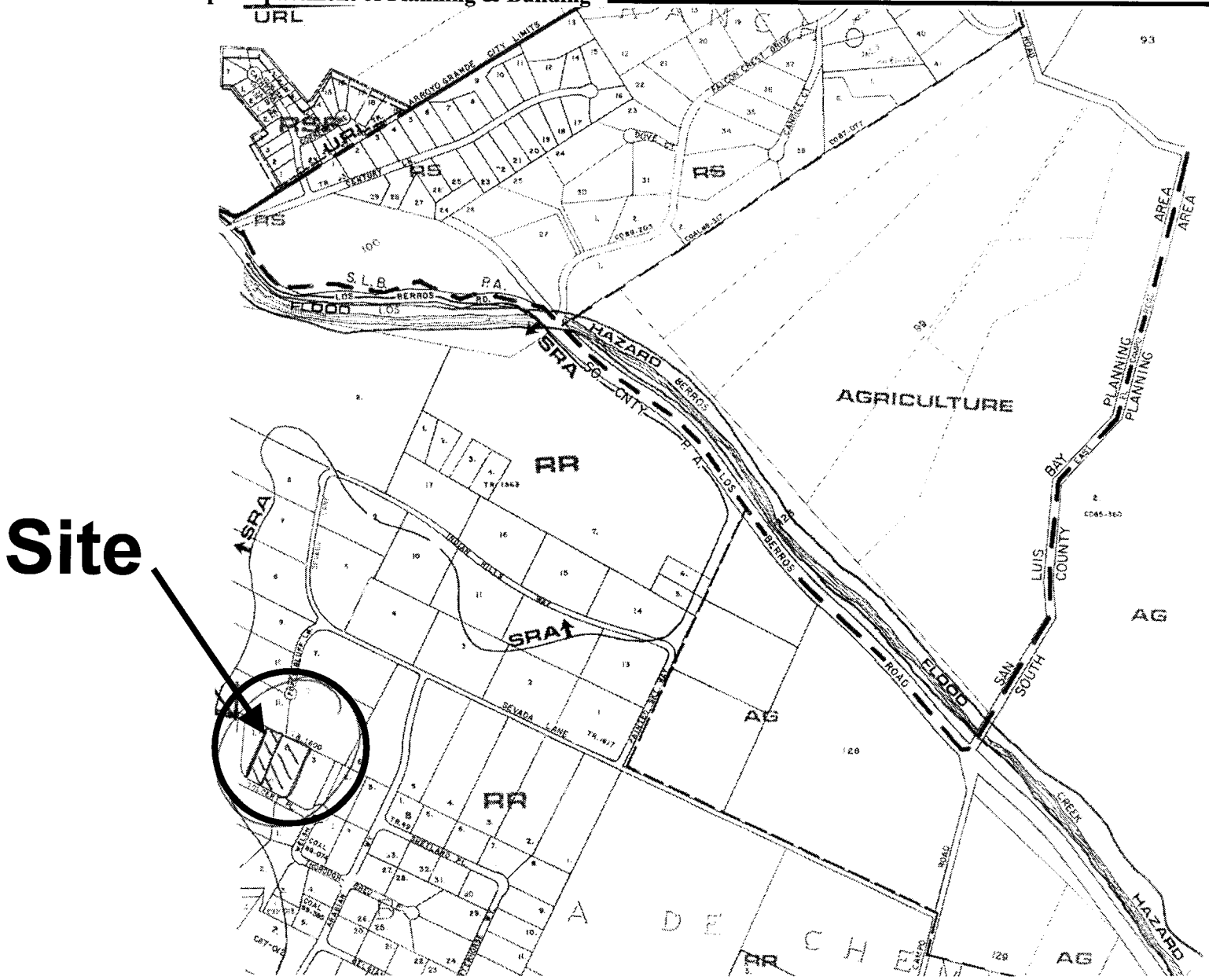
Project

Lot Line Adjustment
Cool/ SUB2004-00177

Exhibit

Vicinity Map

San Luis Obispo Department of Planning & Building



Project

Lot Line Adjustment
Cool/ SUB2004-00177

Exhibit

Land Use Category Map

Project

Lot Line Adjustment
Cool/ SUB2004-00177

Exhibit

Lot Line Adjustment Map

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Project

Lot Line Adjustment
Cool/ SUB2004-00177

Exhibit

Aerial Photograph