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.
November 4, 2005	Andrea Miller, 781-4171	Joesph Kies	COAL 05-0133 SUB2004-00321

SUBJECT
Request by Joesph Kies for a Lot Line Adjustment to adjust the lot lines between 2 parcels of 80.1 and 182.7 acres each. The adjustment will result in 2 parcels of 80.1 and 182.7 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agricultural land use category and is located at the intersection of Von Dollen and Ranchita Canyon Roads, east of the city of Paso Robles. The site is in the El Pomar-Estrella planning area.

RECOMMENDED ACTION
Approve Lot Line Adjustment COAL 05-0133 based on the findings listed in Exhibit A and the conditions listed in Exhibit B

ENVIRONMENTAL DETERMINATION
A Class 5 Categorical Exemption was issued on August 19, 2005

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Agriculture	None	019-051-011 and 019-282-001, 002	1

PLANNING AREA STANDARDS:
None applicable

LAND USE ORDINANCE STANDARDS:
None applicable

EXISTING USES:
Grazing

SURROUNDING LAND USE CATEGORIES AND USES:
North: Agriculture/Grazing East: Agriculture/Grazing
South: Agriculture/Residences West: Agriculture/Grazing

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:
The project was referred to: City of Paso Robles, Public Works, Environmental Health, Ag Commissioner, Cal Trans, and Legal Lot review in the Planning and Building Department.

TOPOGRAPHY:	VEGETATION:
Rolling Hills	Grassland

PROPOSED SERVICES:	ACCEPTANCE DATE:
Water supply: On-site well Sewage Disposal: On-site septic Fire Protection: CDF	August 19, 2005

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)
80.1	80.1
182.7	182.7

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 configure the parcels to reflect topography, access and use. The adjustment will allow both parcels to have road frontage.

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 existing lots were legally created recorded maps C04-0561 and COAL 81-0220 at a time when that was a legal method of creating lots.

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 proposed situation is equal to or better than the existing situation and 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.

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 15303 because the project is considered a minor alteration on land with a slope of less than 20% that do not result in changes in land use or density.

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>

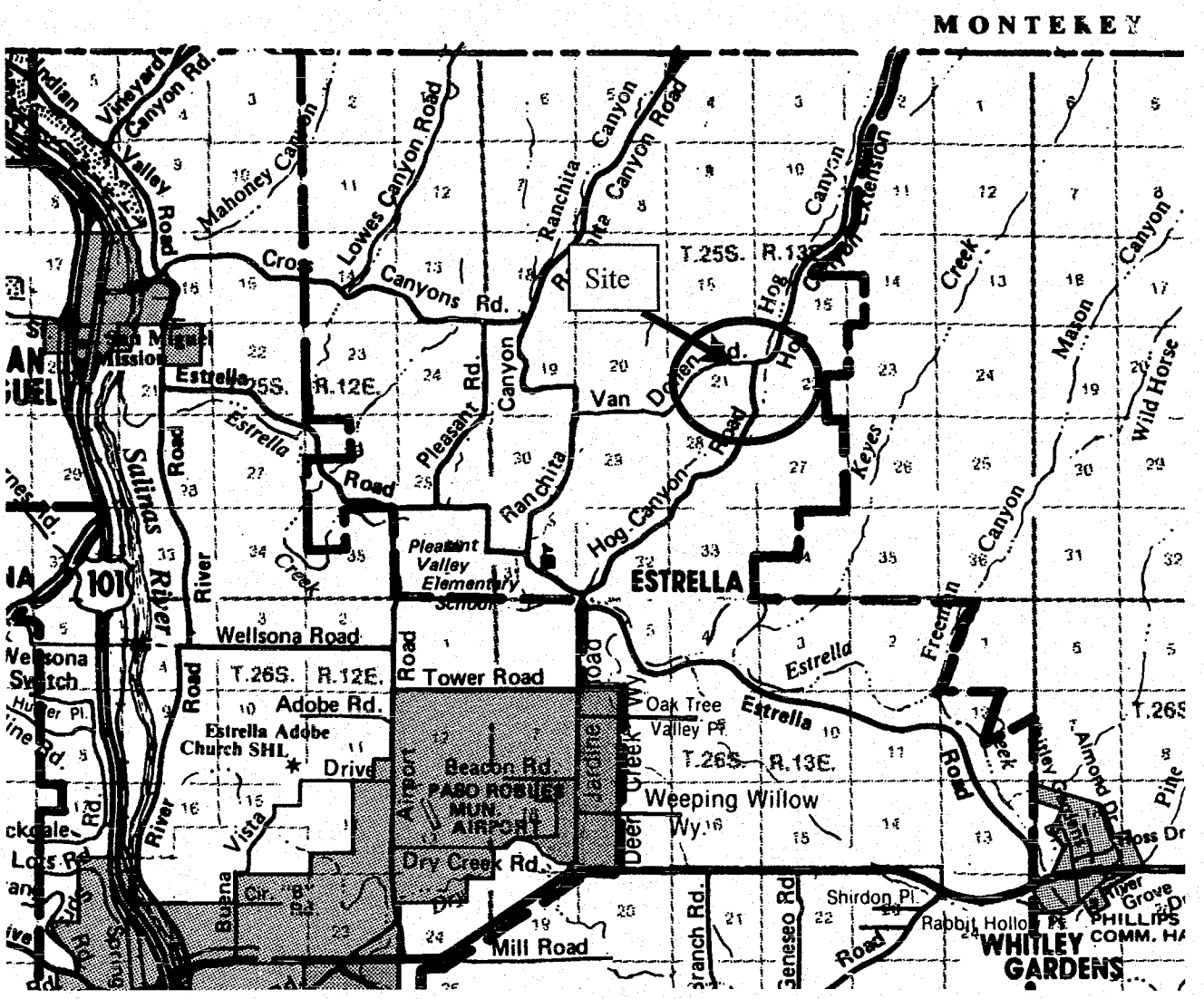
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.

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.

10. 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.

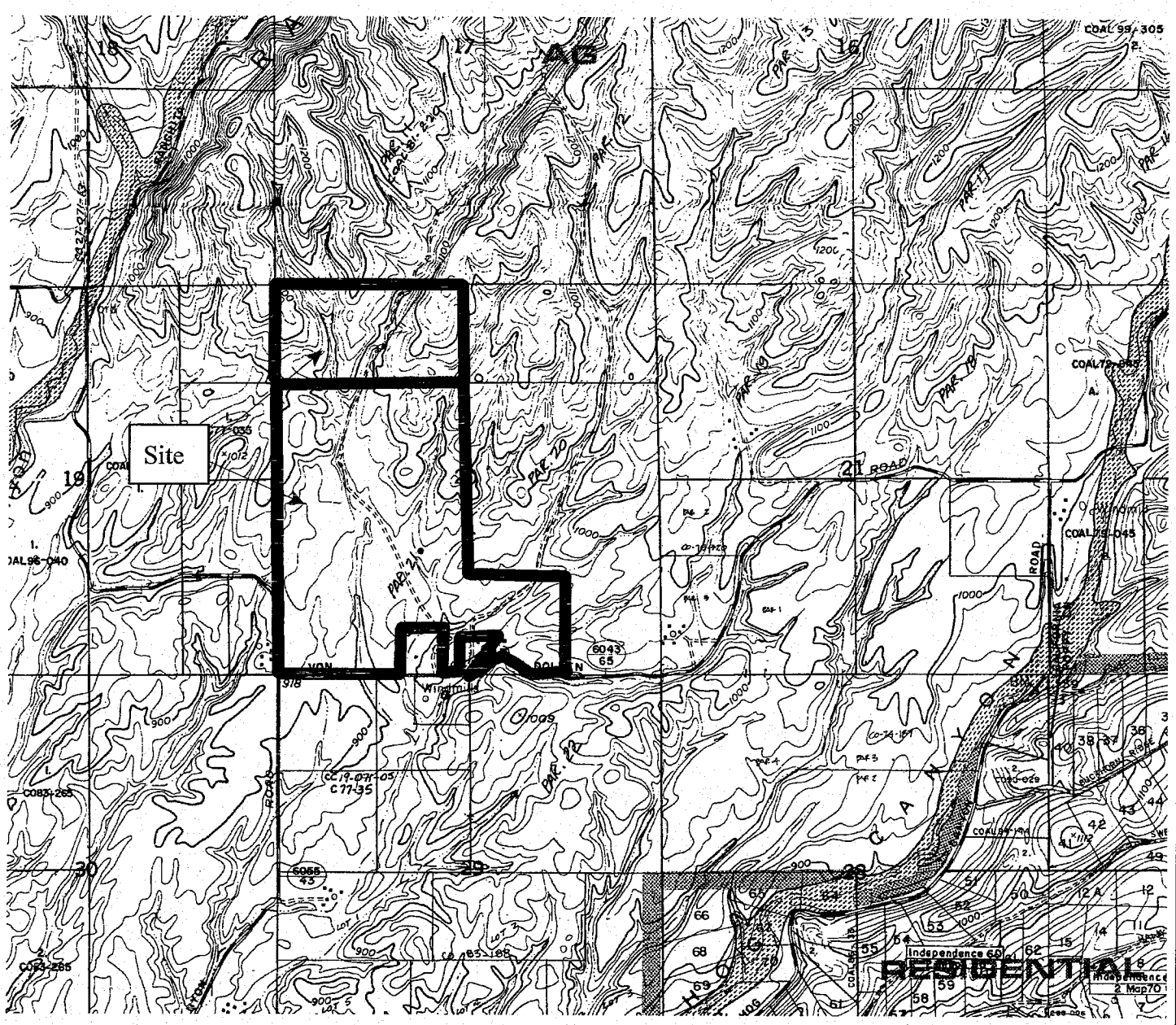
Staff report prepared by Andrea Miller and reviewed by Kami Griffin



Kies ***Vicinity Map***

SUB2004-00321

County of San Luis Obispo Department of Planning & Building



Kies

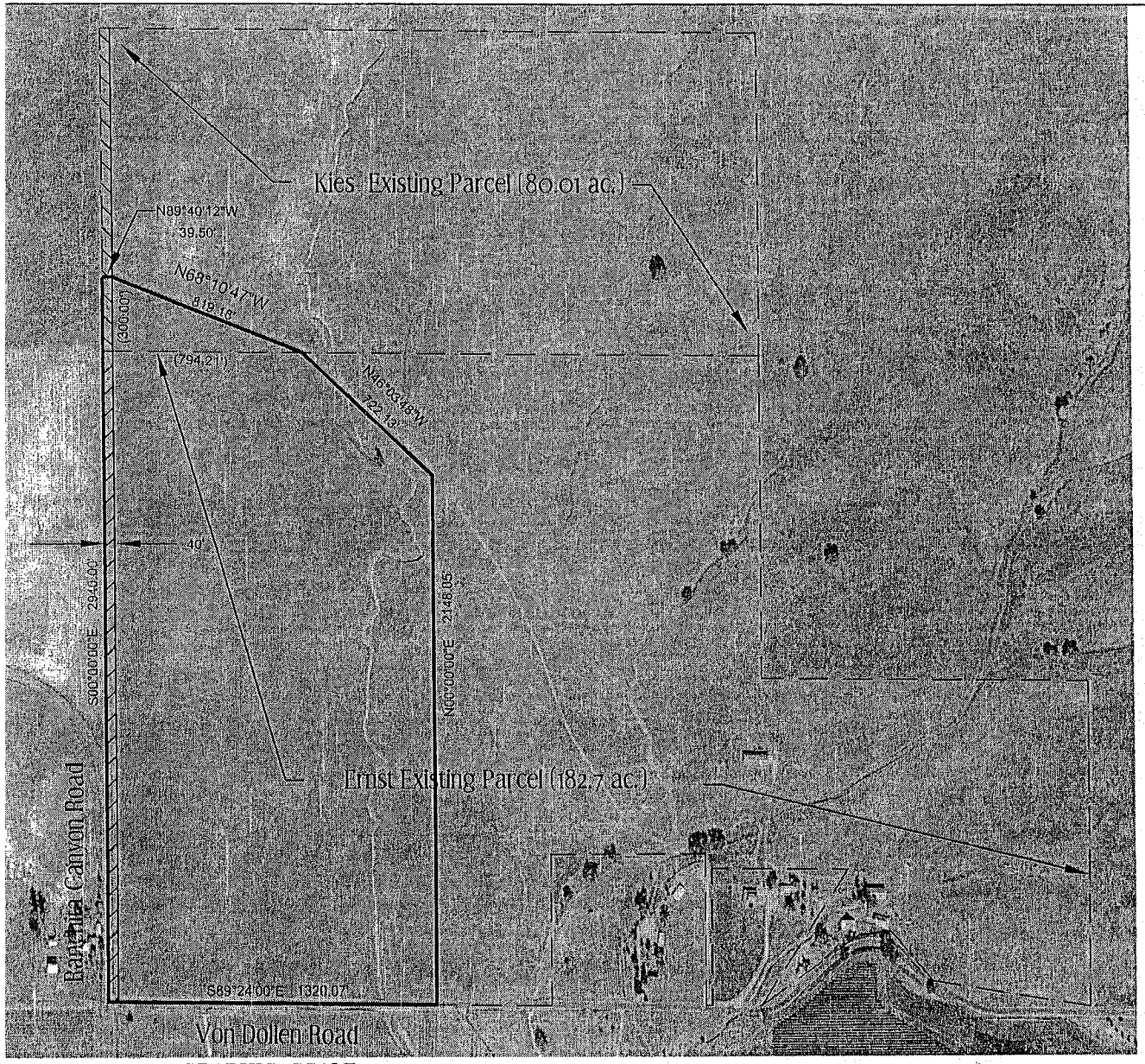
Land Use Category Map

SUB2004-00321

County of San Luis Obispo Department of Planning & Building

Tentative Lot Line Adjustment

Being an adjustment between Parcel 21 of Parcel Map "Coal 81-220", recorded in Parcel Map Book 32, Page 87, and all that land described in the Certificate of Compliance recorded November 3, 2004, as Instrument No. 2004-097026, Official Records, both in the office of the County Recorder, County of San Luis Obispo, State of California.



GRAPHIC SCALE

400 0 200 400 800 1600

(IN FEET)
1 inch = 400' ft.

NORTH

Owner's Information

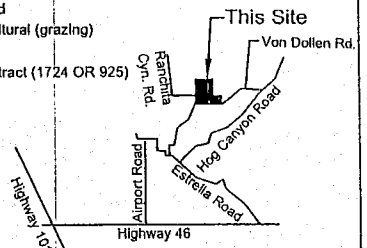
APN 019-051-011	APN 019-282-001 & 002
Joseph B. & Jamie McMillan Kies	Jo Ann R. Ernst, Trustee
PO Box 2729	8350 Creston Road
Orcutt, CA 93457	Paso Robles, CA 93446

Parcel Statistics

APN 019-051-011	APN 019-282-001 & 002
80.01 acres existing & proposed	182.7 acres existing & proposed
Van Dollen Road	Van Dollen Road
Zoning = Agricultural (grazing)	Zoning = Agricultural (grazing)
No Structures	No Structures
	Williamson Contract (1724 OR 925)

Utilities

Water	Private Well
Sewer	Septic
Electric	Pacific Gas & Electric
Gas	Propane
Cable	N/A
Telephone	AT&T



Vicinity Map

Not to Scale

Surveyor's Statement

I state that this Tentative Map for Lot Line Adjustmenmt purposes was prepared by me or under my direction in comformance with the requirements of the Professional Land Surveyor's Act and Local Ordinance in February, 2005. Record title information shown hereon is stated per Fidelity National Title Company Preliminary Title Report No. 173964, dated October 14, 2004 and First American Title Preliminary Title Report No. 4007-1729389 dated December 15, 2004.

Jon McKellar
PLS 7578
License Expiration Date: 12/31/2005

Existing Easements

40' wide easements for ingress & egress, roadway, utility and farming purposes per 1998-084081 OR and 1998-084083 OR.

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