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.
March 3, 2006	Michael Conger (805) 781-5136	Michael Van Newkirk	COAL 05-0358 SUB2005-00101

SUBJECT
Request by Michael Van Newkirk for a Lot Line Adjustment (COAL 05-0358) to adjust the lines between five parcels of 5,050 square feet each. The adjustment will result in two lots of 18,650 square feet and 6,600 square feet each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Single Family land use category and is located at 2361 and 2381 Paso Robles Street, approximately 75 feet west of 24th Street in the community of Oceano. The site is in the San Luis Bay (Inland) planning area.

RECOMMENDED ACTION
Approve Lot Line Adjustment COAL 05-0358 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 January 25, 2006

LAND USE CATEGORY	COMBINING DESIGNATION	ASSESSOR PARCEL NUMBER	SUPERVISOR DISTRICT(S)
Residential Single Family	Airport Review Area	062-097-006, 007	4

PLANNING AREA STANDARDS:
Oceano Specific Plan Compliance; Curb, Gutter, and Sidewalks; Airport Review Area

LAND USE ORDINANCE STANDARDS:
Minimum Site Area; Setbacks; Airport Review Area

EXISTING USES:
Single Family Residential, residential accessory uses

SURROUNDING LAND USE CATEGORIES AND USES:
North: Residential Single Family/ mobile home park
South: Residential Single Family/ residential
East: Residential Single Family/ residential
West: Residential Single Family/ multi-family residential

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:
The project was referred to: Supervisor Achadjian's Office*, Public Works, Environmental Health, Oceano Community Services District, South San Luis Obispo County Sanitation District, ALUC
**At the time this project was submitted, Oceano/Halcyon Advisory Committee was not active.*

TOPOGRAPHY:	VEGETATION:
Flat	Ornamentals

PROPOSED SERVICES:	ACCEPTANCE DATE:
Water supply: Community system (Oceano CSD) Sewage Disposal: Community system (OCSD/SSLOCSD) Fire Protection: Oceano Fire Department (Oceano CSD)	January 25, 2006

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between five (5) legal parcels, to result in two (2) parcels as follows:

EXISTING		PROPOSED	
LOT	LOT SIZES (SQFT)	PARCEL SIZES (SQFT)	PARCEL
4	5,050	6,600	B
5	5,050		
6	5,050	18,650	A
7	5,050		
8	5,050		

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 five parcels to increase the size of Parcel A. Both of the resulting parcels will meet the Land Use Ordinance minimum parcel size standards. Additionally all structures on both parcels will remain in compliance with the setbacks and other site design regulations in the Land Use Ordinance.

Setbacks
The garage on Parcel A is located within 3 feet of an existing and proposed side property line. The required side setback is 5 feet. The Land Use Ordinance states that accessory structures that are less than 12 feet in height may be located within the side setback area but no closer than three feet from property line. As the garage is less than 12 feet in height and meets residential accessory use standards, it qualifies for this reduced setback. All other primary and accessory structures on the site are in compliance with setback requirements.

PLANNING AREA STANDARDS:

Oceano Specific Plan – The Oceano Specific Plan states that subdivision design should integrate with the existing neighborhood. The proposed lot line adjustment will result in a parcel sizes that are consistent with neighboring parcels along Paso Robles Street.

Curb, Gutter, and Sidewalk – Curbs, gutters, and sidewalks are required in the Residential Single Family land use category at such a time when more than 25% of an existing structure is demolished and replaced, or when the value of any new structure exceeds 25% of the total of all improvements on site. The requirement for curbs, gutters, and sidewalks will be triggered at the time of subsequent development.

Airport Review Area – The proposed project is located within the Airport Review Area. The project was referred to the Airport Land Use Commission to determine consistency with the Oceano County Airport Land Use Plan. The Airport Land Use Commission did not respond with comments on the project.

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 after adjustment will total less than four, and as adjusted will be 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 five (5) lots were legally created by a recorded map, Town of Oceano #2, recorded January 30, 1899 (Book A, Page 148 of Maps).

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 proposed adjustment conforms to the County's General Plan, the Oceano Specific Plan, and the zoning and building ordinances, and the proposed configuration results in a situation that is better than or equal to the existing configuration.

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 the proposed project is not in a mapped environmentally sensitive area, and is a minor alteration of land limitations not resulting in the creation of new lots, in an area of with an average slope of less than 20 percent.

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. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.

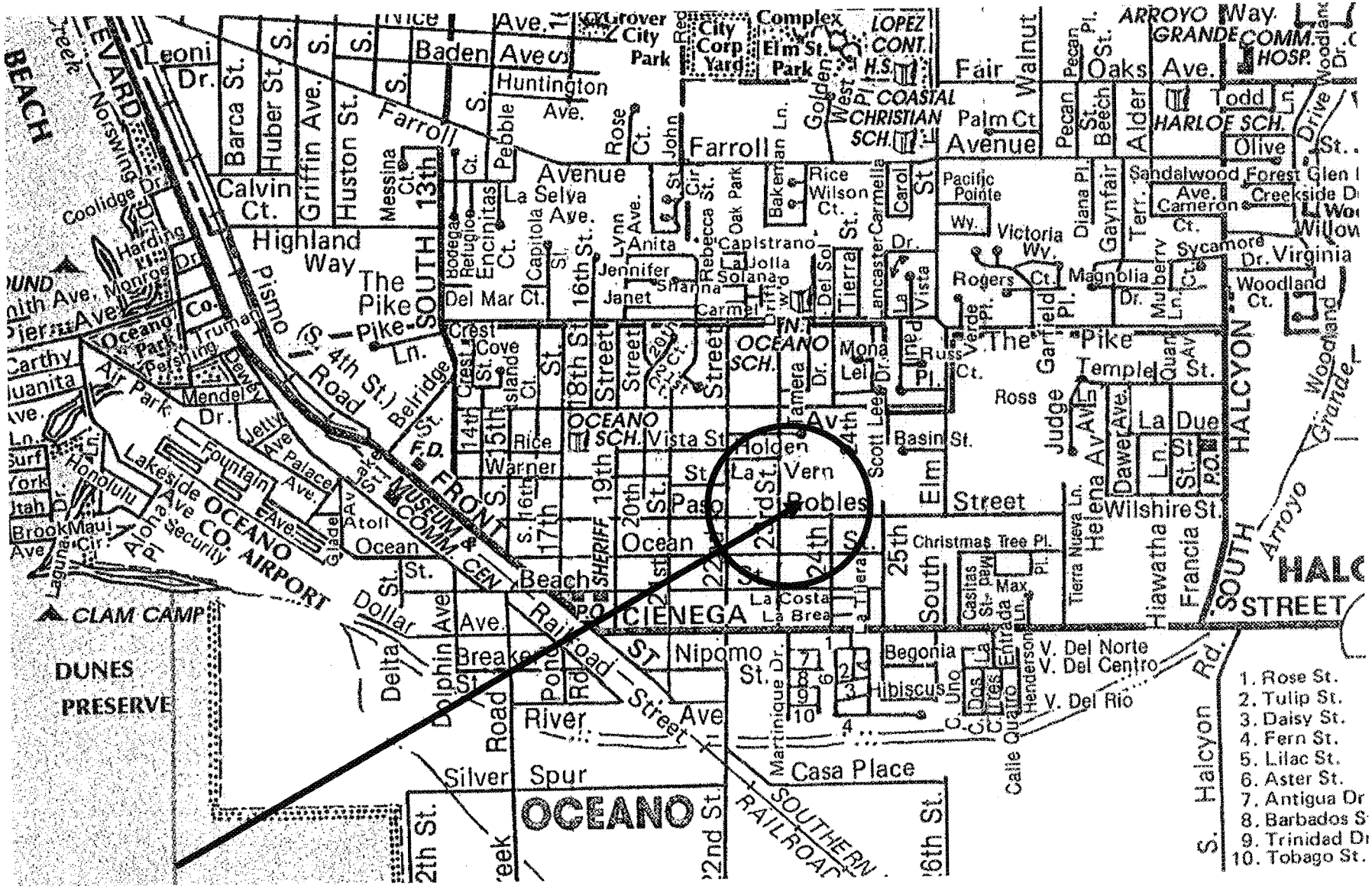
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.

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

Staff report prepared by Michael Conger and reviewed by Kami Griffin

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

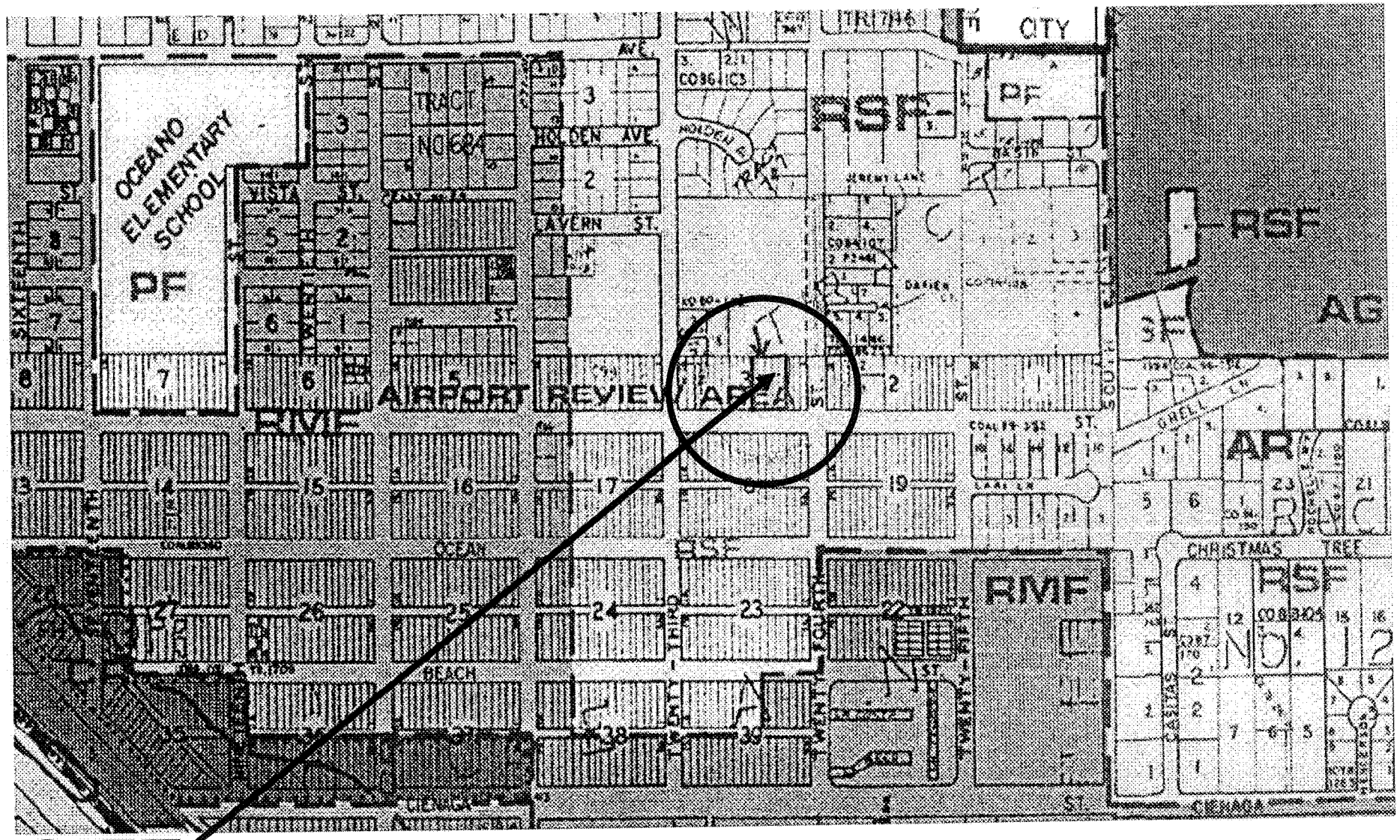
Lot Line Adjustment

Van Newkirk SUB2005-00101

EXHIBIT

Vicinity Map

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



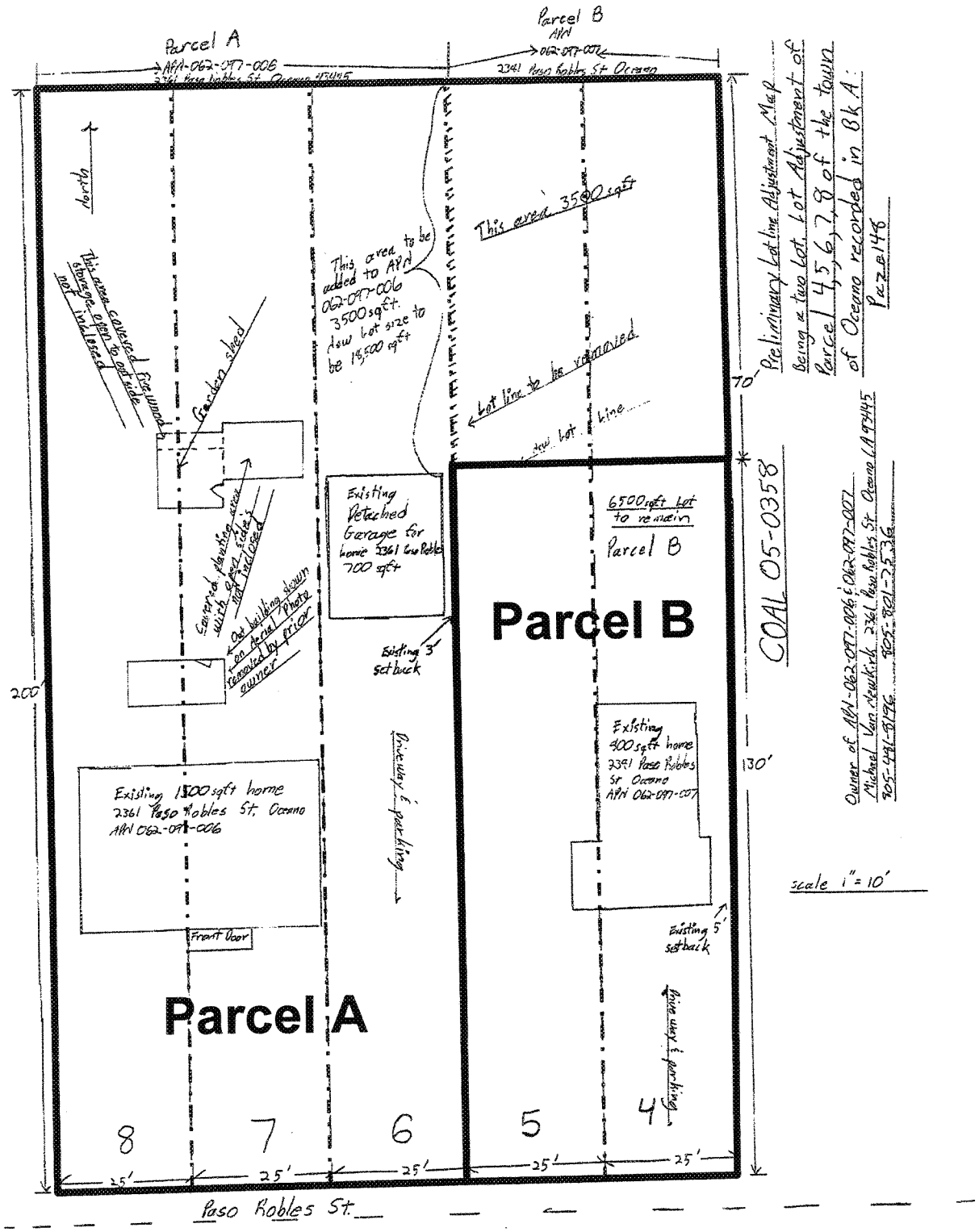
PROJECT

Lot Line Adjustment

Van Newkirk SUB2005-00101

EXHIBIT

Land Use Category



SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

EXHIBIT Site Plan

PROJECT Lot Line Adjustment
Van Newkirk SUB2005-00101

Kirk Consulting

VANNEWKIRK SUPPLEMENTAL DEVELOPMENT STATEMENT

SUB2005-00101/COAL05-0358

Purpose:
The proposed lot line adjustment will adjust two existing lots of record. The existing parcels sizes are approximately 15,000 sq.ft., and 10,000 sq.ft. each. The lot line adjustment will result in two parcels of approximately 18,500 sq.ft., and 6,500 sq.ft. each. The purpose of the lot line adjustment is to provide additional space (3,500 sq.ft.) for a new garage on Parcel A (note:existing garage would be demolished if new garage is built).

Oceano Specific Plan Compliance:
The Oceano Specific Plan encourages parcel configuration to be designed to integrate with the surrounding neighborhood. The proposed lot line adjustment will comply with the Oceano Specific Plan standards by adjusting the two lots to compliment its surroundings. Parcels to the north are not the 'typical town lotting layout'; therefore, the wider length along the rear property line is more consistent with the abutting parcel. Lot sizes along Paso Robles Street seem to vary from 1,647sq.ft. to 30,000 sq.ft. Both of the proposed lots (18,500 sq.ft. and 6,500 sq.ft.) fall within this range and will not negatively affect its neighborhood's composition.

Ordinance Consistency:
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 lot line adjustment will provide Parcel A an additional area of 3,500sq.ft. This addition to Parcel A will provide the potential for more rear yard space and the opportunity to build a new garage in replacement of the existing 700sq.ft.garage. Parcel B would have a substantial amount of space, 6,500 sq.ft; similar to some of the other lots along the street. This lot line adjustment is equal to the existing configuration because it provides adequate space for both properties, has lot sizes within the range of its neighbors and can therefore easily mold into the geometrics of its neighborhood.

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MC

SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 11-1-05

FROM: PW

FROM: ☑ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB2005-00101 COAL 05-0358 Applicant: Vanne Kirk

LLA -> 2 parcel LLA. Located in Oceano, off Paso Robles St. APN: 062-097-006 & 007

Return this letter with your comments attached no later than: 11-16-05

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☑ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☑ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Recommend Approval - No Concerns

15 Dec 2005	Goodwin	5252
Date	Name	Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600
EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: http://www.sloplanning.org

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SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

NOV 17 2005
S.L.O. CO. PLANNING DEPT.

VICTOR HOLANDA, AICP
DIRECTOR

RECEIVED
NOV - 2 2005
ENVIRONMENTAL HEALTH

THIS IS A NEW PROJECT REFERRAL

DATE: 11-1-05

TO: Env. Health

FROM: ☑ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB2005-00101 COAL 05-0358 Applicant: Vanne Kirk

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IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

As long as the existing services water & sewer remain there are no concerns at this time.

11/15/05 Date | Laurie Salo Name | 781-5551 Phone

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Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475 (805) 481-6730 FAX (805) 481-6836

January 12, 2006

Mr. Michael Van Newkirk
2361 Paso Robles Street
Oceano, California 93475

SUBJECT: **APN 062-097-006 & 007;OCSD PROJECT #6232.5; SLO CO # SUB2005-00101/ COAL05-0358**
OWNER/PROJECT: VAN NEW KIRK/LOT LINE ADJUSTMENT

Dear MR. VAN NEW KIRK:

Oceano Community Services District will serve the Lot Line Adjustment proposed for APN:062-097-006 & 007 subject to the following conditions:

1. Obtain valid OCSD and SSLOCSD permits. There are no fees due at this time.
2. Show onsite water and sewer services and cleanouts on plot plan.
3. Offsite improvements for water, sewer, street lighting, and/or fire protection may be required and will be determined when engineered plans are submitted for District review.
4. *A fire safety plan exception of content letter has been issued..*
5. If any of the District facilities are required to be moved, raised, or in any way altered or changed because of required conditions of the District or any other agency having jurisdiction over the proposed development, the owner, developer, contractor, or agent responsible shall bring such facilities up to a minimum District standard of design and access.
6. If District facilities (such as water and/or sewer lines) extend into or across the subject property, you will be required to prepare and submit appropriate easement documents and/or encroachment permits for acceptance by the District's Board of Directors and recording with the County Clerk-Recorder.

Curbs, gutters and sidewalks will be required pursuant to County Ordinance 22.05.106 at owner's expense.

This will serve letter will expire January 12, 2007 and is nontransferable. The District reserves the right to review service at the time permits are issued. If you have any questions, please contact the office at (805) 481-6730.

Yours truly,

OCEANO COMMUNITY SERVICES DISTRICT

Francis M. Cooney, General Manager
FMC/PTD/jc
cc/Mandi Raike, Kirk Consulting

Philip T. Davis, Utility Operations Supervisor
For Francis M. Cooney, General Manager

FMC/PTD/jc

Oceano Community Services District
1655 Front Street, P.O. Box 599, Oceano, CA 93475 (805) 481-6730 FAX (805) 481-6836

January 12, 2006

San Luis Obispo County
Planning & Building Department
Rm 317, County Government Center
San Luis Obispo, CA 93408

Attention: Sue Kowal

SUBJECT: FIRE SAFETY PLAN APN 062-097-006 & 007; OCSD PROJECT #6232.5
SLO CO PERMIT # SUB2005-00101/COAL05-0358
VAN NEWKIRK/LOT LINE ADJUSTMENT

Dear Ms. Kowal:

After reviewing information concerning the above building permit application, OCSD has determined that this project falls under the EXCEPTION OF CONTENT REQUIREMENT (Section 22.05.082, a (3)). As a result, the District will not require the builder to submit a fire safety plan.

If you have any questions, or require further information, please feel free to call.

Yours truly,

OCEANO COMMUNITY SERVICES DISTRICT

Philip T. Davis

Philip T. Davis, Utility Operations Supervisor
For Francis M. Cooney, General Manager

FMC/PTD/jc