



DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 11/17/2011

TO: _____

FROM: Jo Manson, North County Team

PROJECT DESCRIPTION: SUB2011-00017, C11-0109 TOPAZ SOLAR FARM- Conditional Certificate of Compliance. APN: 072-061-042.

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

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 10 days in which we must obtain comments from outside agencies.)

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.

Date

Name

Phone

APPLICATION: **CONDITIONAL CERTIFICATES OF COMPLIANCE,
SUB2011-00017 (C11-0109) (APN: 072-061-042)**

**OWNER/
APPLICANT:** **J.J. Parsons/Topaz Solar Farms LLC**

AGENT: **Tami Poe**

PREPARED BY: **Jo Manson, Project Planner**

**PROJECT
HISTORY:**

The applicant is requesting one (1) conditional certificate of compliance. Subsequent to this application, the owner is proposing that First Solar, Inc. utilize the subject property as mitigation lands for the Topaz Solar Farm project.

The conditional certificate of compliance parcel is a 20 acre parcel that is the south half of the southwest quarter of the southwest quarter of Section 14 in Township 29 South, Range 18 East. Based upon a parcel size of 20 acres a pre-1966 deed would establish the legality of the parcel if the parcel had been conveyed by deed separately from surrounding land prior to February 17, 1966. There is not a pre-1966 deed for this specific parcel which deeded it separately from surrounding land; the first time the parcel was deeded out separately was on May 5, 1978 (2075 OR 778). Based upon the 20 acre parcel size the parcel size was a violation of the County's Lot Division Ordinance and State Subdivision Map Act because lots of less than 40 acres but more than 3 acres could not be created after February 17, 1966 without first having a subdivision approved by the County Subdivision Review Board (SRB). A map was required to be approved to create parcels after February 17, 1966, therefore the parcel was not legally created. Therefore, a conditional certificate of compliance is required.

Applicable deed history is as follows:

August 25, 1869 – Book A of Patents, Page 681 recorded July 31, 1876
– Patent from U.S.A. to William S. Chapman. Southwest quarter of Section 14. Legal transaction.

May 29, 1941 – 300 OR 24 recorded May 29, 1941 – Deed from James M. McDonald to Paul Polizzotto. Includes subject property and all contiguous properties as well as some non-contiguous properties. Legal transaction.

September 13, 1946 – 426 OR 36 recorded September 17, 1946 – Deed from Paul Polizzotto and Anna Polizzoto to Alfred J. Filos and Dorothy W. Filos (1/2 interest) and Edwin R. Walter and Virginia R. Walter (1/2 interest). South half of the northwest quarter and the southwest quarter of Section 14; west half of Section 23. Legal transaction.

May 10, 1966 – 1404 OR 646 recorded July 29, 1966 – Deed from Alfred J. Filos and Dorothy W. Filos, and Edwin R. Walter to Donald F. Altenbernd. The southwest quarter, and the south half of the northwest quarter of Section 14. Legal transaction.

July 21, 1966 – 1404 OR 690 recorded July 29, 1966 – Deed from Donald F. Altenbernd to Gaylord S. Wagner. The west half of the southwest quarter and the southwest quarter of the northwest quarter of Section 14. Legal transaction.

May 14, 1968 – 1476 OR 666 recorded May 22, 1968 – Deed from Gaylord S. Wagner to Dorothy Gaffney. The southwest quarter of the northwest quarter, and the west half of the southwest quarter of Section 14, and the east half and the northwest quarter of the southwest quarter of Section 15. Legal transaction.

August 15, 1969 – 1542 OR 305 recorded November 18, 1969 – Deed from Dorothy Gaffney to William Conrad. The west half of the southwest quarter of Section 14. Legal transaction.

May 5, 1978 – 2075 OR 778 recorded June 6, 1978 – Deed from William Conrad to Eugene E. Nagle and Ruth C. Nagle. The south half of the southwest quarter of the southwest quarter of Section 14. Subject parcel. Illegal Transaction. This was a violation of the County's Lot Division Ordinance and State Subdivision Map Act because parcels less than 40 acres but more than 3 acres could not be created after February 17, 1966 without first having a subdivision approved by the County Subdivision Review Board. A map was required to be approved to create parcels at that time, therefore the parcel was not legally created.

April 23, 1999 – Document No. 1999-061173 recorded August 23, 1999 – Deed from Eugene E. Nagle and Ruth C. Nagle to J.J. Parsons. APN: 072-061-042.

Pursuant to the Subdivision Map Act, the parcels should comply with the subdivision standards in effect on April 23, 1999 as that is the date that the applicant acquired his interest in the property. (Doc. #1999-061173).

GENERAL APPLICATION FORM

San Luis Obispo County Department of Planning and Building

File No SUB 2011-00017

C 11-0109

APPLICATION TYPE - CHECK ALL THAT APPLY

- Public Lot
- Receiving Site
- Reversion to Acreage
- Voluntary Merger
- Lot Line Adjustment
- Sending Site
- Reconsideration
- Certificate of Compliance
- Parcel Map
- Road Abandonment
- Condominium (new or conversion)
- Tract Map
- Road Name

APPLICANT INFORMATION

Check box for contact person assigned to this project
 Landowner Name J J Parsons Daytime Phone _____
 Mailing Address 3641 Sacramento Dr., #16, San Luis Obispo, CA 93401 Zip Code _____
 Email Address: _____

Applicant Name Topaz Solar Farms LLC Daytime Phone _____
 Mailing Address 1111 Broadway, 4th Floor, Oakland, CA Zip Code 94607
 Email Address: _____

Agent Name Tami Poe Daytime Phone 805-835-8570
 Mailing Address PO Box 3221, Atascadero, CA Zip Code 93423
 Email Address: tamipoe@charter.net

PROPERTY INFORMATION

Total Size of Site: 20 ac Assessor Parcel Number(s): 072-061-042
 Legal Description: S 1/2 SW 1/4 SW 1/4 Sec 14, Township 29 South, Range 18 East, MDM
 Address of the project (if known): _____
 Directions to the site (including gate codes) - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: Highway 58

Describe current uses, existing structures, and other improvements and vegetation on the property:
AG - grazing land

PROPOSED PROJECT

Describe the proposed project (incl. size of all proposed parcels): One (1) Conditional Certificate of Compliance for 20 Acres.

LEGAL DECLARATION

I, the owner of record of this property, have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature Tami Poe Date 11/2/11

FOR STAFF USE ONLY			
Minimum Parcel Size: _____	<input type="checkbox"/> sq. feet	<input type="checkbox"/> acres	<input type="checkbox"/> by PAS? <input type="checkbox"/> by Ordinance?

CERTIFICATE OF COMPLIANCE APPLICATION

San Luis Obispo County Department of Planning and Building

File No _____

Project Information:

Number of existing lots or parcels: 1 Existing parcel sizes: 20 ac

Number of lots, parcels, certificates or merged parcel requested: 1

Is the property part of a previous subdivision that you filed? Yes No

If Yes, what was the map number: Tract No: _____ CO _____ COAL _____

Have you reviewed county records to determine if the subject property has ever been the subject of:
a recorded certificate of compliance or a recorded map? Yes No
Building permits or other approval? Yes No

If you answered Yes to either question, please provide copies of all applicable materials.

For Conditional Certificates of Compliance only, please answer the following questions:

Surrounding parcel ownership: Do you own adjacent property? Yes No
If yes, what is the acreage of all property you own that surrounds the project site? _____

Describe existing access to the proposed project site: _____
Highway 58 East to Tracy Lane, north then east on Tracy Lane

Surrounding land use: What are the uses of the land surrounding your property (when applicable, please specify all agricultural uses):

North: Ag - grazing/cropland South: Ag - grazing/cropland

East: Ag - grazing/cropland West: Ag - grazing/cropland

Proposed water source: On-site well Shared well Other N/A

Community System - List the agency or company responsible for provision: _____

Do you have a valid will-serve letter? Yes (If yes, please submit copy) No

Proposed sewage disposal: Individual on-site system Other N/A

Community System - List the agency or company responsible for sewage disposal: _____

Do you have a valid will-serve letter? Yes (If yes, please submit copy) No

Fire Agency: List the agency responsible for fire protection: CalFire

List available or proposed utilities: Gas Telephone Electricity Cable TV

ENVIRONMENTAL DESCRIPTION FORM

San Luis Obispo County Department of Planning and Building

File No _____

The California Environmental Quality Act (CEQA) requires all state and local agencies to consider and mitigate environmental impacts for their own actions and when permitting private projects. The Act also requires that an environmental impact report (EIR) be prepared for all actions that may significantly affect the quality of the environment. The information you provide on this form will help the Department of Planning and Building determine whether or not your project will significantly affect the quality of the environment.

To ensure that your environmental review is completed as quickly as possible, please remember to:

- Answer **ALL** of the questions as accurately and completely as possible.
- Include any additional information or explanations where you believe it would be helpful or where required. Include additional pages if needed.
- If you are requesting a land division or a re-zoning, be sure to include complete information about future development that may result from the proposed land division or rezoning.
- Include references to any reports or studies you are aware of that might be relevant to the questions asked or the answers you provide.

Should a determination be made that the information is inaccurate or insufficient, you will be required to submit additional information upon request.

Physical Site Characteristic Information

Your site plan will also need to show the information requested here:

- Describe the topography of the site:
Level to gently rolling, 0-10% slopes: 20 +/- acres
Moderate slopes of 10-30%: _____ acres
Steep slopes over 30%: _____ acres
- Are there any springs, streams, lakes or marshes on or near the site? Yes No
If yes, please describe: _____
- Are there any flooding problems on the site or in the surrounding area? Yes No
If yes, please describe: _____
- Has a drainage plan been prepared? Yes No
If yes, please include with application.
- Has there been any grading or earthwork on the project site? Yes No
If yes, please explain: _____
- Has a grading plan been prepared? Yes No
If yes, please include with application.
- Are there any sewer ponds/waste disposal sites on/adjacent to the project? Yes No
- Is a railroad or highway within 300 feet of your project site? Yes No
- Can the proposed project be seen from surrounding public roads? Yes No
If yes, please list: Highway 58 & Bitterwater Road

Solid Waste Information

N/A

1. What type of solid waste will be generated by the project?
 Domestic Industrial Agricultural Other, please explain? _____
2. Name of Solid Waste Disposal Company: _____
3. Where is the waste disposal storage in relation to buildings? _____
4. Does your project design include an area for collecting recyclable materials and/or composting materials?
 Yes No

Community Service Information

1. Name of School District: Atascadero Unified School District
2. Location of nearest police station: CHP
3. Location of nearest fire station: CalFire - Santa Margarita
4. Location of nearest public transit stop: N/A
5. Are services (grocery/other shopping) within walking distance of the project? Yes No
 If yes, what is the distance? _____ feet/miles

Historic and Archeological Information

1. Please describe the historic use of the property: Ag - grazing
2. Are you aware of the presence of any historic, cultural or archaeological materials on the project site or in the vicinity? Yes No
 If yes, please describe: _____
3. Has an archaeological surface survey been done for the project site? Yes No
 If yes, please include two copies of the report with the application.

Agricultural Information

Only complete this section if your site is: 1) Within the Agricultural land use category, or 2) currently in agricultural production.

1. Is the site currently in Agricultural Preserve (Williamson Act)? Yes No
2. If yes, is the site currently under land conservation contract? Yes No
3. If your land is currently vacant or in agricultural production, are there any restrictions on the crop productivity of the land? That is, are there any reasons (i.e., poor soil, steep slopes) the land cannot support a profitable agricultural crop? Please explain in detail: _____

Special Project Information

1. Describe any amenities included in the project, such as park areas, open spaces, common recreation facilities, etc.(these also need to be shown on your site plan):
None
2. Will the development occur in phases? Yes No
 If yes describe: _____
3. Do you have any plans for future additions, expansion or further activity related to or connected with this proposal? Yes No If yes, explain: _____
4. Are there any proposed or existing deed restrictions? Yes No

If yes, please describe: _____

Energy Conservation Information

1. Describe any special energy conservation measures or building materials that will be incorporated into your project *: N/A

*The county's Building Energy Efficient Structures (BEES) program can reduce your construction permit fees. Your building must exceed the California State Energy Standards (Title 24) in order to qualify for this program. If you are interested in more information, please contact the Building Services Division of the Department of Planning and Building at (805) 781-5600.

Environmental Information

1. List any mitigation measures that you propose to lessen the impacts associated with your project:
No impacts associated with application.

2. Are you aware of any unique, rare or endangered species (vegetation or wildlife) associated with the project site? Yes No
If yes, please list: Kit Fox Habitat
3. Are you aware of any previous environmental determinations for all or portions of this property?
 Yes No
If yes, please describe and provide "ED" number(s): _____

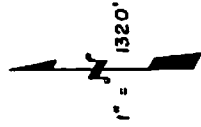
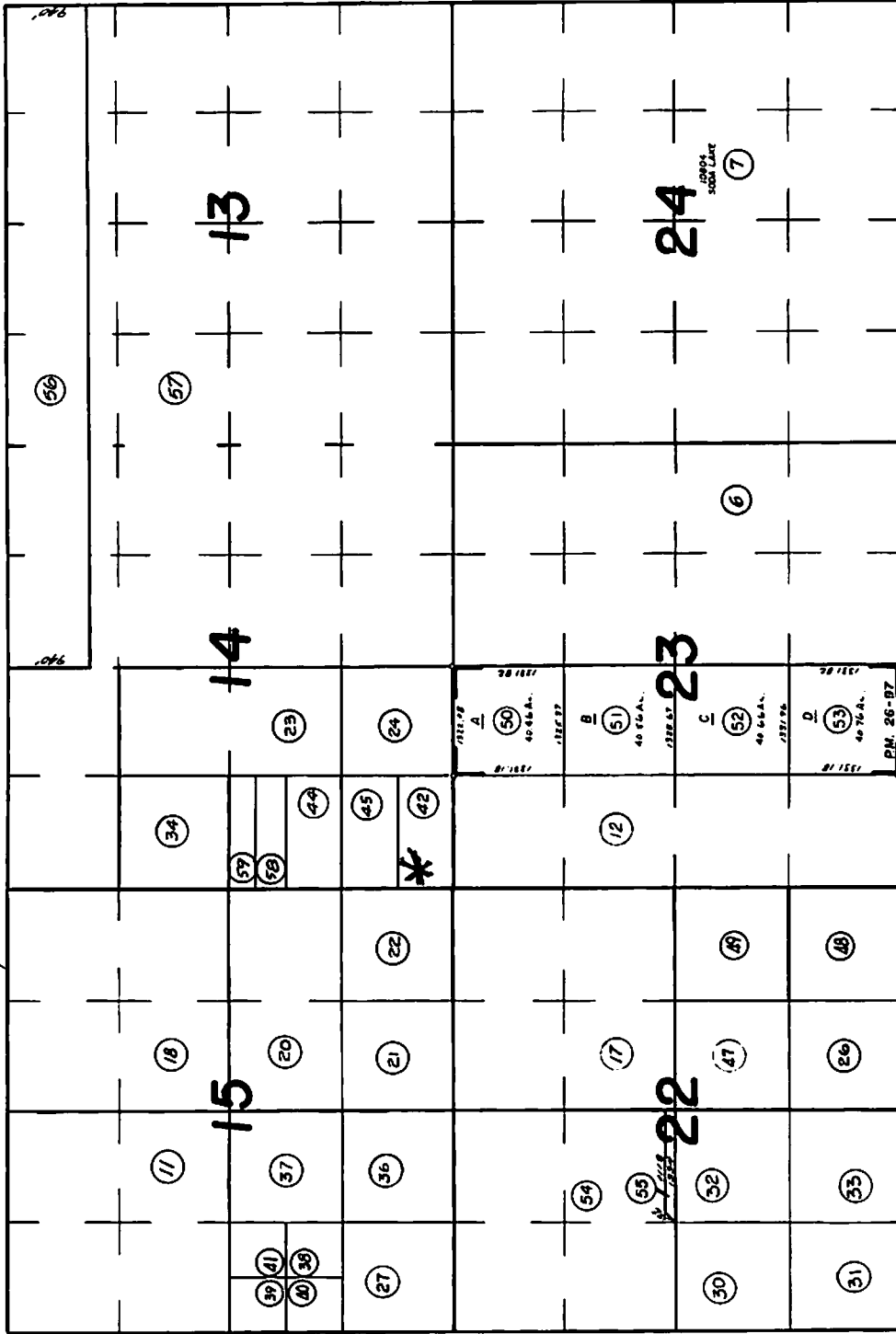
Other Related Permits

1. List all permits, licenses or government approvals that will be required for your project (federal, state and local): None

(If you are unsure if additional permits are required from other agencies, please ask a member of the Planning Department staff currently assigned in either Current Planning or the Environmental Division.)

02 T. 29 S., R. 18 E., M. D. M.

5/18/87



NOTE: ASSESSOR'S BLOCK & LOT
NUMBERS SHOW IN CIRCLES.
THIS MAP IS FOR ASSESSMENT PURPOSES ONLY.

SAN LUIS OBISPO COUNTY
CALIFORNIA



San Luis Obispo County Department of Planning and Building

County Government Center San Luis Obispo, California 93408 Telephone: (805) 781-5600

People Information

Role Name and Address

OWN PARSONS JJ
3641 SACRAMENTO DR #16 SLO CA 93401-7103

Address Information

Status Address
P 00000 NEEDS ROAD NAME SHCA

Lot Information:

<u>Tract/ Township</u>	<u>Block / Range</u>	<u>Section</u>	<u>Community:</u>	<u>Plan/Area:</u>	<u>Lot 1:</u>	<u>Lot 2:</u>	<u>Lot 3:</u>	<u>Lot:</u>	<u>Flags:</u>	<u>Misc</u>
T29S	R18E	14P	Carrizo Rural	Shandon/Carr	AG			U		

Parcel Information

Status Description

Active T29S R18E PTN SEC 14

Notes

Tax Districts

ATASCADERO UNIFIED SCHOOL
SAN LUIS OBISPO JT(27,40) COMM. COLLEGE
NO. 05 ROAD-CO/SUPVR
AREA NO. 21 COUNTY SERVICE

Case Information

<u>Case Number:</u>	<u>Case Status:</u>
SUB2011-00017	REC
<u>Description:</u>	
PROP 1 COND CERT OF COMPLIANCE	
	Primary Parcel