



DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 2/5/2014

TO: _____

FROM: Stephanie Fuhs (805-781-5721 or sfush@co.slo.ca.us)
South CountyTeam / Development Review

PROJECT DESCRIPTION: DRC2013-00063 FORAGE – Proposed minor use permit to modify distance for a secondary dwelling. Site location is 3355 See Canyon Rd, San Luis Obispo. APN: 076-103-021.

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

MINOR USE PERMIT

MUP TO MODIFY DISTANCE FOR SECONDARY DWELLING.

SLB/ RSLB

FH GS RL RR

GENERAL APPLICATION FORM

San Luis Obispo County Department of Planning and Building

APPLICATION TYPE - CHECK ALL THAT APPLY

- Emergency Permit
- Tree Permit
- Plot Plan
- Zoning Clearance
- Site Plan
- Minor Use Permit
- Variance
- Other
- Conditional Use Permit/Development Plan
- Surface Mining/Reclamation Plan
- Curb, Gutter & Sidewalk Waiver
- Modification to approved land use permit

APPLICANT INFORMATION Check box for contact person assigned to this project

Landowner Name JAMES FORAGE Daytime Phone _____
 Mailing Address 2142 FONTICELLO DR. HENDERSON, NV. Zip Code 89052
 Email Address: JFORAGE@GMAIL.COM

Applicant Name SAME AS OWNER Daytime Phone _____
 Mailing Address _____ Zip Code _____
 Email Address: _____

Agent Name LANDSITE, INC. - DAN LLOYD Daytime Phone 441-2454
 Mailing Address P.O. BOX 378 CAYUCOS, CA. Zip Code 93430
 Email Address: DAN@LANDSITEINC.COM

PROPERTY INFORMATION

Total Size of Site: ~ 7.09-AC Assessor Parcel Number(s): 076-103-021

Legal Description: PARCEL 4 OF CDAL 03-0302

Address of the project (if known): 3355 SEE CANYON ROAD

Directions to the site (including gate codes) - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: SEE CANYON ROAD, 3 MILES N/W OF SAN LUIS BAY DRIVE

Describe current uses, existing structures, and other improvements and vegetation on the property:

SEE ATTACHED LETTER

PROPOSED PROJECT

MUP to modify distance for secondary dwelling

Describe the proposed project (inc. sq. ft. of all buildings): SEE ATTACHED LETTER AND EXHIBIT (SITE PLAN)

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 [Signature]

Date 1-20-2014

FOR STAFF USE ONLY

Reason for Land Use Permit: _____



Governmental Affairs Consulting

January 15, 2014

James Bergman, Director
Department of Planning and Building
County of San Luis Obispo
County Government Center
1055 Monterey Street, Room 200
San Luis Obispo, CA
93408

Re: Request for Exception to Design Standards; Forage Building Permit No. PMT 2013-00934

Dear Mr. Bergman;

Mr. James Forage is the owner of a 209-acre parcel on See Canyon Road (a portion of a larger holding of 674 contiguous acres) that currently has four (4) legally permitted residential rental units (one additional residence was legally removed in 2009). Mr. Forage has submitted plans to construct a new primary residence on the property however the permit review has been suspended pending resolution of the design requirement for a 250-foot maximum separation between a primary and secondary residence.

Due to topographic limitations, creek vegetation, agricultural planting, and water-course constraints, Mr. Forage is not able to site his new residence within the required 250-foot maximum separation distance between the secondary unit and his primary residence as required by the County's Land Use Ordinance. We have submitted a site plan that shows the relevant structures and site features that preclude Mr. Forage from meeting this design standard as well as his preferred location for the new residence.

In order to resolve this conflict with the Land Use Ordinance, Mr. Forage is requesting an Exception to Design Standards, as provided for by ordinance, to allow him to build his new residence and retain his productive orchards and significant creek vegetation near his secondary residence. The secondary residence is planned to be retained, two of the other small rental units are scheduled to be converted to non-residential uses, and the fourth unit, a mobile home fronting on See Canyon Road, will be retained as a caretakers residence. As part of this application we are submitting a detailed description of the disposition of the existing

residences, the scope of their intended conversion to allowable uses, and a means to guarantee the conversion of the three residential structures to other allowable uses.

DESIGN EXCEPTIO REQUEST

Applicant response to Section 22.70.030 – Adjustments

The applicant, James Forage, is requesting an adjustment to the requirement to Section 22.30.470F2.b – Design Standards, to allow the existing secondary residence on his property to be greater than 250-feet from the proposed new primary residence. As required by the Land Use Ordinance, the Review Authority may permit the modification to standards where it can find the following:

- a. Locating the secondary dwelling within the distance as set forth in Subsection F.1 would necessitate the removal of, or impact to, any of the following:*
 - i. Existing improvements, such as swimming pools, wastewater disposal fields, drainage facilities, or water storage Tanks;*
 - ii. Sensitive or significant vegetation, vineyards, orchards, or visually prominent trees;*
 - iii. Significant topographic features (steep slopes, ridgelines, bluffs) water courses, wetlands, lakes or ponds, or rocky outcrops; or*
 - iv. Archaeological resources.*

The following is the applicant’s response to the specific findings listed above.

- i. Due to the presence of multiple residential and agricultural buildings, as well as topographic constraints within 250-feet of the existing secondary residence, there is not enough lateral space to locate the new primary residence within this 250-foot zone.*
- ii. There are several existing orchards, significant trees and creek vegetation that are close to the secondary residence that would have to be removed in order to locate the new primary residence within 250-feet of the secondary residence.*
- iii. There is an existing seasonal creek with riparian vegetation along the south side of the area that is directly adjacent to the likely location for a new residence, there is the toe of a steep hillside and access drive along the north side of the likely area for a new residence, all of which limit the viability of this area for construction of the new primary residence.*
- iv. There are no known archaeological resources near the secondary residence that would be impacted.*

DISPOSITION OF EXISTING PERMITTED RESIDENTIAL STRUCTURES

Since this property contains several legally permitted structures that would need to be converted to other ordinance allowed uses in order to be able to be retained, we are proposing a series of conversion activities in order to meet County requirements. The following discussion outlines the intended use and conversion activities for the four existing residential structures on the 209-acre parcel to bring them into compliance with County requirements.

Existing Secondary Residence:

The largest of the four residences on the property is an 1160-sf home just northeast of the bridge. This residence was built around 1965 and was the ranch headquarters for several decades. The garage was converted to a family-room at some point without the benefit of permits, so this illegal conversion would need to be removed to make the structure compliant. The estimated cost to perform this conversion is \$10,000.00.

The Gate House:

The Gate house is located at the North end of the bridge, is a legal residence built before permits were required, and is approximately 450-sf in size. This residence is to be retrofitted to serve as enclosed storage for the property owner. The conversion will include removal of the kitchen and the estimated cost is \$2500.00.

Mary Lou's House:

This is the name given to a small residence that is located Northeasterly of the secondary residence. It is approximately 850-sf feet in size, was legally constructed around 1970, and was the residence for one of the former owner's children. This residence will be converted into a shop building and the kitchen will be removed as part of the conversion. The estimated cost to convert the structure is \$2500.00.

The Caretaker's Residence:

The caretaker's residence, a mobile home located along See Canyon Road, was legally permitted around 1975 and has been rented since that time to various ranch workers. Mr. Forage desires to keep this residence as a caretaker's unit since he needs on-site help with the day to day activities on the ranch. The ranch includes 14-acres of fruit trees comprised of apple, peach, plum, and pear. There is a 600-sf greenhouse used to grow citrus fruit, a 2-acre pasture for 15-baby doll sheep, and a small herd of llamas that range over the balance of the ranch owned by Mr. Forage. These agricultural uses require the oversight and care of a caretaker who attends to the various maintenance activities around the 674-acre ranch property, feed the sheep and llama, and make repairs to ranch fencing and facilities. The fruit from the trees is donated annually to the SLO Food Bank as a tax deductible donation by Mr. Forage.

JUSTIFICATION OF EXCEPTION REQUEST AND BONDING FOR CONVERSION OF EXISTING STRUCTURES

Mr. Forage desires to build his new residence in a location that will not impact his existing fruit trees, impact creek habitat, or interfere with his existing barns and site improvements. Even if he could place the new residence within 250-feet of the secondary residence, an orchard and agricultural buildings would have to be removed, and the new residence would still be too close to the creek. There is another possible location for the new residence that is shown on the site plan further into the property that also has many of the same limitations and impacts. Since there is an existing well, multiple barns, an orchard, a green house, and coral for the sheep, it is clearly impossible to build his new residence in compliance with the 250-foot distance requirement.

In order to allow him to proceed with construction of a new residence and give the County assurance that the conversion of the three existing residences will be completed, Mr. Forage will agree to post a cash bond to ensure that the conversions take place prior to occupancy. This bond would be provided to the County or held in an escrow account with a local title company which would disperse the funds to the County upon request in the event the applicant does not perform as required by the Minor Use Permit conditions of approval. Since the construction duration is expected to last for 24 months, this 2-year time frame will allow him to make the necessary alterations and keep his caretaker on the property.

Mr. Forage has every intention of complying with the County's requirements and would like this additional time to make the conversion to the structures and maintain the site's agricultural operations while his home is being constructed.

If you have any questions regarding this request or the offer of bonding for conversion of the existing structures, please call Dan Lloyd at 805-441-2454.

Sincerely,



Daniel R. Lloyd
Principal

Cc: James Forage
Michael Gardner

LAND USE PERMIT APPLICATION

San Luis Obispo County Department of Planning and Building

File No _____

Type of project: Commercial Industrial Residential Recreational Other

Describe any modifications/adjustments from ordinance needed and the reason for the request (if applicable): SEE ATTACHED LETTER AND SITE PLAN

Describe existing and future access to the proposed project site: REFER TO SITE PLAN

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? ± 475-AC

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

North: AGRICULTURE South: HILLSIDE
East: RESIDENTIAL RURAL West: RESIDENTIAL RURAL

For all projects, answer the following:

Square footage and percentage of the total site (approximately) that will be used for the following:

Buildings: 12,910 sq. feet .0014 % Landscaping: N/A sq. feet _____ %

Paving: 25,344 sq. feet .0028 % Other (specify) _____

Total area of all paving and structures: 38,254 sq. feet acres

Total area of grading or removal of ground cover: N/A sq. feet acres

Number of parking spaces proposed: _____ Height of tallest structure: _____

Number of trees to be removed: _____ Type: _____

Setbacks: Front _____ Right _____ Left _____ Back _____

Proposed water source: On-site well Shared well Other _____

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

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

Proposed sewage disposal: Individual on-site system Other _____

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

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

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

For commercial/industrial projects answer the following:

Total outdoor use area: _____ sq. feet acres

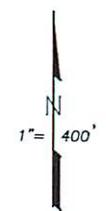
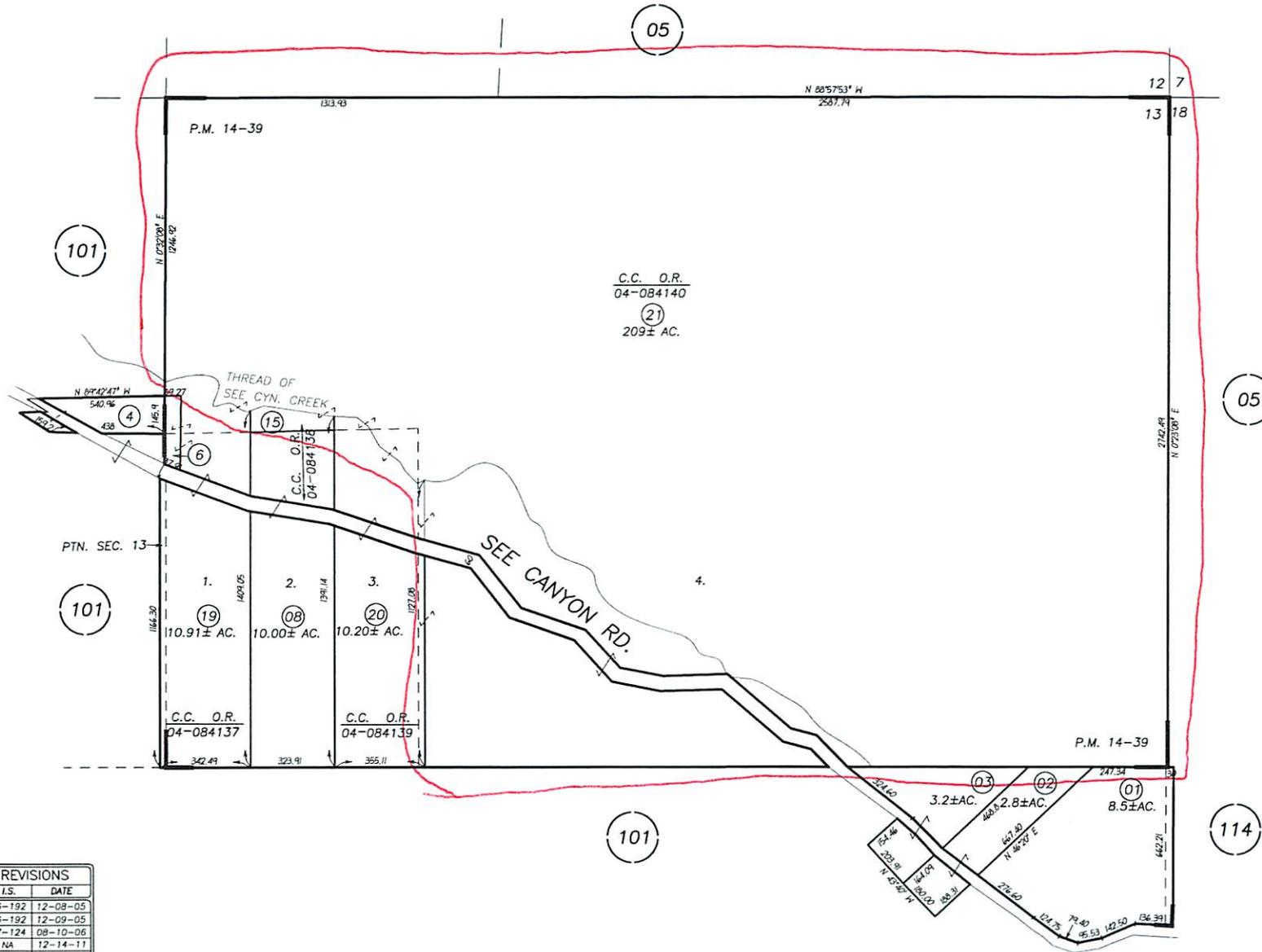
Total floor area of all structures including upper stories: _____ sq. feet

For residential projects, answer the following:

Number of residential units: _____ Number of bedrooms per unit: _____

Total floor area of all structures including upper stories, but not garages and carports: _____

Total of area of the lot(s) minus building footprint and parking spaces: _____



REVISIONS	
I.S.	DATE
06-192	12-08-05
06-192	12-09-05
07-124	08-10-06
NA	12-14-11



LZ
12-08-05 THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.

T. 31S.; R. 11E.; SECTION 13. M.D.B.M.
T. 31S.; R. 12E.; SECTION 18. M.D.B.M.

Basemap

AG

RL

San Luis Bay Inland
Planning Area

RR

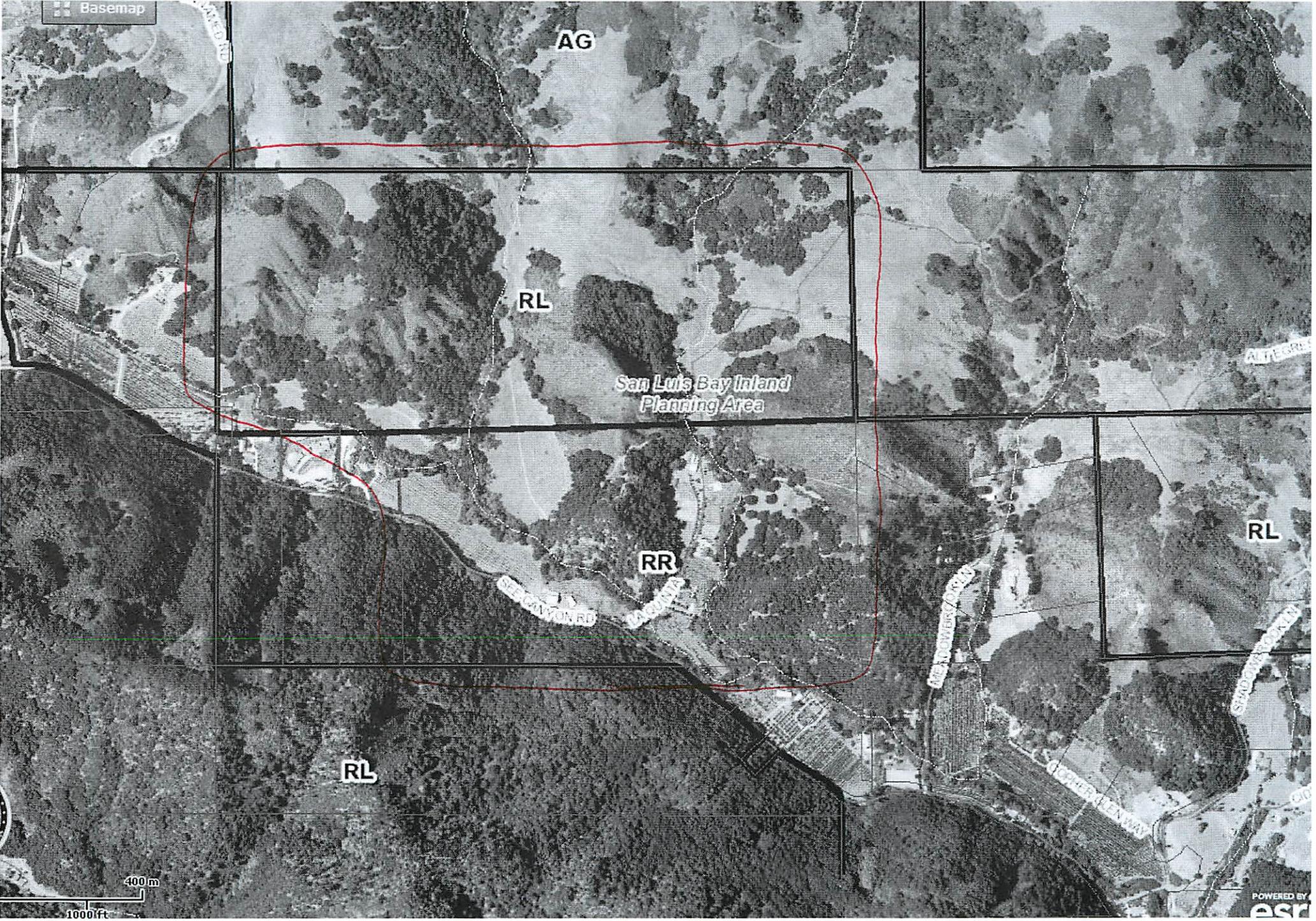
RL

RL

400 m

1000 ft

POWERED BY
esri





Parcel Summary Report For Parcel # 076-103-021

1/28/2014
10:04:30AM

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 FORAGE VINEYARDS LLC
2142 PONTICELLO DR HENDERSON NV 89052-
OWN FORAGE VINEYARDS LLC A CA LLC

Address Information

<u>Status</u>	<u>Address</u>
P	03355 SEE CANYON RD RSLB
P	03351 SEE CANYON RD RSLB
P	03365 SEE CANYON RD RSLB

Lot Information:

<u>Tract / Twnshp</u>	<u>Block / Range</u>	<u>Section</u>	<u>Community:</u>	<u>Plan/Area:</u>	<u>Lue 1:</u>	<u>Lue 2:</u>	<u>Lue 3:</u>	<u>Lot:</u>	<u>Flags:</u>	<u>Misc</u>
COAL03- 076103	302 021	0004 0001	San Luis Bay Ru	San Luis Bay	RL	RR	FH	Y		
			San Luis Bay Ru	San Luis Bay	GS			N		

Parcel Information

<u>Status</u>	<u>Description</u>
Active	PM 14-39 PTN PARS 3 & 4

Notes

PROPERTY XFERRED TO JASON MOORE ON 12/14/07. IF STILL UNDER CONTIGUOUS OWNERSHIP WITH 076-041-071, ADDITIONAL DEVELOPMENT MAY TRIGGER C.U.P. PER TABLE 2-3 (CUMULATIVE SITE DISTURBANCE). DRC2007-00011 IS C.U.P. IN PROCESS FOR AS-BUILT GRADING ON 076-041-071. -MTC 1/14/08

25' SETBACK FROM TOP OF BANK (BUILDING SETBACK LINE) PER COAL03-0302 RECORDED WITH CERTS SHOWS ON EXHIBITS AND IS A CONDITION OF APPROVAL.SWC 8/18/10

SAN LUIS COASTAL

SAN LUIS OBISPO JT(27,40)

COUNTY-ZONE NO. 09

SAN LUIS



Parcel Summary Report For Parcel # 076-103-021

1/28/2014
10:04:30AM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

NO. 03

AREA NO. 21

Case Information

Case Number:

Case Status:

COD2012-00194 REC Primary Parcel

Description:

EXPIRED PERMITS (3) PMT2008-00083, PMT2008-00086 & PMT2008-00934 - MANUFACTURED HOME, GREENHOUSE AND TEMP POWER - TEMP POWER NEEDS TO BE REMOVED

DRC2013-00063 REC Primary Parcel

Description:

MUP TO MODIFY DISTANCE FOR SECONDARY DWELLING.

PMT2008-00079 EXP Primary Parcel

Description:

EXPIRED - DEMO EXISTING MOBILE HOME LOCATED NEAR BARNS OFF SEE CANYON, NO REPLACEMENT AT THS TIME.

PMT2008-00082 EXP Primary Parcel

Description:

EXPIRED 3/10/2011 - DEMO EXISTING MOBILE HOME (PMT 63014) (REPLACEMENT MOBILE HOME PMT2008-00083)

PMT2008-00083 EXP Primary Parcel

Description:

REFERRED TO CODE ENF - EXPIRED - REPLACEMENT MANUFACTURED HOME BY SILVERCREST (MH PERMIT 63014) (NEW SEPTIC TANK, LEACH BEING USED BY PMT2008-00089 WORKSHOP/ W RESTROOMS) ON SILVERCREST INGROUND FOUNDATION SYSTEM (DEMO PMT2008-00082) (ATTACHED GARAGE PMT2008-00084)

PMT2008-00084 EXP Primary Parcel

Description:

EXPIRED 3/10/2011 - ATTACHED GARAGE (1326 SF) W/ELECTRICAL FOR MOBILE HOME PMT2008-00083

PMT2008-00085 EXP Primary Parcel

Description:

EXPIRED 3/10/2011 - BLDG D - CONVERT LIVING SPACE TO STORAGE BUILDING (535 SF) BUILT IN 1920 (REMOVE KITCHEN, CLOSETS AND HEATING UNITS)

PMT2008-00086 EXP Primary Parcel

Description:

REFERRED TO CODE ENF - EXPIRED - GREENHOUSE 20' X 55' METAL FRAMED/ POLYCARDONATE SIDING & ROOFING ON A 2' HIGH STEM WALL (1183 SF) (TEXAS GREENHOUSE COMPANY) WITH HIGH PRESSURE SODIUM CEILING MOUNTED LIGHTS / 9 GFI OUTLETS 3-SWAMP COOLERS FOR RESIDENTIAL USE

PMT2008-00087 WIT Primary Parcel

Description:

WITHDRAWN 12/31/08 GREENHOUSE #2 (1183 SF) (TEXAS GREENHOUSE COMPANY) (GREENHOUSE #1 PMT2008-00086)



Parcel Summary Report For Parcel # 076-103-021

1/28/2014
10:04:30AM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

PMT2008-00088 EXP Primary Parcel

Description:

EXPIRED 3/10/2011 - CONVERT PORTION OF SFD TO GARAGE (584 SF) TO MEET SECONDARY DWELLING STANDARDS, INCLUDING NEW GARAGE DOOR, ADD DOOR AND WALL FROM KITCHEN TO GARAGE & REMOVE FIREPLACE FROM GARAGE TO REDUCE SQ FT FOR A 2ND DWELLING.

PMT2008-00089 EXP Primary Parcel

Description:

EXPIRED 3/10/2011 - CONVERT EXISTING SFD TO WORKSHOP (882 SF) EXISTING CARPORT (410 SF) BLDG G ON SITE PLAN, WORKERS RESTROOMS WITHIN BUILDING TO REMAIN / BBQ PIT, OUTDOOR STAGE, KITCHEN, WOOD STOVE, FIRE PLACE AND HEATING SYSTEM TO BE REMOVED (THIS IS THE DETACHED WORKSHOP FOR THE PRIMARY DWELLING MH) 1500 GALLON SEPTIC TANK LEACH BEING SHARED WITH MH PMT2008-00083

PMT2008-00934 EXP Primary Parcel

Description:

REFERRED TO CODE ENF - EXPIRED - TEMPORARY POWER - 200 AMP (MOVING FROM ONE LOCATION TO ANOTHER)

PMT2008-01220 EXP Primary Parcel

Description:

EXPIRED 4/8/2011 - ADD/ALT TO SFD - 10,445 SF, ADD TO GARAGE 1,645 SF, COV PORCH & DECK TO MOBILE HOME PERMIT PMT2008-00083 W/ FIRE SPRINKLERS (FIRESPRINKLERS PMT2008-01449 JUST FOR ADDITION)

PMT2008-01449 EXP Primary Parcel

Description:

EXPIRED 4/8/2011 - FIRESPRINKLERS FOR SFD ADDITION PMT2008-01220

PMT2013-00934 RVW Primary Parcel

Description:

SFD (13,703 SF) , INCLUDES UNCONDITIONED BASEMENT (12,694 SF), ATTACHED GARAGE (1,714 SF) & MINOR GRADING

PRE2009-00018 REC Primary Parcel

Description:

210 ACRES

PRE2011-00016 REC Primary Parcel

Description:

209 ACRES

SUB2007-00031 WIT Primary Parcel

Description:

11 PARCEL CLUSTER SUBDIVISION

DRC2007-00011 PTX Related Parcel

Description:



Parcel Summary Report For Parcel # 076-103-021

1/28/2014
10:04:30AM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

1) AUTHORIZE UNPERMITTED GRADING - 10,918 CUBIC YARDS OF CUT/FILL (INDIVIDUALLY), 10.05 ACRES OF SITE DISTURBANCE; 2) PROPOSED GRADING FOR NEW BUILDING PADS AND DRIVEWAYS - 28,310 CY CUT, 2,641 CY FILL, APPROX 2.75 ACRES OF SITE DISTURBANCE; 3) DEVELOPMENT OF A SINGLE-FAMILY DWELLING, GUESTHOUSE, POOL HOUSE, OUTDOOR KITCHEN, DECKS, GREENHOUSE, AND DETACHED GARAGE/WORKSHOP, RESULTING IN APPROXIMATELY 22,831 SQUARE FEET OF GROSS STRUCTURAL AREA; AND 4) INSTALLATION OF A NEW CULVERT AND DRAINAGE REALIGNMENT AS PART OF A RESTORATION PLAN, INVOLVING 507 CUBIC YARDS OF CUT AND FILL AND SITE DISTURBANCE OF APPROXIMATELY 0.793 ACRES.

PRE2004-00094 REC Related Parcel

Description:

209.02 ACRES. AG ACCESSORY USES. REQUESTING PW, CDF, AND JRC

S030107L RDD Related Parcel

Description:

LLA

S950127C RDD Related Parcel

Description:

PROP 24 CERTIFICATES OF COMPLIANCE; 21 CERTS APPROVED AND RECORDED