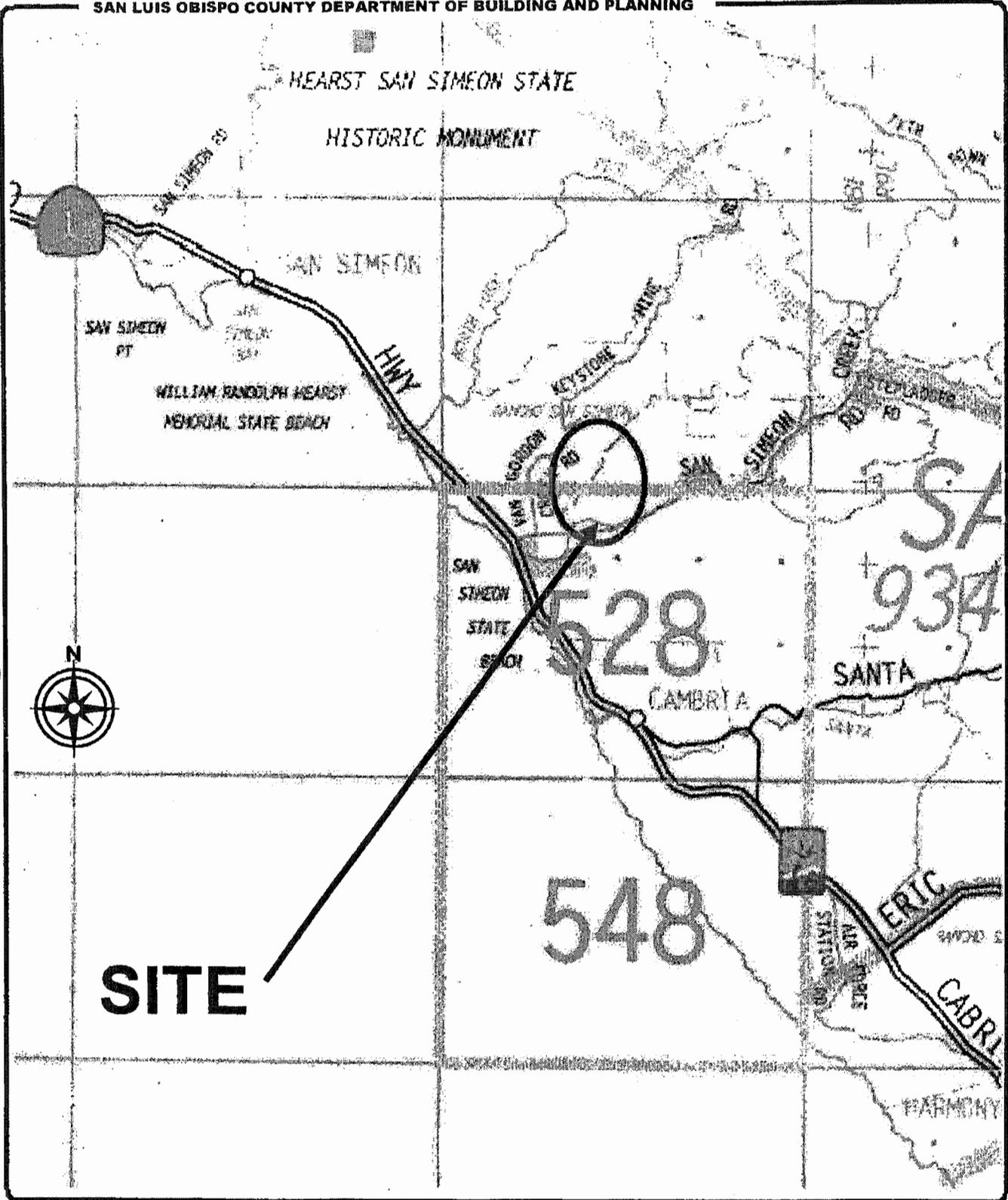


SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



SITE

PROJECT

Warren Lot Line Adjustment
COAL 09-0018 / SUB2008-00104



EXHIBIT

Vicinity Map

San Simeon Ck Rd.

Approx. location
of new 6,000 S.F.
building envelope

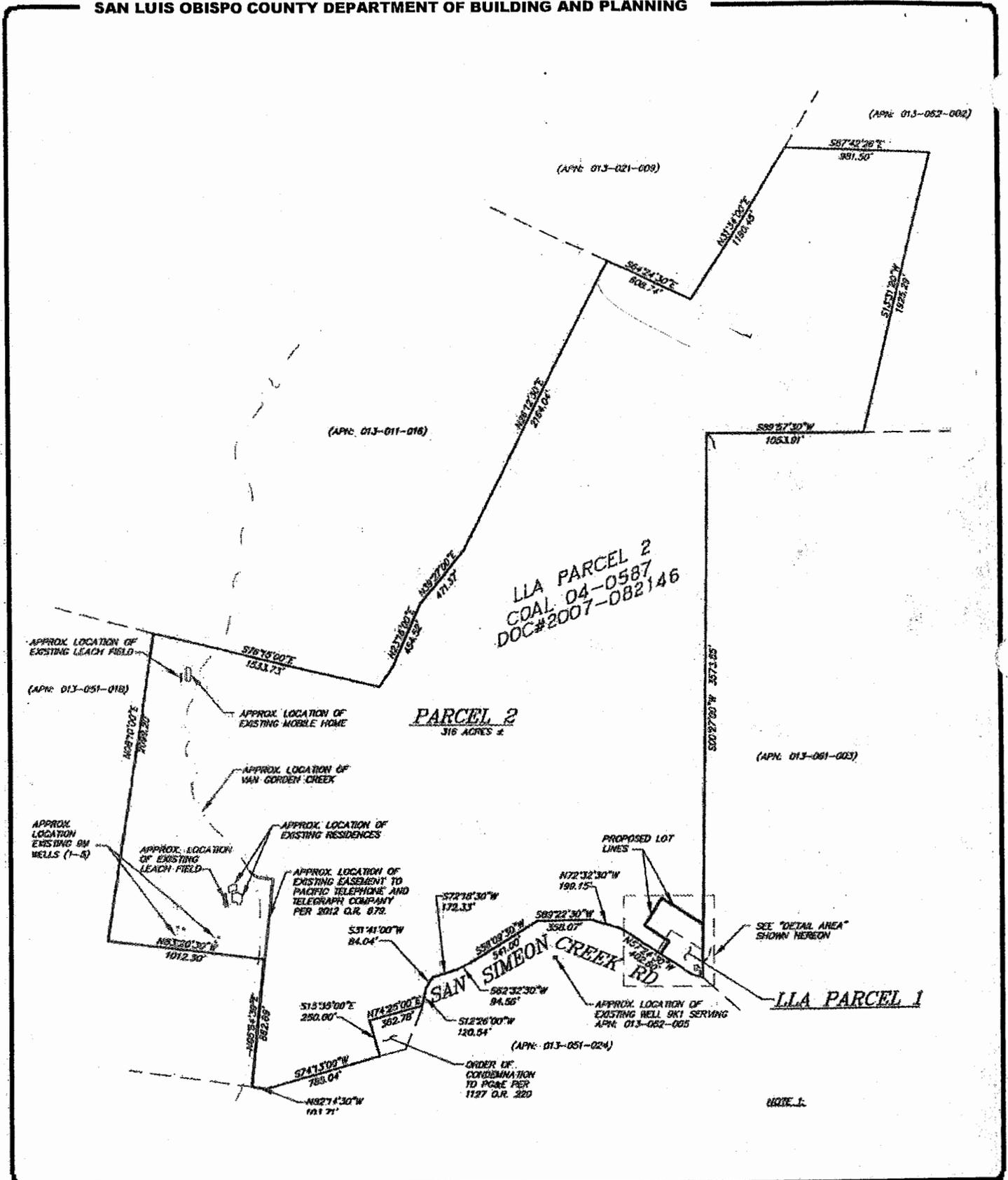


Existing
warehouse



Existing
Schoolhouse

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT
 Warren Lot Line Adjustment
 COAL 09-0018 / SUB2008-00104



EXHIBIT
 Site Map (Full Site)

RECEIVED

AUG 12 2010

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

July 31, 2010

Clyde Warren, Rancho San Simeon, LLC
Willis Warren Trust
P.O. Box 528
Murphy, OR 97533

Ms. Bonnie Neely, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Re: Appeal #A-3-SLO-10-028, Warren LLA

Dear Ms. Neely,

I am sending you information on our position of why I believe that we have met the requirements of protecting agriculture concerning our lot line adjustment A-3-SLO-10-028, Warren LLA.

In the **Appeal Staff Report** I addressed some issues below that needed to be clarified.

1) Starting on page 2 of the Appeal Staff Report in **#2. Summary of Staff Recommendation**, "The certified San Luis Obispo County LCP requires the protection of coastal agriculture, including requiring that land suitable for agriculture to be maintained in or available for agriculture production". The Appellants contend that the County's decision is inconsistent with the LCP's agricultural protection requirements. The County's CDP decision allows for the adjustment of lot lines between two parcels and the designation of a new 6,000 square foot residential building envelope on the 2.6 acre parcel." *There is no new building envelope. We are moving the existing one and it is in the County report. See Attachments F2, F3 and L.*

It further says, "**The appeal raises a substantial LCP issue related to core LCP coastal agriculture resource protection requirements, and staff recommends that the Commission take jurisdiction over the CDP application for this project**". This is a direct contradiction to what the Commission did in 2001 with our neighbor, CA State Parks, 175 acre ranch. In the photos Attachments B, C and D you can see the 175 acres of highly productive agriculture land that the State Parks permanently removed from agriculture production with the Coastal Commissions approval. *Yet we are being denied a 1.5 acre lot line adjustment because we have to move a 6,000 square foot building envelope that already exists in order to comply with the County's new agriculture buffers and septic requirements. When you compare 6,000 sq. ft. vs 175 acres (7,623,000 sq. ft.), where is the fairness and real agriculture protection in this? It seems that the minimum would have been to require the State Parks to maintain the 175 acres in agriculture production like everyone else. This conversion of prime agriculture land does not seem to comply with your*

CCC Exhibit 4
(page 1 of 47 pages)

"Agriculture Policy 1: Maintaining Agriculture Lands" on page 7 of Substantial Issue Determination, A. Applicable LCP Policies.

2) On page 5 of the Appeal, #2. **Project Description**, it says in the middle of the paragraph, "The stated intent of the lot line adjustment is to facilitate development of a second residence on Parcel 1". Let me clarify this. *There is no second residence. We are moving the existing building envelope so it will comply with the present County regulations.* This information is in the County report. See Attachments F2, F3 (fifth paragraph) and P2 The old school house that my grandfather helped build in 1903 was never intended to be used as a permanent residence. See Attachment O3. It is a historical school building that our grandfather purchased in 1947. Our family is the sixth owner of this property since its conception in 1842. See Attachment O5. We have been taking care of it for the last 63 years. *We know through experience if you do not have someone care taking the schoolhouse then vandals will destroy it.* See Attachment O4 last paragraph.

This Parcel 1 is a legal parcel and is entitled to have one residence on it (See Attachment F2, L and M). In order to prepare for a residence we have to follow the **ongoing changing rules** that are enforced today. *We have been here long enough to experience what is legal today, some level of government will make illegal tomorrow. The first time was when this Coastal Commission took our "Unclassified" zoning away in 1976.* The County regulations require agriculture setbacks and now I have a water agreement with the CCSD that changes the previous setback requirements for Parcel 1 (See Attachments Q1, Q2, Q3, Q4, Q5, Q7 and Q13). To end my legal fight with the CCSD, I had to settle for less water than what my riparian rights entitled me to. I do not have enough water to irrigate all of my riparian land. There is no need for me to irrigate *the non-potable water* around Parcel 1 which is why I did not agree with the amount of land these setbacks *could* take from the larger Parcel 2. I had a meeting with the County staff, our supervisor and my neighbor, Jon Pedotti, who is affected by this lot line. We agreed to a reduction of land loss from Parcel 2 to 1.5 acres. This satisfied the County Agriculture Department and Mr. Pedotti for the agriculture buffer areas. It also satisfied the Environmental Health Department's leach field requirements and setbacks from the CCSD potable water supply buffer zone. See Attachment P2, third paragraph. Lastly, it minimized my loss of agriculture land from the larger Parcel 2.

3) On page 6 of the Appeal, #5. **Summary of Appeal Contentions**, the last sentence says, "the **Appellants** contend that the resulting parcels do not appear to result in a position that is equal to or better for agriculture than the existing configuration, as required by the LCP (Section 21.02.030© of the Real Property Division Ordinance)".

The first thing that comes to mind is the fact that *the Appellants didn't seem to have a problem permanently removing 175 acres in 2001 of prime rangeland and prime farming land from agriculture production that borders our property on the south and west side (see Attachments B, C and D).* But, when we need to adjust our property line 1.5 acres of non-prime rangeland land from Parcel 2, while at the same time we are adding 3,000 square feet of irrigated pasture to the Parcel 2, is some how creating a "Substantial Issue". Why is it that the 3,000 sq. ft. of irrigated pasture is being left out of this staff report? See Attachment F3, second paragraph, fourth sentence. This is a major issue that more than offsets this 6,000 sq. ft. building envelope on non-prime agricultural soils that the staff keeps referring to. *The building envelope already exists*

with the Coastal Commissions approval in the original lot line adjustment. We actually made it smaller than the existing one and we are just moving it to meet septic leach field and new agriculture setback requirements. See Attachments F2, L, M and P2. The County staff followed Section 21.02.030 of the Real Property Division Ordinance to a point that I will explain later in this letter.

4) Substantial Issue Determination, A. Applicable LCP Policies; on page 7, Agriculture Policy 1: Maintaining Agriculture Lands.

The second paragraph talks about maintaining (non-prime) agriculture lands. 1) As far as the pasture feasibility it grosses \$25.80 an acre per year. My expenses are taxes \$7.00 per acre and insurance is \$13.20 per acre. *This leaves \$5.60 per acre per year to pay for vehicle expenses, repairs, maintenance, legal fees, permits, business license, labor, accounting fees, improvements, compliance with regulations, medical, dental, feed loss due to wildlife and any other expenses that come along.* Non-prime agriculture is not feasible for this parcel.

5) In the *Permitted Uses on Non-Prime Agriculture Lands*, page 7 of the Appeal, please refer to #2 on page 2 of this letter. We discussed this in detail while conducting an on site meeting.

6) On page 8 of the Appeal the third paragraph states, "*In addition to LCP policies identified by the appeal and cited above, Title 21 Real Property Division Ordinance also applies to the proposed lot line adjustment. This ordinance states that lot line adjustments must maintain a position which is better for agriculture or at least equal to the existing situation for the purpose of protecting agriculture relative to the County's zoning and building ordinances.*" As stated in this letter this is an adjustment that is a better configuration for both parcels and should satisfy the required criteria.

7) On page 9 of the Appeal the second paragraph says, "*When lot line adjustments lead to an increase in residential or urban development (such as the case here), conflicts between urban and agriculture uses increase, and the pressure to convert remaining agricultural lands also increases.*" **Again, this statement misrepresents this lot line adjustment.** There has never been an increase in residences. There is only one residence allowed for Parcel 1 and it has to be within the County's agriculture buffer zone. Please refer to #2 on page 2, of this letter.

8) On page 9 of the Appeal, the third paragraph talks about the incompatibilities of residential development and agriculture uses. The County applying agriculture buffer zones to Parcel 1 addressed this. See Attachment M.

9) On page 9 of the Appeal the fourth paragraph in part says, "Under the LCP, prime soils are defined as: 3) land which supports livestock for food/fiber and has annual carrying capacity of at least one animal/unit per acre (defined by USDA)". This describes the 30' x 100' of land being added to the larger Parcel 2. ***Parcel 2 has the water in place to irrigate this particular section of land.*** See Attachments E, G, H, I1, Q1, Q4 and Q 13.

10) On page 9 of the Appeal the last sentence says, "In any event, the direct loss of 6,000 square feet of agriculture soils to residential use on Parcel 1 for the development envelope, and the overall loss of 1.5 acres (from Parcel 2 to Parcel 1) is inconsistent with the LCP because it is land suitable for agriculture that would be maintained or available

for agricultural production.” Does this LCP only apply to our property and not to either of our neighbor’s? Why don’t the rules apply equally?

The State Parks to our west and south in 2001 took 175 acres of USDA class 197 and 121 prime soils *permanently* out of production. Our neighbor (Crowther) to the north hasn’t even finished his 4,514 square foot house that required over a ½ mile of new driveway. See Attachment K. His fenced yard is over 1.5 acres and it is all on previous farmland that was more productive than the hillside we are debating about. The previous owners grew garbanzo beans where both of the Crowther’s houses are located on USDA Class 121 soil. The soil type we are discussing for Parcel 1 and 2 are Class 164. The difference is, the 197 soil is 0 – 2% slope with no hazards for farming, 121 soil is 5 – 9% slope with no surface stones and the 164 soil is 15 – 30% slope with surface and subsurface stones. See Attachments A, D, N and R.

11) On page 10 of the Appeal the second paragraph, staff says, “But does represent continued incremental loss of highly productive rangeland soils.” This is just an opinion, 164 rangeland soil type is not highly productive compared to the 121 soil type. The 164 rangeland soil type has a high volume of surface rocks that are hazardous to livestock. See Attachment R.

My water agreement with the CCSD is also brought up in this paragraph to try to support staff findings. First off, I only have a limited amount of water. I settled for 185 acre feet of non-potable irrigation water and 20 acre feet of potable water in exchange for my deeded riparian well that was located within the CCSD well field. The water use is limited to the San Simeon Creek watershed of Parcel 2. The potable water is only used for irrigating the 100’ buffer area along San Simeon Creek Road and the potable needs. See Attachments E, G, Q1, Q4 and Q13. The non-potable water amount was based on 3 acre-feet per acre for avocados. This would be enough for 61 acres. There is over 165 acres within the San Simeon Creek watershed. When you refer to Attachment E, the green line represents the existing 6” irrigation pipeline for non-potable water. *It does not make any sense to expose myself to future pollution liability by placing reclaimed non-potable water that close to Parcel 1 and directly above the CCSD’s municipal water wells.*

12) On page 10 of the Appeal, the third paragraph raises the issue of minimum parcel size. The LCP requires 320 acres as a minimum parcel size for cattle grazing. Neither parcel ever did meet this requirement when it was first implemented.

13) On page 10 of the Appeal the fourth paragraph says, “*In addition, and on a cumulative basis, if the lot line adjustment and residential building envelope is approved in this case, it is reasonable to presume that other projects like it could also be approved, leading to a potential proliferation of non-agriculture residential use in this rural agriculture area (and others in the County) and could lead to cumulative adverse rural and agriculture impacts of the type identified for this specific case*”. **Doesn’t the CCC make these decisions on a case-by-case basis?** I have tried to explain in this letter that we have done what is required to avoid adverse impacts dealing with what we have to work with. In the County report and what the CCC already approved with the previous lot line adjustment, see Attachment L, **there is already an existing building envelope of 6,067 square feet on Parcel 1.** The proposed new building envelope location of 6,000

square feet is smaller. See Attachments L and M. We are not creating a new building envelope. We are just moving the existing one that this Commission approved previously in order to comply with water quality standards for a required secondary septic leach field and the new agriculture buffer requirements because of my water agreement. See Attachment P2, second paragraph.

14) On page 10 of the Appeal, C Substantial Issue Determination, It says, "*The project would fragment an already small agriculture parcel by establishing a building envelope at its center and on available rangeland. Moreover, in order for a lot line adjustment to be approved the "better or equal" test must be met.*"

As I have explained previously in this letter, *there is no new building envelope*. We are just reducing the size and moving the existing one. This is to comply with the new County agriculture setbacks and septic leach field requirements. Mr. Isensee, of the SLO County Agriculture Department, provided the lot line drawing to show the 1.5 acre rangeland in exchange for the 3,000 square feet (30' x 100') of land to be irrigated to meet the "better or equal to" test. I never received any calculations for the 3,000 square feet to equal the 1.5 acres. So I did my own calculations on the 1.5 acres of rangeland vs. 3,000 square feet of irrigated pasture and *found that the Appellants were correct on this point*. I had Karl Striby, the NRCS Rangeland Conservationist, confirm my numbers that 8271 sq. ft. of irrigated pasture is the same animal units (AU) as 1.5 acres of rangeland. He said my numbers were right. See Attachment J1 and J2. By moving the line in the irrigated pasture 83' instead of 30' it is a "better than" configuration. See Attachments I1 and I2. I know this will cost me more financially, but I am proposing this because time is of the essence and I need to get this over with as soon as possible. I will be requesting a refund for the amount of money I had to pay the Ag. Dept. for this error.

I believe that in addressing the Appellants "Reason for Appeal", See Attachment S, this lot line adjustment is different from others and the criteria can be considered satisfied because:

- 1) We are just moving the existing building envelope to satisfy the new agriculture buffer requirements because of my water agreement with the CCSD and to satisfy the septic leach field requirements. There was not enough room for a required secondary replacement leach field with the CCSD potable water buffer zone extending onto Parcel 1.
- 2) We have kept the loss of land to Parcel 2 to a minimum with the required agriculture buffers. Mr. Pedotti has water and the ability to plant an orchard up to his property line. That is the reason for a 200' agriculture buffer from his property line.
- 3) We reduced the size of the building envelope from 6,067 square feet to 6,000 square feet.
- 4) The lot line adjustment creates a greater distance from the CCSD potable well field and San Simeon Creek habitat with the septic leach field.
- 5) Equal amount of land is exchanged on the basis of agriculture production using equal Animal Units between Parcel 1 and Parcel 2. No loss in the amount of feed produced.

Thank you for your time and consideration in this matter. I would be very glad to talk to you or any of the Commissioners or staff about this proposal if it looks favorable to you. My phone number is (805) 927-3588 and my email is ctwarren@hotmail.com.

Sincerely


Clyde Warren

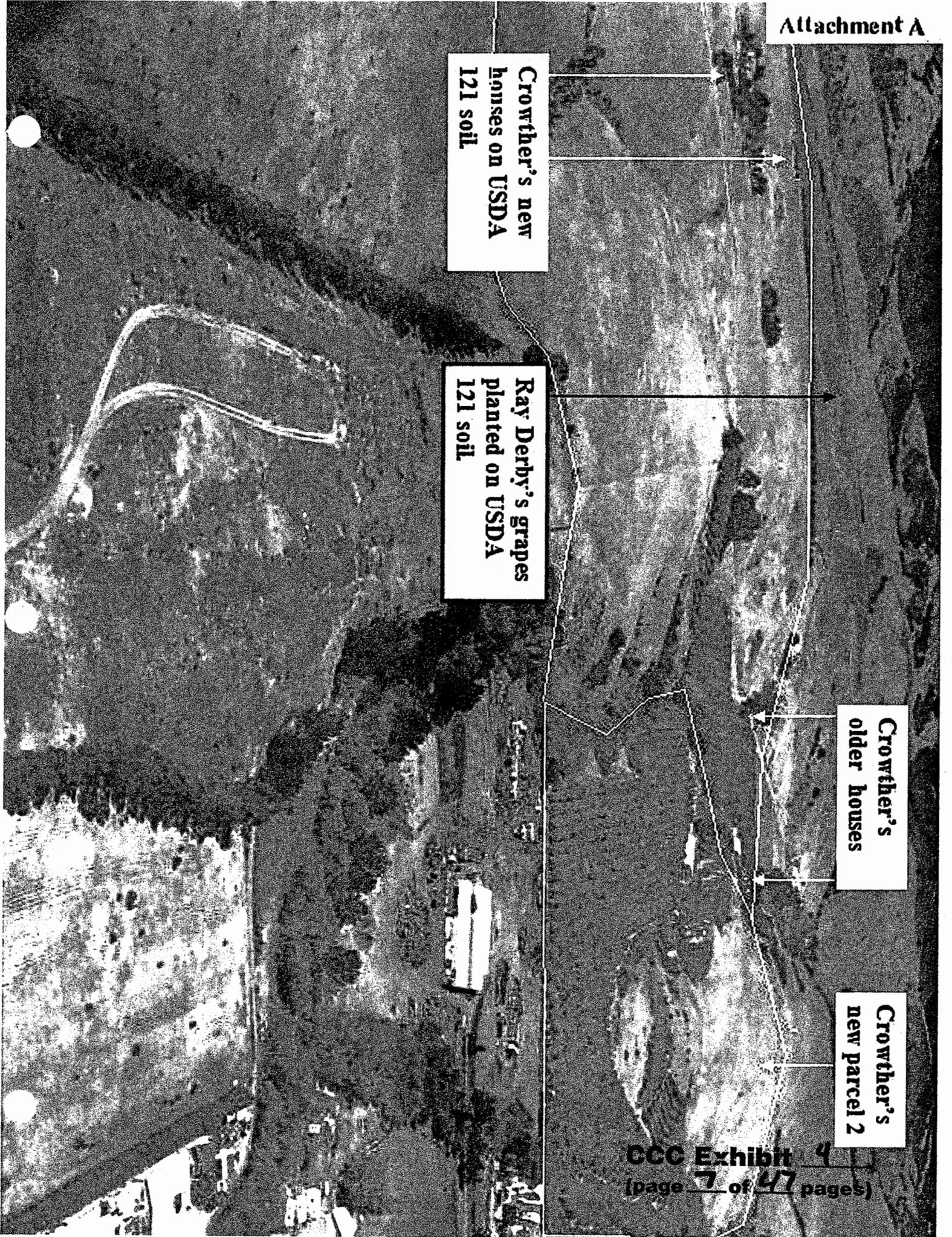
Cc: Coastal Commissioners, Charles Lester, Jonathan Bishop, Supervisor Bruce Gibson, Bill Robeson, Michael Isensee, Susan L. Warren, Richard W. Warren, Cristi Fry-Triad/Holmes Assoc.

Crowther's new houses on USDA 121 soil

Ray Derby's grapes planted on USDA 121 soil

Crowther's older houses

Crowther's new parcel 2



158 acres of USDA soil type 121 prime grazing land was taken out of ag production by CA State Parks in 2001.

17 acres of USDA soil type 197 prime farm land was taken out of agriculture production by CA State Parks in 2001.

Warren lot line of 1.5 acres of USDA soil type 164 non prime ag land. Trees blocking view.

175 acres of agriculture land
taken out of production and
converted to State Park in 2001

316.5 acres of
Warren Property

2.6 acre School House
Parcel

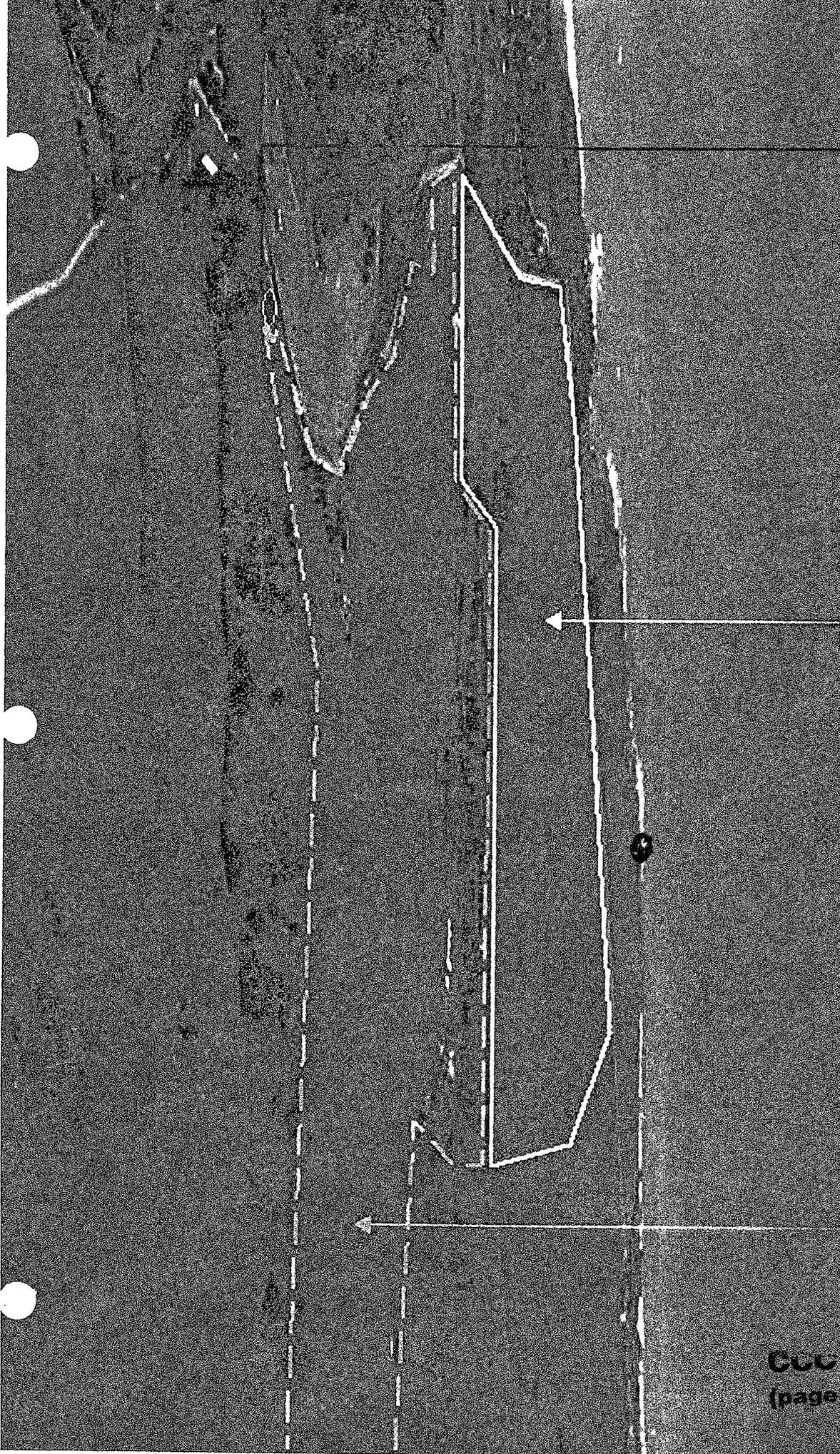
San Simeon State Park Campground

Hwy 1

1.5 acre lot line adjustment in 2010.

175 acres permanently taken out of agriculture production by CA State Parks in 2001.

316.5 acres of Warren property after lot line adjustment.



Warren
Property Line

Van Gordon
Creek wells.

Estimated 151.5
acres in the Van
Gordon Creek
Watershed

Estimated 165 acres
in the San Simeon
Creek Watershed

Watershed
Boundary Line

School House
Parcel

CCSD potable well field.

Non potable irrigation well and pipeline for San Simeon Creek watershed portion of Warren property. Per agreement we get 183.5 acre feet per year and is enough for 61 acres of crops.

100' buffer can only be irrigated with CCSD potable water as per agreement. 20 acre feet available.

2-14



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Weights and Measures

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556
ROBERT F. LILLEY (805) 781-5910
AGRICULTURAL COMMISSIONER/SEALER FAX (805) 781-1035
www.slocounty.ca.gov/agcomm AgCommSLO@co.slo.ca.us

DATE: **March 25, 2010**
TO: Paul Sittig, Planning Department
FROM: Michael Isensee, Agriculture Department *MI*
SUBJECT: Warren LLA Sub2008-00104 (COAL 09-0018) AG#1453

RECEIVED

MAR 26 2010

SLO CO PLAN & BLDG DEPT

The County Department of Agriculture finds that the proposed lot line adjustment (LLA) as presented on the February 22, 2010 exhibit for COAL 09-0018 is *equal to* the existing configuration of the lot lines. This determination is based on a comparison of the proposed and existing parcels when considering potential long-term impacts to agricultural resources and operations.

The Department makes this finding due to the fact that the enlarged parcel will increase the future likelihood of compatibility between residential use of the small parcel and agricultural uses on the adjoining agricultural lands.

The comments and recommendations in our report are based on policies in the San Luis Obispo County Agriculture and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating to the extent feasible the negative impacts of development to agriculture.

Please contact me at 781-5753 if I can be of further assistance.

CCC Exhibit 4
(page 12 of 47 pages) Exhibit B
19 of 22

PROJECT DESCRIPTION AND SETTING

The applicant proposes to reconfigure two existing parcels of approximately 318 and 1.1 acres to create parcels of approximately 316 and 2.6 acres. The proposed LLA is located on the north side of San Simeon Creek Road and involves APNs 013-062-005 (parcel 1) and 013-062-003 (parcel 2).

~~Parcel 1 is a former 4,300 square foot antiquated schoolhouse parcel. In 2007 it was enlarged to 1.1 acres through a LLA. Agricultural buffers were required to minimize the potential for incompatibilities between future residential development on the parcel and adjoining agricultural lands. The resulting buffers created constraints to future residential development once additional analysis was completed regarding an on-site wastewater system and setbacks from adjoining public wells.~~

All surrounding parcels are designated *Agriculture*, although San Simeon State Park, designated *Recreation*, is in close proximity to the south of the property. The subject properties are designated *Agriculture*, although an approximately 30-acre portion of parcel 2 is designated *Recreation*. The property immediately to the south is owned by the Cambria Community Services District and is the site of various municipal water wells.

AGRICULTURAL INFORMATION

Grazing is dominant agricultural use on parcel 2. ~~However, the property has a water agreement with the CCSD which entitles the property to substantial wastewater for beneficial re-use as an irrigation supply for agricultural crops.~~ It can reasonably be expected that the agricultural use of the property will intensify in the future. A number of parcels surrounding the project site are under Williamson act contract, including the parcel immediately to the east of the proposed LLA.

The project site's soils are diverse and include over 50 acres of prime soil, 60 acres of farmland of statewide importance soil, and substantial quantities of other soils.

WARREN SITE SOILS		FARMLAND CAPABILITY		FARMLAND CLASSIFICATION	ACRES
CODE	SOIL NAME and SLOPE	IRR	NON-IRR		
120	CONCEPCION LOAM, 2-5%	3	3	Farmland of Statewide Imp.	30
133	DIABLO-LODO COMPLEX, 15-50%	6	6		64
142	GAVIOTA FINE SANDY LOAM, 15-50%	7	7		7
158	LOS OSOS LOAM, 5-9%	3	3	Farmland of Statewide Imp.	34
161	LOS OSOS LOAM, 30-50%	7	7		23
164	LOS OSOS-DIABLO COMPLEX, 15-30%	6	6		84
165	LOS OSOS-DIABLO COMPLEX, 30-50%	6	6		25
194	RIVERWASH	8	8		2
197	SALINAS SILTY CLAY LOAM, 0-2%	1	3	Prime Farmland	36
198	SALINAS SILTY CLAY LOAM, 2-9%	2	3	Prime Farmland	15
TOTAL (acres approximate)					

CCC Exhibit 4
(page 13 of 47 pages)

PROJECT ANALYSIS

The Agriculture Department considers several factors when evaluating LLAs. For a LLA to be considered "equal to or better than," all factors should either be equal to or better than the existing parcel configuration.

Configuration of the property lines

The stated intent of the LLA is to meet both the agricultural buffer requirements and siting, an on-site wastewater system between the residence and San Simeon Creek Road. To accomplish this, the project removes over one additional acre from the larger agricultural parcel. The result would remove 1.5 acres from the large agricultural parcel to provide for appropriate agricultural buffers and a small residential development envelope. The configuration also accounts for an existing small equestrian pasture along San Simeon Road, which the property is entitled to irrigated with potable water since it is near the CCSD public wells. Although the large parcel loses a area of capable farmland, the resulting configuration provides better agricultural buffering for future intensification on both adjoining agricultural properties. The proposed LLA is *equal* to the current configuration in this respect.

Presence of agriculturally productive soils

The current parcel 1 consists of approximately equal portions of 164 *Los Osos Diablo Complex* and 194 *Riverwash*. The proposal to expand this parcel will create a parcel of approximately 1.95 acres of the 164 soil type and 0.65 acres of the 194 soil type. The transfer should not have a significant impact on the future agricultural capability of parcel 2, but does represent continued incremental loss of a highly productive rangeland soil. The proposed LLA is *marginally equal* to the current configuration in this respect.

Eligibility of the resulting parcels for agricultural preserve contracts

Proposed parcel 2 could qualify for a Land Conservation Act contract in either its current or proposed configuration if the various uses on the parcel were found to be in compliance with the County Rules of Procedure. Proposed parcel 1 does not and would not qualify. The proposed LLA is *equal* to the existing configuration in this respect.

Other issues creating incompatibility with agriculture

The proposal does not increase the number of residences allowed on either property. The proposed LLA is *equal* to the existing configuration.

Therefore, the Agriculture Department finds the proposed LLA equal to or better than the existing parcel configuration as the adjustment provides for better agricultural-residential compatibility and does not increase development potential on either parcel.

CCC Exhibit 4
(page 14 of 47 pages)

Irrigated pasture within the
100' CCSD buffer requirement.

NW corner of existing
school house parcel.

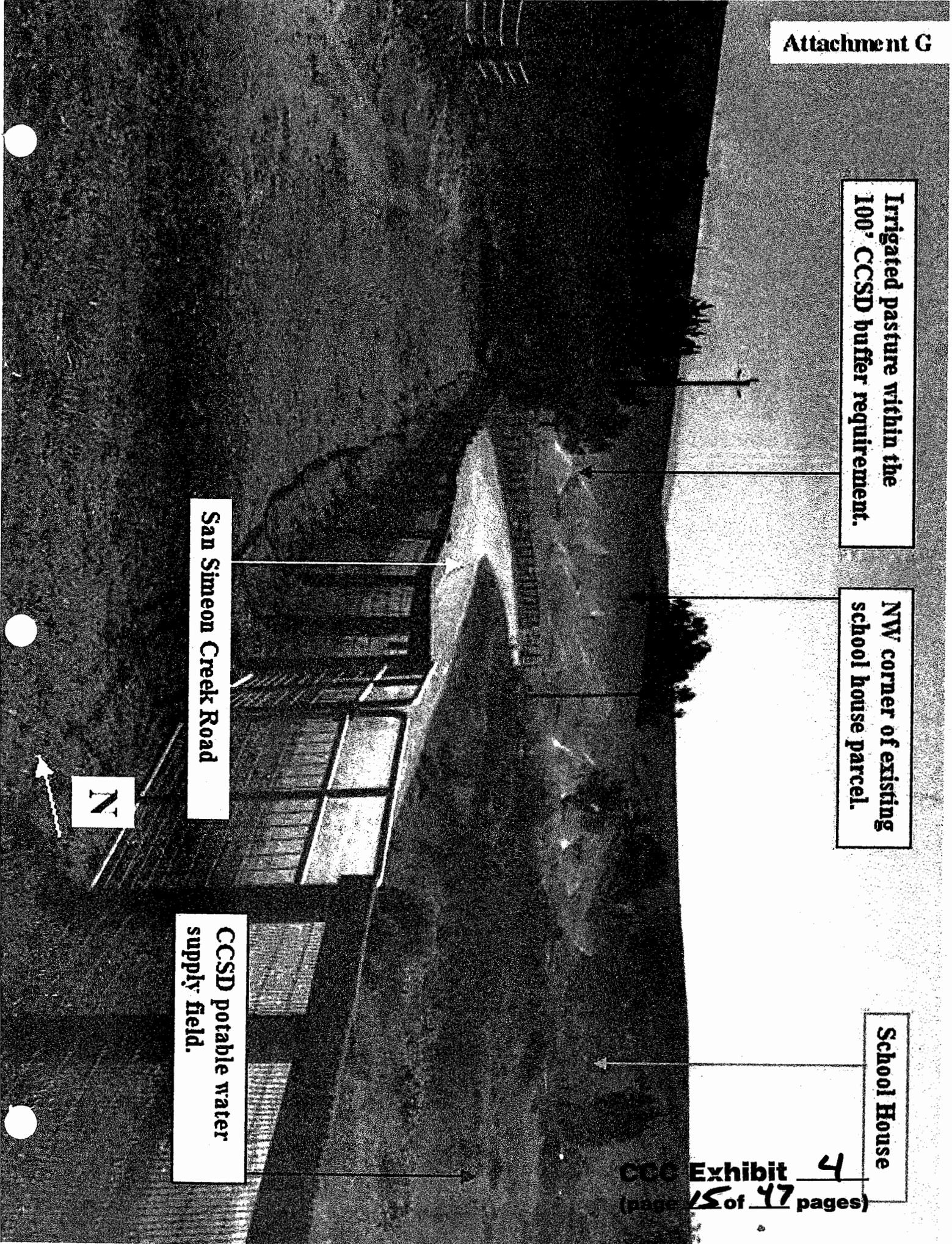
School House

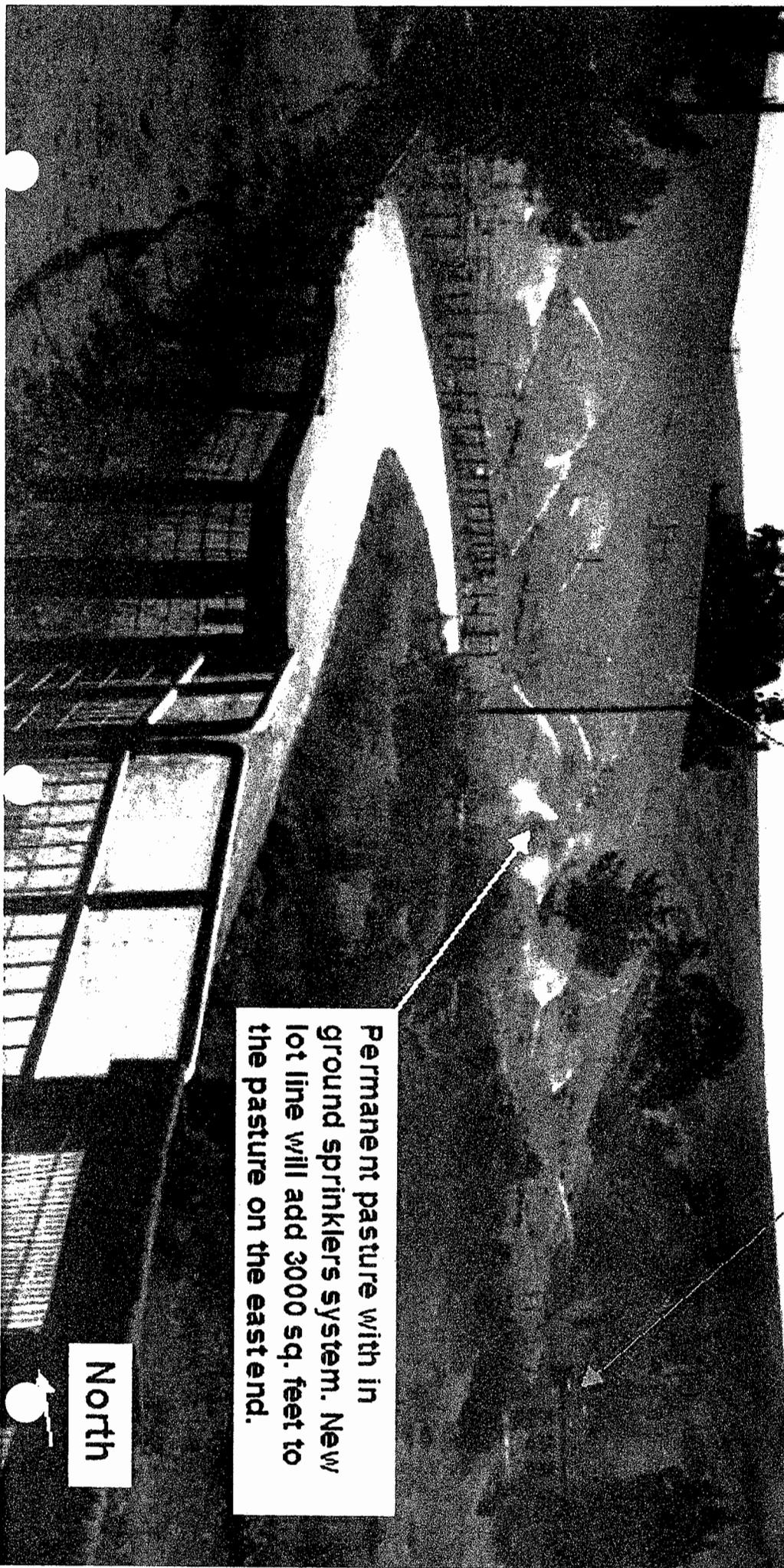
CGC Exhibit 4
(page 15 of 47 pages)

San Simeon Creek Road

CCSD potable water
supply field.

N





Existing school house parcel.

Permanent pasture with in ground sprinklers system. New lot line will add 3000 sq. feet to the pasture on the east end.

North

Pedotti Property

Property Line of Parcel 1

Historical School House

CCSD 200' Buffer

Property Line of Parcel 2

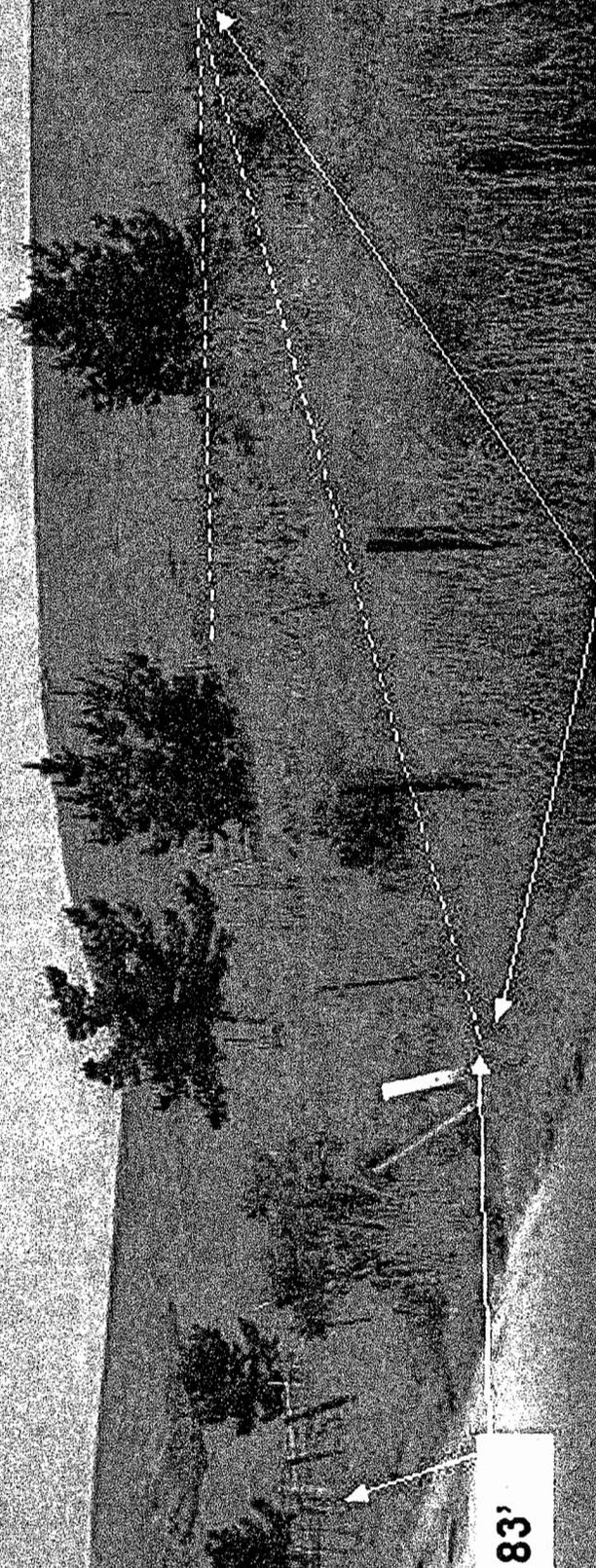
New Lot Line

83' x 100' Irrigated pasture added to Parcel 2.

100' Potable Water Buffer

CCSD Wells

San Simeon Creek Road



8,300 sq. ft of previously irrigated land being added back to Parcel 2 from original lot line adjustment in 2007.

Attachment J1

Warren pasture calculations for lot line adjustment.

References:

- 1) The median value is: 1 acre of irrigated pasture is equivalent to 7.9 acres of rangeland on the Warren property at 1002 San Simeon Creek Road. This is from the NRCS calculations.
- 2) 1 Acre = 43,560 square feet
- 3) 7.9 Acres = 344,124 square feet
- 4) The irrigated pasture on Parcel 2 is a 100' strip of land bordering San Simeon Creek Road and watered by the CCSD under deeded agreement.
- 5) The 1.5 acres of rangeland is needed by Parcel 1 to meet SLO County's agriculture buffer requirements for residential use.
- 6) The 3,000 square feet of irrigated pasture (in animal units AU) is greater than the 6,000 square feet in rangeland. See below.

- Option 1:
- a) $43,560 \text{ sq. ft. (1 irrigated acre)} \div 344,124 \text{ sq. ft. (7.9 rangeland acres)} = .13$ This is the percentage of 1 irrigated acre is to 7.9 acres of rangeland in square feet to support 1 AU.
 - b) $3,000 \text{ sq. ft. of irrigated land} \div 6,000 \text{ sq. ft. of rangeland} = .50$ This 6,000 sq. ft. of residential building envelope issue is what was raised by the Appellants.
 - c) $.50 \text{ minus } .13 = .37 \text{ or } 37\%$, which means that the 3,000 sq. ft. of irrigated pasture, is 37% greater in AU than the 6,000 sq. ft. of rangeland. This creates a better than configuration.

The present irrigated pasture in Parcel 2 is 100' wide and is extended into Parcel 1 by 30'. This offsets the 6,000 sq. ft. building envelope.

If the "better than or equal to configuration issue" now switches to the 1.5 acre adjustment. Then we could apply Option 2.

Option 2: The 1.5 acres of rangeland in exchange for 8,200 sq. ft. of irrigated pasture are equal to or better than the existing configuration. This meets the LCP (Section 21.02.030) of the Real Property Division Ordinance. See below.

1.5 acres equals 65,340 sq. ft.

7.9 acres equals 344,124 sq. ft. and will support 1 animal unit (AU).

- 1) $65,340 \div 344,124 = .19$ This is the percentage of rangeland that 1.5 is to 7.9.
- 2) $.19 \times 43,560 \text{ sq. ft. (1 acre of irrigated pasture)} = 8,271 \text{ sq. ft.}$ This 8,271 sq. ft. of irrigated pasture is equal in AU to the 1.5 acres of rangeland. See Attachment N.

If the 30' x 100' irrigated pasture section that is being added to Parcel 2 were extended by 83' (83x100), it would add 8,300 sq. ft. See Attachment I.

Attachment J2

RE: Pasture Calculation

From: Striby, Karl - Templeton, CA (Karl.Striby@ca.usda.gov)
Sent: Mon 6/28/10 11:31 AM
To: Clyde Warren (ctwarren@hotmail.com)
Cc: relarsen@co.slo.ca.us (relarsen@co.slo.ca.us)
Clyde,

Your calculations are correct, 1.5 acres of rangeland on your Cambria ranch are equivalent to approximately 8,271 sq ft of irrigated pasture.

This is based on local NRCS and UC Cooperative Extension guidelines that it takes $\frac{1}{2}$ to 1 acre of irrigated pasture to support one mature cow during the 6-8 month growing season from about March thru October, and that 8-9 acres of rangeland on your ranch will support one cow for 12 months, depending on the weather.

Karl Striby

NRCS Rangeland Conservationist

Templeton, CA

Attachment J3

Irrigated Pasture

From: **Striby, Karl - Templeton, CA** (Karl.Striby@ca.usda.gov)
Sent: Fri 6/25/10 10:30 AM
To: ctwarren@hotmail.com (ctwarren@hotmail.com)
Hi Clyde,

In SLO County, it takes approx ½ to 1 acre of good irrigated pasture to support one mature cow during the 6-8 month growing season from about March thru October, depending on the weather.

If it takes 8.6 acres of rangeland on your ranch to support 1 cow for 12 months, the rangeland equivalent of 1 acre of irrigated pasture could be estimated as follows:

Taking the average of 0.75 acre of irrigated pasture to support one cow for 7 months, then 0.75 acres of irrigated pasture is equivalent to $(8.6) \times (7/12) = 5.0$ acres of rangeland.

Doing the math, 1.0 acre of irrigated pasture would be equivalent to $(5.0) \times (1.33) = 6.67$ acres of rangeland.

Another way to look at it would be to take the median value of the high and low from the above:

High - If ½ acre of irrigated pasture supports 1 cow for 8 months, then 1 acre of irrigated pasture is equivalent to $(8.6) \times (8/12) \times (2) =$ approx 11.5 acres of rangeland

Low - If 1 acre of irrigated pasture supports 1 cow for 6 months, then 1 acre of irrigated pasture is equivalent to $(8.6) \times (6/12) \times (1) =$ approx 4.3 acres of rangeland

The median value is: 1 acre of irrigated pasture is equivalent to 7.9 acres of rangeland.

Hope this helps. You may want to check my math.

Karl

Crowther's 2008 new 1/2 mile driveway and 4,524 sq.ft. residence approved by the Coastal Commission.

Imagery © 2010 DigitalGlobe
© 2010 Google

Rancho San Simeon Airport

Photo taken 7-26-10.

New 2008 Crowther residences approved by Coastal Commission on top of hill in viewshed.

Attachment K

Photo taken on 7-25-10 of Crowther's new 2008 4,524 sq. ft. residence approved by the Coastal Commission.

Crowther's new 2008 sky lined 4,524 sq. ft. residence.

Crowther's 2008 new 1/2 mile access road to residence.

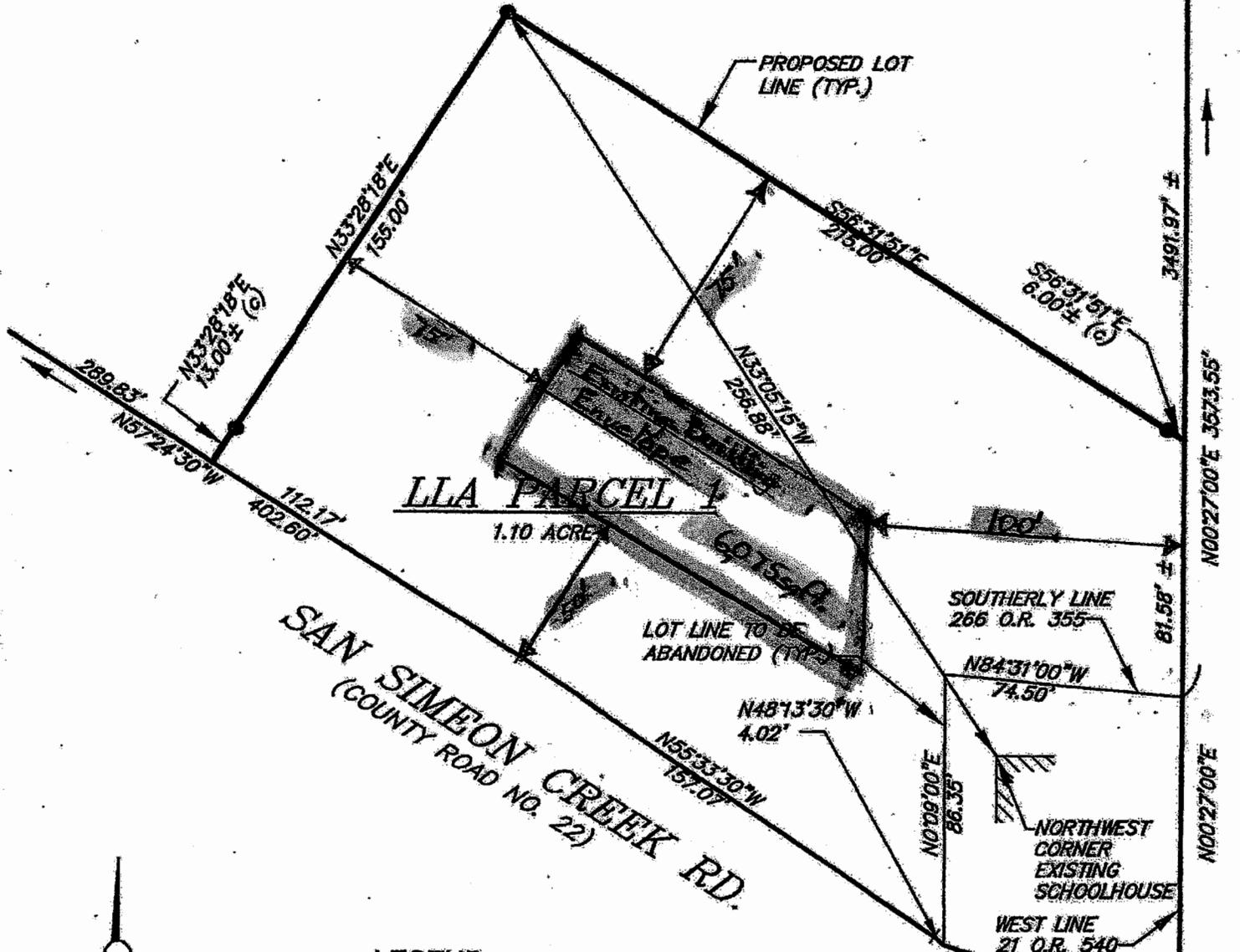
Photo taken July 25, 2010 from Rancho San Simeon Airport on Warren property.

APN(S): 013-061-011 & 013-062-001
PROJECT NO: CORR 04-0587

FILE NO: SUB2004-00218
PARCEL NO: 1

EXHIBIT B
Map

LLA PARCEL 2



LEGEND

- SET 5/8" REBAR & CAP "LS 4587"

NORTH LINE COUNTY ROAD NO. 22 AS IT EXISTED IN 1939 (UNDETERMINABLE)



SCALE 1" = 50'

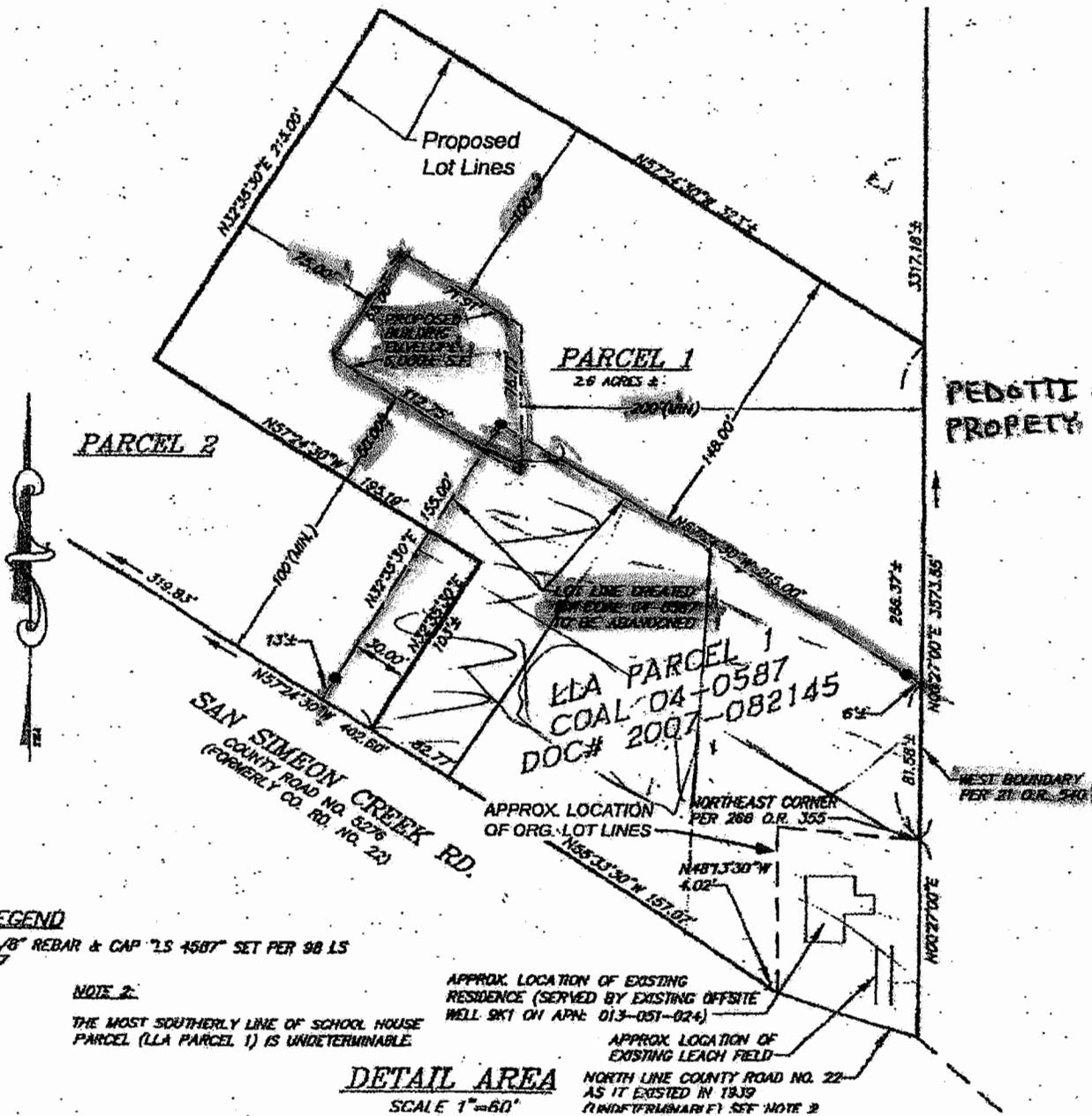
Subdivision Review Board
COAL040587/Varen

11. Prior to recordation of a parcel map or certificates of compliance finalizing the lot line adjustment, the applicant shall enter into an agreement, in a form approved by County Counsel, which includes the following:
 - a. An agricultural buffer prohibiting new residential structures, consisting of 100 feet along the entire length of the eastern property line, 75 feet buffers on the western and northern property lines, and a 50 foot buffer on the southern property line of Parcel 1 shall be shown on future construction permit application plans. This buffer shall be for residential structures only. At the time of application for construction permits, the applicant shall clearly delineate the agricultural buffer on the project plans.
 - b. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.

12. At the time of application for construction permits for each parcel, the applicant shall clearly delineate the building site(s) and/or building control line(s) on the project plans. All new development (e.g. residences, detached garages, guest houses, and sheds) shall be completely located outside the current boundaries of the .1 acre parcel (as shown on the attached Exhibit C: Development Prohibition Area) unless the school is relocated.

Staff report prepared by Martha Neder and reviewed by Kami Griffin

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



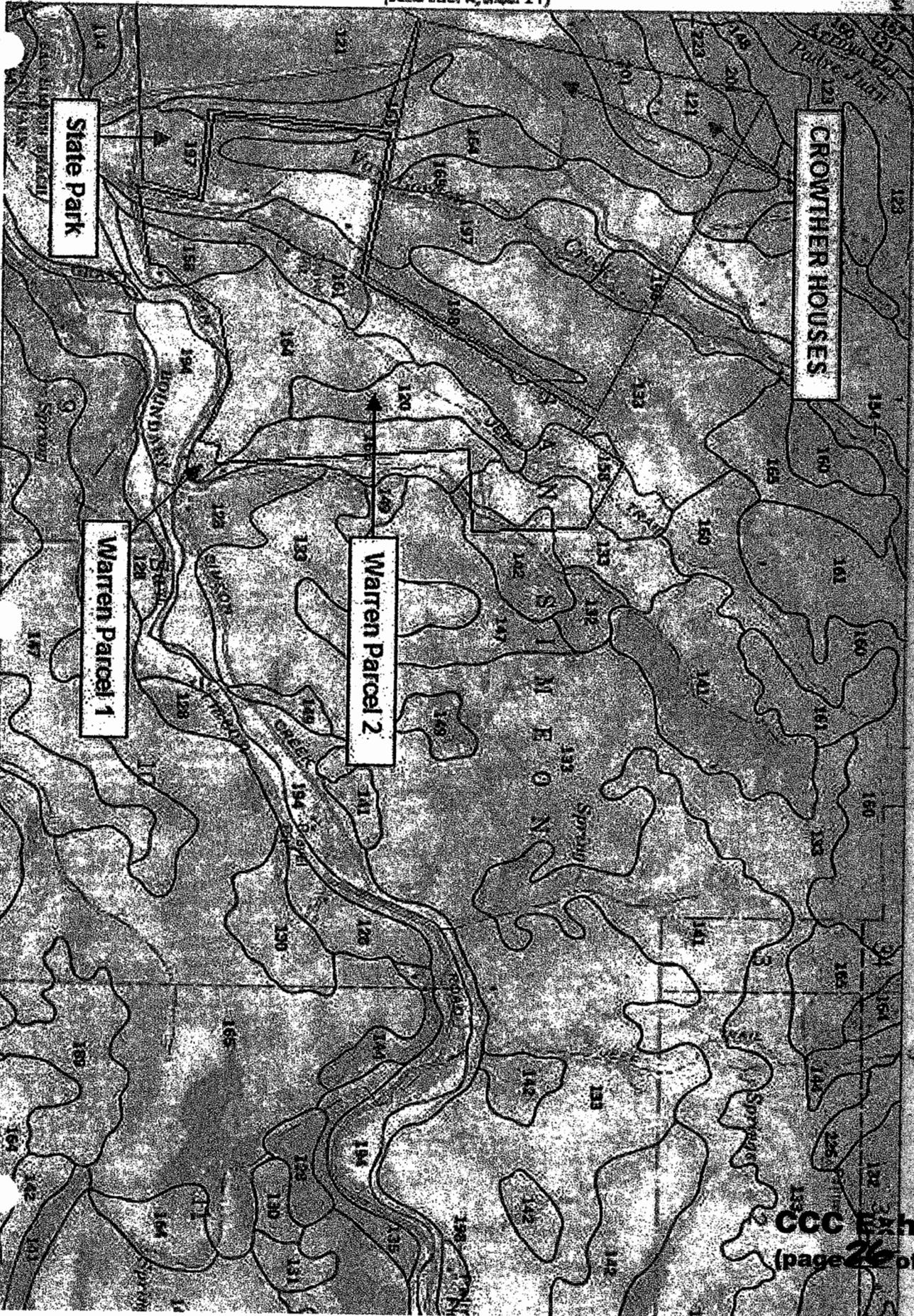
PROJECT
 Warren Lot Line Adjustment
 COAL 09-0018 / SUB2008-00104



EXHIBIT
 Site Map (Detail)

(Joins Inset A, sheet 21)

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE



CCC Exhibit 4
(page 26 of 47 pages)

Map Unit Description

San Luis Obispo County, California, Coastal Part

121 **Concepcion loam, 5 to 9 percent slopes**

Setting

Elevation: 10 to 800 feet
Mean annual precipitation: 17 to 24 inches
Mean annual air temperature: 57 to 57 degrees F
Frost-free period: 300 to 330 days

State Park (Former Molinari Ranch)
and
Crowther Property

Composition

Concepcion and similar soils: 85 percent
Minor components: 12 percent

Description of Concepcion

Setting

Landform: Terraces
Landform position (two-dimensional): Toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from sedimentary rock

Properties and Qualities

Soil area covered with calcareous nodules: 0 percent
Depth to restrictive feature: 10 to 21 inches to Abrupt textural change
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low or moderately low (0.00 to 0.06 in/hr)
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: Low (about 3.2 inches)

Interpretive Groups

Land capability classification (irrigated): 3e
Land capability (non irrigated): 3e
Ecological site: LOAMY CLAYPAN (R014XD105CA)

Typical Profile

0 to 19 inches: loam
19 to 47 inches: clay
47 to 63 inches: sandy clay loam

Minor Components

Cropley clay

Percent of map unit: 3 percent

Los osos loam

Percent of map unit: 3 percent

Tierra loam

Percent of map unit: 3 percent

San simeon sandy loam

Percent of map unit: 3 percent

Map Unit Description

San Luis Obispo County, California, Coastal Part

164 Los Osos-Diablo complex, 15 to 30 percent slopes

Setting

Warren Parcel 1 and Parcel 2

Elevation: 200 to 3000 feet
Mean annual precipitation: 15 to 28 inches
Mean annual air temperature: 59 to 59 degrees F
Frost-free period: 275 to 350 days

Composition

Los osos and similar soils: 35 percent
Diablo and similar soils: 30 percent
Minor components: 35 percent

Description of Los osos

Setting

Landform: Hills, mountains
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex, linear
Across-slope shape: Convex
Parent material: Residuum weathered from sandstone and shale

Properties and Qualities

Slope: 15 to 30 percent
Surface area covered with stones and boulders: 4 to 10 percent
Depth to restrictive feature: 20 to 40 inches to Paralithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low (0.00 to 0.00 in/hr)
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate maximum: 0 percent
Gypsum maximum: 0 percent
Available water capacity: Low (about 5.8 inches)

Interpretive Groups

Land capability classification (Irrigated): 6e
Land capability (non irrigated): 6e
Ecological site: LOAMY CLAYPAN (R015XD049CA)

Typical Profile

0 to 14 inches: loam
14 to 32 inches: clay
32 to 39 inches: sandy loam
39 to 43 inches: weathered bedrock

Description of Diablo

Setting

Landform: Hills, mountains
Landform position (two-dimensional): Backslope, summit
Down-slope shape: Convex, linear
Across-slope shape: Convex
Parent material: Residuum weathered from mudstone, sandstone and/or shale

Properties and Qualities

Slope: 15 to 30 percent
Surface area covered with stones and boulders: 2 to 10 percent
Depth to restrictive feature: 45 to 58 inches to Paralithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low (0.00 to 0.00 in/hr)
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate maximum: 2 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 9.8 inches)

Interpretive Groups

Map Unit Description

San Luis Obispo County, California, Coastal Part

197 Salinas silty clay loam, 0 to 2 percent slopes

Setting

Elevation: 0 to 40 feet
Mean annual precipitation: 14 to 22 inches
Mean annual air temperature: 57 to 57 degrees F
Frost-free period: 275 to 365 days

Composition

Salinas and similar soils: 85 percent
Minor components: 15 percent

Description of Salinas

Setting

Landform: Alluvial fans, alluvial flats
Landform position (two-dimensional): Footslope, toeslope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from sedimentary rock

Properties and Qualities

Slope: 0 to 2 percent
Stones and boulders: 2.0 percent
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate maximum: 5 percent
Gypsum maximum: 0 percent
Available water capacity: High (about 10.5 inches)

Interpretive Groups

Land capability classification (irrigated): 1
Land capability (non irrigated): 3c
Ecological site: FINE LOAMY BOTTOM (R014XD109CA)

Typical Profile

0 to 29 inches: silty clay loam
29 to 72 inches: stratified loam to silty clay loam

Minor Components

Cropley clay

Percent of map unit: 3 percent

Marimel silty clay loam

Percent of map unit: 3 percent

Mocho loam

Percent of map unit: 3 percent

Mocho variant fine sandy loam

Percent of map unit: 2 percent

Unnamed

Percent of map unit: 2 percent

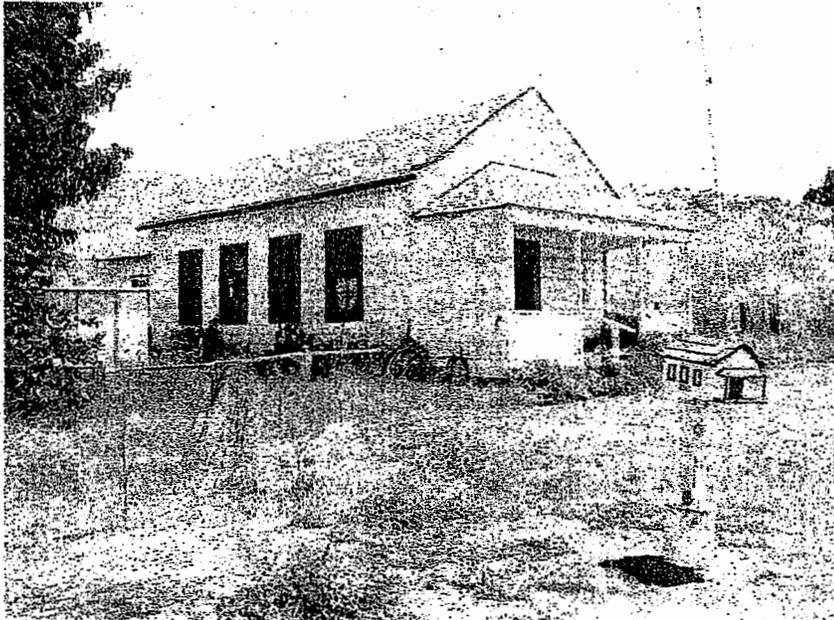
Camarillo, drained

Percent of map unit: 2 percent

Landform: Depressions

**HISTORICAL RESOURCE EVALUATION
for the
HOME SCHOOL
(P 40-041170)**

1505 San Simeon Creek Road, San Luis Obispo County, California



Report Prepared for:

Clyde Warren and Sue Warren

Report Prepared by:

Betsy Bertrando
Bertrando & Bertrando Research Consultants
267 Foothill Boulevard
San Luis Obispo, CA 93405

July 2005

ABSTRACT

On May 28, 2005 a request was made by Clyde Warren for an historic resource evaluation of the Home School located at 1505 San Simeon Creek Road in the county of San Luis Obispo. This study finds that the Home School is potentially significant as defined under CEQA and the Public Resources Code and has been recorded as P 40-041170. The proposed lot line adjustment should not interfere with the building's significance as long as any future proposed development is outside of the current boundaries of the Home School parcel or the school is relocated.

INTRODUCTION

The work carried out as part of this study was conducted by Betsy Bertrando, of Bertrando & Bertrando Research Consultants (BBRC), who was assisted in the field by Luther Bertrando. Betsy Bertrando has over twenty years experience researching the cultural resources of the Central Coast. The field work took place on June 9 and July 27, 2005. The project parcel is depicted on the Cambria 7.5' USGS quadrangle topographic map as existing within the San Simeon Rancho. The one room schoolhouse known as the Home School has a street address of 1505 San Simeon Creek Road and it is located approximately one mile east of Highway 1 on the north side of San Simeon Creek. This study was requested by the landowners, who are seeking a lot line adjustment from the County of San Luis Obispo. The research was done based on recommendations from the county for the requested lot line adjustment.

METHODS

Archival Research

Much of the material used in the preparation of this report was made available by Sue Warren, sister of Clyde Warren and part owner of the property. In addition, research was conducted at the following locations:

- The San Luis Obispo County Historical Society, Carnegie Library Archive was used for map and photograph files as well as their collection of material on the history of county schools.
- Private archive of Bertrando & Bertrando Research Consultants for a search of the historical literature, maps and unpublished manuscripts.
- Reference room at the City/County Library.

HRER Home School, San Simeon, CA 1.



Board and Batten Home School c. 1884

In the 1870s, school was opened by singing "The Golden Wreath" and a reading from the Bible. The teacher was James A. Ford who had 70 to 80 students. A visit to the Home School by the school superintendent Beckett in 1882 was reported in the San Luis Obispo Tribune:

"Is in prime condition. Attendance nearly forty; order excellent; lessons first-class, and pupils enthusiastic. In addition to the brief examinations and some general class work, we were further entertained by an excellently performed calisthenic drill, and some finely rendered songs, by the school. School visited in company with Trustees Ira Van Gordon and B. F. Mayfield. These gentlemen who contribute both time and money to render their school-room attractive, and the school work successful; and they have one of the best schools in the county" (Angel 1883: 263)

The teacher, Miss Agnes Doud in her part of the report concluded that: *"...this is the most pleasant school that I have ever taught."*

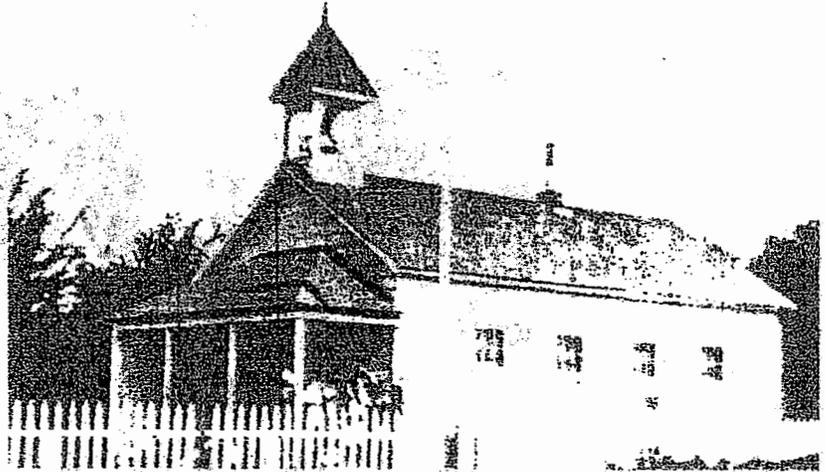
In 1903, the present structure was constructed of redwood. It was one room with a porch and had a bell tower. William Warren was the carpenter of the white painted schoolhouse. He is the grandfather of the present owners. His daughter-in-law, Mrs. Willis Warren was able to save some of the teacher's registers from the years 1907 to 1942, which greatly adds to our understanding of the history of the present Home School. Much of the following information is taken from the registers.

School commenced at nine and ended at four with the noon hour off and a twenty minute recess in the morning and again in the afternoon. After a fifteen minute morning exercise, the subjects covered were reading, arithmetic, history, grammar, language, and geography. Spelling, writing and drawing were taught to all grades at the same time.

Often teachers boarded with families nearby. At some time prior to 1926, a teacherage was constructed on the property to accommodate the teacher and her children. It also served to bring up the school attendance, thus allowing the school to still be used.

The annual wet months brought school to a halt and determined the school term. School was started in July or August when the creeks were dry and ran to November or December and reopened after the winter rains stopped.

One teacher taught all eight grades. Supplies for the Home School c. 1910 included a globe; reading, historical, and music charts; organ and stool; teacher's desk, two chairs, blue desk, recitation bench, bookcase, maps, dictionary and stand, pictures, flag, window shades, curtains, waste paper basket, vases, three brooms, dustpan, hoe, towels, comb, mirror, basketball and a well stocked library. There were 581 books in the school library in 1914.



1903 Home School - Photograph c. late 1930s

By 1921, phonics had been added to the curriculum as well as handwork, hygiene and physical education. School was out at 3:30 and there were three ten minute recesses. By the end of the twenties, the salute to the flag and current events were added to the school schedule.

In the 1930s, a public health nurse would come to visit. The school library was augmented with regular requests to the County Library. Current events were discussed and a play was produced. During the last years of operation, the school program included folk dancing, art appreciation, current events, dramatization and poetry appreciation.

The school was finally closed in 1943/44 as the changing times brought the automobile and the beginning of the end of the small family farms and ranches. Better roads leading into town brought the children from the outlying areas into Cambria for their schooling. This lessened the need for the one room schoolhouses in the previously remote canyons of the north coast.

Unfortunately, the years the Home School was abandoned took a toll on the furnishings of the school with the loss of book cases, a valuable map case with old maps, and a blackboard which were stolen by vandals (Dart 1961). The current owner, Clyde Warren, reported that the bell tower had decayed and was removed when the scouts took over the Home School, but that the school bell is at his mother's house (Warren pers. comm.).

HRER Home School, San Simeon, CA 8

The Rancho San Simeon, which consisted of 4468.81 acres, was awarded to Jose Estrada in 1842 by Governor Juan Alvarado. The final patent by the U.S. Government came in 1865 for Jose Gomez (Perez 1996). By then, the mission buildings had decayed and the Indians had left. The Gomez family used part of the buildings as a residence until they too, left. A wealthy Spaniard by the name of Domingo Pujol, who had married the daughter of John Wilson, the largest landowner in San Luis Obispo County at the time, eventually acquired Rancho San Simeon until it was sold to Ira VanGorden in 1867. Hog and cow pens became the fate of the remaining mission buildings as the VanGordens subdivided the rancho soon after moving to the rancho from Arroyo Grande (Hamilton 1999).

Difficulties and financial reversals that plagued the ranchers along San Simeon Creek in the late 1870s, allowed George Hearst to increase his holdings along the southern boundary of the rancho. During the 1930s, the Great Depression forced Hearst to sell various ranch properties. The Warren family purchased what was the old VanGorden property from Hearst in 1939 (Warren pers. comm.). The Home School sits on a corner of that property.

SIGNIFICANCE CRITERIA

Effective in February 1999, changes made to the California Environmental Quality Act of 1970 (CEQA) removed thresholds of significance from the main document and relied upon criteria set forth in Public Resources Code, Section 5024.1 Title 14 CCR Section 4852. These revisions to qualifying criteria for determining the significance of a resource include the following:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic value.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Cultural resources displaying one or more of these criteria, may be considered significant and thereby subject to special measures of avoidance or evaluation prior to any potential impacts. If impacts cannot be avoided then a mitigation plan is normally developed. CEQA directives regarding mitigation of cultural resources are also addressed in the Public Resources Code.

Attachment P1

2-1

May 3, 2010



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

SUBDIVISION REVIEW BOARD

Promoting the wise use of land
Helping build great communities

MEETING DATE May 3, 2010	CONTACT/PHONE Paul Sittig, Project Planner (805) 781-4374 psittig@co.slo.ca.us	APPLICANT Willis C. Warren Trust	FILE NO. COAL 09-0018 SUB2008-00104
SUBJECT Hearing to consider a request by Willis C. Warren Trust for a Lot Line Adjustment (COAL 09-0018) to adjust the lot lines between two (2) parcels of 317 ± and 1.1 ± acres each. The adjustment will result in two (2) parcels of 316 ± and 2.6 ± 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 approximately 2,600 feet east from the intersection of San Simeon Creek Road and Highway 1, approximately 1.5 miles north of the community of Cambria. The site is in the North Coast planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 09-0018 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 March 18, 2010 (ED09-182).			
LAND USE CATEGORY Agriculture, Recreation	COMBINING DESIGNATION Coastal Stream, Flood Hazard, Local Coastal Plan	ASSESSOR PARCEL NUMBERS 013-062-003 and 013-062-005	SUPERVISOR DISTRICT 2
PLANNING AREA STANDARDS: None applicable			
LAND USE ORDINANCE STANDARDS: None applicable			
EXISTING USES: Four single family residences, storage, and grazing.			
SURROUNDING LAND USE CATEGORIES AND USES: North: Agriculture/grazing South: Ag, Rec/water wells, San Simeon State Park East: Agriculture/grazing, orchards West: Agriculture/grazing			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: North Coast Community Advisory Council, Public Works, Environmental Health, Ag Commissioner, Air Pollution Control Board (APCD), Cambria Community Services District (Water/Sewer), Cambria CSD (Fire), Cal Trans, Regional Water Quality Control Board, and the California Coastal Commission			
TOPOGRAPHY: Gently to moderately sloping		VEGETATION: Grasses, forbs, riparian, disturbed	
PROPOSED SERVICES: Water supply: On-site and off-site wells Sewage Disposal: Individual septic system Fire Protection: CalFire		ACCEPTANCE DATE: February 25, 2010	
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			

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two (2) legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
Parcel 1: 1.1 ±	Parcel 1: 2.6 ±
Parcel 2: 317 ±	Parcel 2: 316 ±

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.

Parcel 1 was a 4,300 square foot antiquated schoolhouse parcel that was enlarged to 1.1 acres in 2007 through a prior lot line adjustment (SUB2004-00218, COAL 04-0587). As part of the prior lot line adjustment, agricultural buffers were required to minimize the potential for incompatibilities between future residential development on the parcel and adjoining agricultural lands. After approval of COAL 04-0587, additional analysis was completed regarding an on-site wastewater system and setbacks from adjoining public well. The analysis concluded that the resulting agricultural buffers and wastewater system setback created constraints to future residential development, requiring this currently proposed lot line adjustment.

Representatives from the County Department of Agriculture and the Planning Department met with the applicant and the neighboring property owner on the site in February, 2010. At this meeting, the setbacks as shown in the attached graphics were agreed on by all parties.

This adjustment will result in the reconfiguration of the two (2) parcels to conform to the minimum site area (1 acre) required for a residential single family residence where a well and septic system are to be located on a single lot. This lot line adjustment will also allow for sufficient space for agricultural buffers from the adjacent uses, while allowing for a more feasible residential building envelope. The proposed lot line adjustment will not increase development potential because one single family residence exists on the smaller parcel, and the proposed lot line adjustment includes a new building envelope that meets the required setbacks, which restricts development potential. Three single family residences located on the larger parcel were established prior to permit requirements and are considered legal-nonconforming uses.

The old school house, which is currently used as a single family residence, is located on parcel 1. A historic resource evaluation of the school house was performed for COAL 04-0587, and that evaluation found the school house to be potentially significant resource. The proposed adjustment will not interfere with the building as future development will be outside of the original boundaries of the 0.1 acre parcel or the school will be relocated. The development of a new single family residence inside the building envelope proposed on the adjusted parcel 1 will require that the old school house be vacated and maintained as a historic structure. These conditions are included in Exhibit B.

Subdivision Review Board
 COAL 09-0018 / SUB2008-00104 / Warren
 Page 7

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance.
2. If a parcel map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
 - c. A tax certificate.
3. Any private easements described in the title report must be shown on the parcel map, with recording data.
4. When the parcel 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.
5. All conditions of approval herein specified are to be complied with prior to the recordation of the parcel map or certificates of compliance which effectuate the adjustment. Recordation of a parcel map is at the option of the applicant. However, if a parcel map is not filed, recordation of a certificate of compliance is mandatory.
6. The parcel 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.
7. 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.
8. 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.
9. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the parcel 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.
10. 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. **Prior to recordation of a parcel map or certificates of compliance finalizing the lot line adjustment**, the applicant shall enter into an agreement, in a form approved by County Counsel, which includes the following:
 - a. An agricultural buffer prohibiting new residential structures, consisting of 200 feet along the entire length of the eastern property line, a 75 foot buffer on the western property line, a 100 foot buffer on the northern property line and a 50

Subdivision Review Board
COAL 09-0018 / SUB2008-00104 / Warren
Page 8

foot buffer on the southern property line of Parcel 1 shall be shown on future construction permit application plans. This buffer shall be for residential structures only. At the time of application for construction permits, the applicant shall clearly delineate the agricultural buffer on the project plans.

- b. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
12. **At the time of application for construction permits for Parcel 1, the applicant shall clearly delineate the building site(s) and/or building control line(s) on the project plans. All new development (e.g. residences, detached garages, guest houses, and sheds) shall be completely located inside the boundaries of the building envelope on Parcel 1, as seen in the attached graphics.**
13. **~~Prior to occupancy or final inspection of a new residence on parcel 1, the historic school house shall be vacated as a residence (not habitable space) and shall remain vacant or be used as a residential accessory structure, such as a workshop or storage area.~~**
14. **Ongoing preservation of the Old School House is required. The property owner is responsible for preservation and maintenance of this historic structure, or may move the structure to a more suitable location. Maintenance is limited to preservation practices, such as replacement of the roof, siding, and paint. A letter from a qualified architectural historian shall be submitted showing compliance with the historic evaluation, dated July 2005, prepared by Bertrando & Bertrando Research Consultants.**

RECORDING REQUESTED BY
Clyde T. Warren
1482 Grays Creek Road
Grants Pass, OR 97527

AND WHEN RECORDED, RETURN TO:
Russell M. McGlothlin
Hatch & Parent
21 East Carrillo Street
Santa Barbara, CA 93101

COPY of Document Recorded
Doc#: 2007009258
on 2/09/2007 11:38 AM
Has not been compared with original.
JULIE L. RODEWALD, COUNTY CLERK-RECORDER

THIS SPACE RESERVED FOR RECORDER ONLY
(Gov. Code § 27361.6)

APNs 013-062-001, 013-061-011, 013-005-024, and 013-051-008.

SETTLEMENT AGREEMENT

This Agreement is made and entered into this sixth day of November, 2006 ("Effective Date"), between Mr. Clyde Warren, the Warren Trust, and the Cambria Community Services District ("District") (referred to individually as a "Party" and collectively as "the Parties") with reference to the following facts, which the Parties agree are true and correct to the best of their knowledge and belief:

RECITALS

A. Cambria Community Services District ("District") is a public agency located within San Luis Obispo County organized under and existing by virtue of the laws of the state of California. The District, which was formed in 1967, is responsible for, among other duties, providing the domestic water supply and wastewater treatment facilities for the community of Cambria. The District owns two adjoining parcels within the San Simeon Creek Watershed (APNs 013-005-024 and 013-051-008 "District Properties"). The District also owns water rights to produce water from the District Properties for municipal water service within its service

COPY

Q2

Warren/CCSD Settlement Agreement
November 6, 2006

Irrigation Supply

a. **Quantities of Irrigation Supply.** The District will provide Irrigation Supply for agricultural uses of that portion of APN 013-062-001 that is within the San Simeon Creek watershed, as follows:

- i) Up to 75 acre-feet per year ("afy") years 1 – 3 following the Effective Date;
- ii) Up to 100 afy during years 4-5 following the Effective Date;
- iii) Up to 150 afy during years 6-7 following the Effective Date; and
- iv) Up to 183.5 afy after the seventh year following the Effective Date and each year thereafter.

b. **Obligations to Run with Land.** The Irrigation Supply delivery obligations identified in Article I.A.1.a above shall touch and concern the Warren Properties and the District Properties, and shall run with the land.

c. **Requisite Pressure.** The District agrees to provide the Irrigation Supply identified above in Article A.1(a) at not less than 275 gallons per minute and not less than 105 pounds per square inch at the meter, which shall be located at the point of delivery for the Irrigation Supply identified by Exhibit "E."

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d. Water Quality for Irrigation Supply. The District shall provide, and the Warrens shall accept, water from any District source for Irrigation Supply that meets or is less than the following maximum acceptable constituent levels:

Chloride 100 mg/L

Boron 1.4 mg/L

Electrical Conductivity 1400 umhos/cm

Total Dissolved Solids 1000 mg/L

Sodium Absorption Rate 6.0

The water quality shall be confirmed by an initial test and ongoing periodic monitoring (not less than quarterly) by a qualified agriculture laboratory (e.g., Fruit Growers Laboratory, Inc.) that the District shall contract for the periodic monitoring of the water quality. The District shall make the results available to the Warrens by United States Mail or electronic mail.

e. Substitution of Potable Supply for Irrigation of Portions of APN 013-062-0001 to Protect District Potable Water Supplies. The Parties have identified the areas within APN 013-062-0001 that may be inappropriate for irrigation with water from the Non-Potable Well set forth in Exhibit "F". The Warrens shall not apply water from the Non-Potable Well to the property identified in this exhibit. The District may require the Warrens to expand or move this area to protect its potable water supply wells. If the District requires the Warrens to move or expand this area, the District shall pay the Warrens damages and any additional costs incurred by the Warrens as a result of this substitution, including, but not limited to, any additional irrigation

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infrastructure (e.g., pipes, booster pumps, holding tanks, etc.) that may be required to accommodate the substitute Irrigation Supply, as compared to irrigation of APN 013-062-0001, as allowed by this Agreement, exclusively with Irrigation Supply from a single source and delivery location (e.g., Non-Potable Well and Irrigation Supply delivery location identified on Exhibit "E").

2. Potable Supply

a. Potable Uses on APN 013-062-0001. The District shall provide up to 20 afy of Potable Supply for uses on APN 013-062-001 requiring potable water (e.g., residential, livestock watering, etc.) and for substitution of potable supply for irrigation of portions of APN 013-062-0001 to protect the District's potable water supplies as set forth in Article A.1(e) above. This Potable Supply shall be provided at not less than 75 gpm and not less than 60 pounds per square inch at the meter, which shall be located at the point of delivery for the Potable Supply identified by Exhibit "E." The Warrens will employ reasonable water conservation methods in the use of the Potable Supply, which are customarily implemented by other potable water users within the California Central Coast, which are using potable water supplies for the same purposes as the uses supplied by the Potable Supply on the Warren Properties. If this water use exceeds this amount the District shall charge the user the current commercial rate for the excess water.

b. School House Property. In addition to the 20 afy of Potable Supply provided by the District for use on APN 013-062-001, the District shall provide up to an additional 1.5 afy, not to exceed fifty 50 gpm, of potable water for use on APN 013-061-011, which is commonly referred to as the "School House Property". The School House Property

includes a residence. The 1.5 afy of Potable Supply provided by the CCSD to APN 013-061-011 shall not increase but, shall be available for any beneficial use of the School House Property allowed by pertinent land use authorities as long as the use is not expanded to include another single family residence. A single-family residence does not include a guesthouse. Further, the 1.5 afy of Potable Supply may be used on any and all portions of the School House Property, including any future lands included within the School House Property pursuant to any lot line adjustment. If this water use exceeds this amount the District shall charge the user the current residential rate for the excess water.

B. Location of Deliveries of Replacement Water. The District shall cause the Replacement Water to be delivered and metered at the locations on the boundaries of the Warren Properties shown in the illustrated maps and photographs attached as Exhibit "E".

C. Responsibility for Maintenance of Water Supply Facilities. The District shall be solely responsible for maintaining all water supply facilities on District Properties up to and including the meters installed on the water delivery pipelines at the three points of delivery to the Warren Property identified in Exhibit "E." The District shall also maintain the backflow prevention device on the meters. The Warrens shall be responsible for maintaining and operating all water supply facilities extending from the meter to any point of use on the Warren Properties.

D. Responsibility for Electricity Costs Relating to Well Production. The District shall pay all electricity charges for all wells located on the District Properties except as set forth below. The Warrens shall be solely responsible for the electrical costs for the Non-Potable Well or any replacement well for Irrigation Supply while it is exclusively used and the operated (i.e.,

CCSD Well Field

Warren Property
APN 013-062-001

Location of non-potable
irrigation water pipeline
crossing for APN 013-062-001

CCSD Property

Non-potable irrigation well.

Q7

Q13

NORTH ↑

**RIPARIAN AREA
TO SAN SIMEON
CREEK**

**WARREN
PROPERTY LINE.
APN #013-062-001**

**100' IRRIGATION
BUFFER ZONE
FROM PROPERTY
LINE. POTABLE
WATER USE
ONLY.**

**SCHOOL HOUSE
PROPERTY
APN #013-061-011**

**CCC Exhibit 4 CCSD WELL FIELD
APN #013-005-024
(page 45 of 47 pages)**

Attachment R

**Picture was taken from the north
west corner of the new school
house lot line adjustment.**

Reasons for Appeal: San Luis Obispo County Coastal Development Permit SUB2008-00104/COAL 09-0018 - (Warren LLA)

San Luis Obispo County approved a coastal development permit authorizing a lot line adjustment between two parcels of approximately 318 and 1.1 acres each. The adjustment would result in two parcels of approximately 316.5 and 2.6 acres respectively, and the designation of a 6,000 square foot residential building envelope on the new 2.6 acre parcel. The project is located roughly 1.5 miles north of the community of Cambria, on the north side of San Simeon Creek Road roughly ½ mile east from the intersection at Highway One. The site is in the North Coast planning area and is within the Local Coastal Program's (LCP's) Agricultural (AG) land use category. The County approved project raises LCP conformance issues as follows:

The LCP requires the protection of coastal agriculture, including requiring land suitable for agriculture to be maintained in or available for agricultural production (including LCP Agriculture Policies 1 and 2). The lot line adjustment and building envelope designation will facilitate conversion of suitable agricultural land to non-agricultural residential use and may adversely impact agriculture, both individually and cumulatively, inconsistent with the LCP. In addition, the resulting parcels do not appear to result in a position that is equal to or better than the existing configuration, as required by the LCP (Section 21.02.030(c) of the Real Property Division Ordinance). The protection of coastal agriculture is a fundamental premise of the LCP, and these issues warrant a further review and analysis by the Coastal Commission.

see
meeting
6/21/10

FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATIONS

Date and time of communication: 6/21/10 - 11:00 a.m.

Location of communication: County Government Center
(If communication was sent by mail or
facsimile, indicate the means of transmission.)

Identity of person(s) initiating communication: Warren Willis

Identity of person(s) receiving communication: Mary Ann Reis

Name or description of project: Commissioner Appeal No. A-3-SD-10-028

Description of content of communication: phone
(If communication included written material, attach a copy of the complete text of the written material.)

Mr. Willis discussed what he was trying to
achieve with request for lot line change -
Indicated school house would be removed and
single family dwelling built + septic lines would
be moved to achieve separation from CSD wells.
New lot line would provide adequate buffering from
eastern neighbor's property and agricultural use, the
use of the career warning parcel, sufficient distance from home school
and adequate space for septic and a replacement residence.

6/21/10
Date

Mary Ann Reis
Signature of Commissioner

If communication occurred seven (7) or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven (7) days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven (7) days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

APPENDIX 2