

STAFF REPORT

PROJECT INFORMATION

Application:	PLN190037-Tentative Parcel Map
Date of Hearing:	November 20, 2019 Planning Commission.
Owner/Applicant:	Lemos Family Trust/San Benito Engineering
Location:	Both sides of Union Road westerly of Ladd Lane - '0' Ladd Lane
Assessor's Parcel No.	020-280-038
General Plan Designation:	Residential Mixed (RM)
Zoning District:	Rural Residential (RR)
CEQA:	Exempt per Guidelines Section 15315, Class 15 project
Project Planner:	Darryl Boyd, Principal Planner

PROJECT DESCRIPTION

The project request is to subdivide an existing lot of approximately 17.07-acres into two parcels of approximately 13.5 and 3.57 gross-acres. No new development is proposed as part of the project on either of the new parcels. The request provides legal recognition of the lot split effectively created by the County's previous acquisition of right-of-way (ROW) and construction of Union Road in the 1990s. The proposed parcel map is attached to the draft resolution.

SITE DESCRIPTION

The project site is currently undeveloped agricultural land. Both of the new parcels have existing access from a driveway (Ladd Lane) on Union Road. Existing land uses surrounding the project site are agricultural with a single-family house to the north and two houses to the south. The property is essentially flat with little slope. Other existing site characteristics are:

- Land Conservation (Williamson) Act* – No preservation contract
- Agricultural Soils* – Grade One over most of the site
- Utility Services* – Outside City of Hollister Sphere of Influence
- Seismic Hazard* – Between two nearby Alquist-Priolo Earthquake Fault Zones
- FEMA Flood Zone* – Zone A over most the property
- Fire Severity* – Non-wildland/nonurban
- Liquefaction Potential* – Low risk

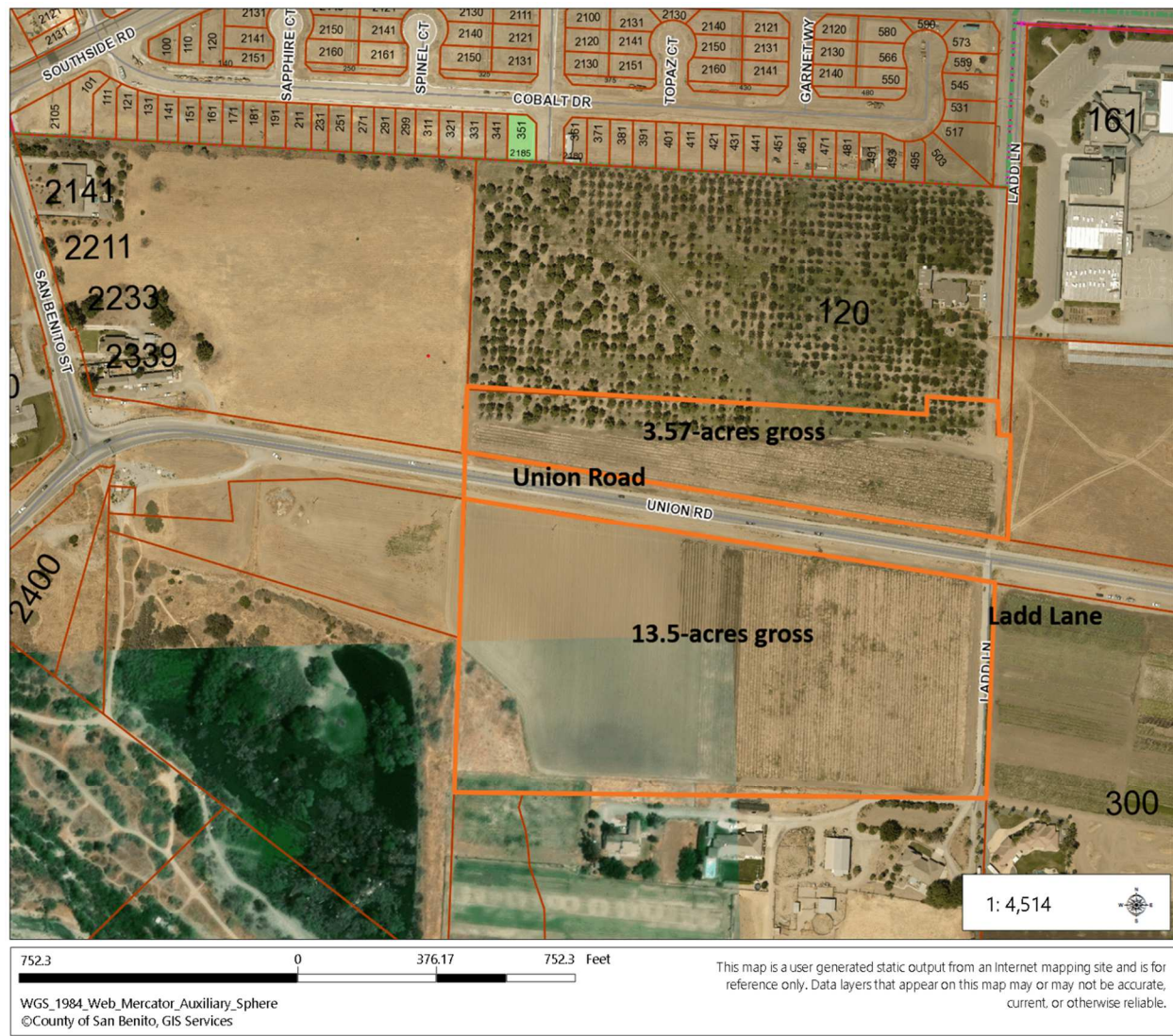
GENERAL PLAN

The County's 2035 General Plan Land Use Diagram Figure 3.2 designates the site for Residential Mixed (RM) use. The purpose of the RM designation is to allow areas of unincorporated urban uses where circulation and utility services exist. This will provide the opportunity to live in an unincorporated village or neighborhood atmosphere composed primarily of residential land uses with some commercial uses serving the residences.

This designation applies to areas that are largely developed and have public infrastructure and services necessary to support the increased density. The intensity of development will be directly proportional to the level and availability of public infrastructure and services. A maximum of 20

dwelling units per acre can be achieved in those areas so designated. If public sewer and water are available then thirty percent of new residential dwelling units shall include a mix of residential types with an average development density of 8-dwelling units per acre. The exception shall be the Residential Multiple zoning district where densities of 8 to 20 units per acre are allowed. This designation also allows mixed-use developments that include residential, retail, and office uses. The maximum FAR is 0.8.

Proposed Lemos Parcel Map Site



ZONING DISTRICT

The project site is located in the Rural Residential (RR) Zoning District. The RR zone provides areas with mixtures of housing and limited agricultural uses. The single-family dwelling is the primary use while agricultural uses are to be of secondary importance. This category applies to areas in proximity to urban services. Any development or subdivision within this zone will be

referred to the appropriate city for comment and consultation. The density of this zone shall be a maximum of one dwelling unit per acre, unless a public sewer and public water service is available or the municipality accepts wastewater treatment responsibility, at which point the minimum net parcel size may be reduced to one-half acre.

ENVIRONMENTAL EVALUATION

The proposed project is categorically exempt from the requirement for the preparation of environmental documents in accordance with CEQA Guidelines Sections 15315 Minor Land Divisions (Class 15 project) and 15061(b)(3). The proposed project is a two-lot subdivision. A Class 15 project is the subdivision of property into four or fewer parcels when the division conforms to the General Plan and zoning. As explained below, the proposed parcel map conforms to the General Plan and the RR zoning. No new development is proposed as part of the project. Guidelines Section 15061 states that a project is exempt from CEQA if common sense shows with certainty there is no possibility the proposed two-lot split parcel map may have a significant effect on the environment. The proposed project changes property lines on a map and will not result in any ground disturbing activities. There will be no effect on the physical environment and the project is not subject to CEQA.

STAFF ANALYSIS

San Benito County Code Section 23.03.003 requires a tentative and a parcel map for all divisions of land creating four or fewer parcels. In accordance with Code Section 23.07.006, the Planning Commission is required to review the Planning Department recommendations on the tentative map and approve, conditionally approve or disapprove of the tentative map. The Commission can approve or conditionally approve if it finds that the proposed subdivision, together with its design and improvement, is consistent with the general plan. The Planning Commission may modify or delete any of the conditions of approval recommended in the staff report.

The proposed parcel map does not include any new development so by default it conforms to the General Plan in that there is no change to the existing condition other than establishing new property lines. The minimum lot size allowed in the RR zoning district is one-half acre if sewer and water services are available. If sewer or water services are not available the minimum lot size is one-acre. Both of the new parcels meet the minimum lot size requirement of the RR Zoning District. Any future development would be required to conform to the RR regulations and standards. All subsequent development projects and permits will be required to be consistent with applicable General Plan goals and policies, zoning district requirements and will be reviewed in accordance with the California Environmental Quality Act.

In its current configuration, the property is split by Union Road. County Code Sections 23.25.002 (B) and 23.25.001 (B) require the minimum average lot width not to exceed the ratio of 1:3 lot width to lot depth. Meeting this ratio is not practical given the site constraints created by the existing location of Union Road. Forced compliance with this requirement would not alleviate the existing bifurcated lot configuration. Staff recommends the Planning Commission waive this requirement for the proposed parcel map. This requirement can be better achieved in the future in conjunction with the good design of further subdivision and related development.

Common sense would seem to dictate the approval of this proposed tentative parcel map. The use the existing lot is effectively divided and restricted by Union Road. Subdividing the property as proposed will allow for more practical and orderly future development consistent with the General Plan and the Zoning Ordinance.

RECOMMENDATION

Staff recommends the Planning Commission:

- 1) Find the parcel map exempt from the requirements of CEQA, and
- 2) Find the parcel map in conformance with the General Plan, and
- 3) Adopt Resolution No. 2019-xx approving the tentative parcel map with staff recommended conditions of approval.

ATTACHMENTS

1. Draft TPM Resolution and Conditions of Approval
2. Tentative Parcel Map

C: Property Owner

Lemos Family Trust
320 Ladd Lane
Hollister, CA 95023

Applicant

San Benito Engineering and Surveying, Inc.
502 Monterey Street
Hollister, CA 95023

Viewing North Across the Site

