

# Exhibit A

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## PROJECT DISCUSSION

The subject application consists of a request to modify the property boundaries of three legal parcels of 13.5 acres (Parcel C), 7.4 acres (Parcel A) and 19.1 acres (Parcel B) to create Lot 1 (2.9 acres), Lot 2 (3.6 acres), and Lot 3 (33.5 acres) in the Rural Density Residential Zoning District within the North County Coastal Land Use Plan. Staff has applied the provision of the zoning ordinance that allows parcels of less than 5 acres to accommodate “clustered residential development”. Staff supports the concept of clustering, in this particular case, because it will concentrate development on portion of that site that will preserve, Environmental Sensitive Habitat areas (ESHA), Maritime Chaparral, slopes in excess of 25%; and prohibit development on highly erodible soil (Arnold Loamy Sand). Approval of the lot line adjustment better meets the policies of the North County Land Use Plan.

### **Consistency with Land Use and Zoning**

The property has a Land Use Designation of Rural Density Residential. The Zoning density is 10 acres per unit. Density does not establish minimum parcel size; it identifies how many units can be constructed in a given area. In this case the density of one unit for every 10 acres would allow a total of four units on the subject property (40 acres in total area.) The RDR district establishes a minimum lot size or building site as follows:

*“The minimum building site shall be 5 acres unless otherwise approved as part of clustered residential development.”*

The applicant is requesting to reconfigure three existing parcels of 13.5 acres (Parcel C), 7.4 acres (Parcel A), and 19.1 acres (Parcel B) into three new lots of 2.9 (Lot 1), 3.6 (Lot 2) and 33.5 acres (Lot 3). The existing parcels all conform to the minimum lot size requirements. Under the proposed Lot Line Adjustment, the 33.5 acre parcel complies with the minimum lot size requirement, but the 3.6 and 2.9 acre parcels are less than the 5 acre minimum. This 5 acre minimum can be reduced if done as part of a “clustered residential development”, while still retaining the 10 acres per unit density. To ensure that that the newly configured 33.5 acre parcel will not be subdivided in the future, staff is recommending a condition of approval (Condition 7) requiring the application of a “B-6” zoning overlay to the 33.5 acre parcel (Parcel 3). The “B-6” overlay restricts parcels shown on a Final or Parcel Map from further subdivision, while still allowing future lot line adjustments subject to a discretionary permit.

### **North County Coastal Land Use Plan**

#### **Environmental Sensitive Habitat Areas (ESHA)**

The proposed lot line adjustment is consistent with the applicable policies of the North County Coastal Land Use Plan pertaining to the preservation of ESHA.

Protection of Environmentally Sensitive Habitat Areas is a critical objective of the North County Coastal Land Use Plan. Among the critical habitat areas of the North County is the Maritime Chaparral. The following two policies identify that when Maritime Chaparral is present, especially on slopes in excess of 25%, it should be protected with a conservation easement.

NCCLUP Policy 2.3.2.6

*The County shall ensure the protection of environmentally sensitive habitats through deed restrictions or dedications of permanent conservation easements. Where land divisions or development are proposed in areas containing environmentally sensitive habitats, such restrictions or easements shall be established through the development review process. Where development has already occurred in areas supporting sensitive habitat, property owners should be encouraged to voluntarily establish conservation easements or deed restrictions.*

NCCLUP Policy 2.3.3.2

*Maritime chaparral is an uncommon, highly localized and variable plant community that has been reduced in North County by residential and agricultural development. Further conversion of maritime chaparral habitat to agricultural uses is highly discouraged. Where new residential development is proposed in chaparral areas, it shall be sited and designed to protect the maximum amount of maritime chaparral. All chaparral on land exceeding 25 percent slope should be left undisturbed to prevent potential erosion impacts as well as to protect the habitat itself.*

The site was surveyed and it was identified that there is Maritime Chaparral on the property. (See Exhibit D - Biological Report, prepared by Regan Biological and Horticultural Consulting dated: August 8, 2015 and update) None of the Maritime Chaparral is located in the proposed building sites. Approval of the Lot Line Adjustment with all development clustered in the northwest corner of the site, would minimize the potential degradation of the Maritime Chaparral on slopes in excess of 25%, particularly with the requirement that all areas covered by Maritime Chaparral or with slopes in excess of 25% be covered with a conservation easement (Condition 6).

Erodible Soils

Protection of highly erodible soils is also a critical objective of the North County Coastal Land Use Plan, which identifies “Arnold Loamy Sand” as highly erodible. The following policy requires protection of this specific soil type.

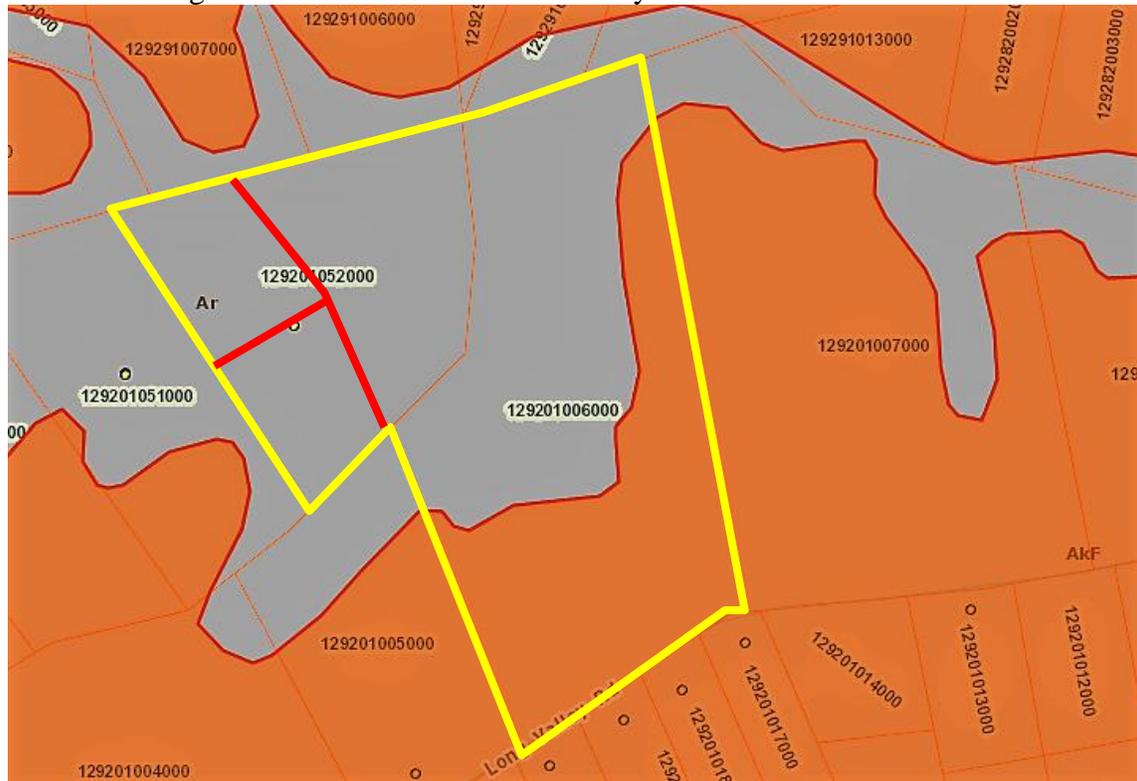
NCCLUP Policy 4.3.6.D.7 (portion)

*The Long Valley watershed area shall be bounded by the ridgelines located south of Strawberry Canyon Road and north of Paradise Canyon Road; by Elkhorn Road and Walker Valley Road on the west; and the Coastal Zone boundary on the east. Preservation of both the natural habitat and watershed shall be of the utmost priority. Maritime Chaparral and stands of Monterey Pine, Coast Live Oak, Madrone, and Manzanita shall be protected to the maximum extent feasible. The highly erodible, Arnold Loamy Sand soils shall be protected to the maximum extent feasible.... (Underline added).*

The photo below shows the location and expanse of Arnold Loamy Sand on the project area (highlighted in orange). Approval of the Lot Line Adjustment with all development clustered in

the northwest corner of the site, would eliminate potential degradation and impacts to the highly erodible Arnold Loamy Sand, particularly with the requirement that the areas consisting of Arnold Loamy Sand be covered with a conservation easement (Condition 6). A proposed resource protection/easement map (dated October 27, 2016; Exhibit C), has been attached to this report, demonstrating the areas of each parcel which will be excluded from development and placed into the Scenic and Conservation easement.

Aerial showing Location/Extent of Arnold Loamy Sand



#### Visual Resources/Ridgeline Development

This is not identified as a visually sensitive area in the North County Coastal Land Use Plan; however if future homes were located at the upper elevations of the property, they would have the potential to create ridgeline development. The Policies of the North County Coastal Land Use Plan, and Implementation plan (applicable policies listed below) do not support a project which would result in Ridgeline Development or development which would significantly affect a ridgeline.

#### NCCLUP Policy 2.2.2.4

*The least visually obtrusive portion of a parcel should be considered the most desirable site for the location of new structures. Structures should be located where existing topography and vegetation provide natural screening.*

#### NCCLUP Policy 2.2.3.1

*The scenic areas of North County including the coastal beaches and dunes, estuaries, wetlands, slopes adjacent to scenic corridors and viewpoints, and ridges shall be zoned for scenic conservation treatment.*

#### North County Implementation Plan 20.144.030.B.6

*Development constituting "ridgeline development shall not be allowed unless a Use Permit is first obtained. Ridgeline development is development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when*

*viewed from a - common public viewing area. A use permit for such development may only be granted if the decision-making body is able to make findings that: 1) there are no alternatives to development so as to avoid ridgeline development; 2) the proposed development will not have significant adverse visual impacts due to required landscaping, required modifications to the proposal, or other conditions; or, 3) development on the ridge will minimize grading, tree removal, or otherwise better meet resource protection policies of the North County Land Use Plan or development standards of this ordinance. The proposed development shall be modified for height, bulk, design, size, location, and siting, and/or shall incorporate landscaping or other techniques so as to avoid or minimize the visual impacts of ridgeline development as viewed from a public viewing area*

North County Implementation Plan 20.144.030.B.7

*New subdivisions and lot line adjustments shall not configure a lot so as to create a building site that will result in ridgeline development. Where initial application review indicates that ridgeline development may result on a proposed lot, the applicant shall demonstrate that there is a building site and building height(s) available which will not create ridgeline - development. As such, possible building site dimensions and roof heights shall be delineated by poles with flags, subject to an on-site investigation by the planner prior to the application being considered complete. A condition of project approval shall be the establishment of a building site and a building height envelope that provides specifications for non-ridgeline development on the lot(s) in question. Both envelopes shall require approval of the Director of Planning and an on-site investigation by the project planner prior to such approval.*

To prevent the potential for ridgeline development, the northern portions of the property, where upper elevations exist (along the ridgelines) have been excluded from development, and are included in the areas being placed into a Scenic and Conservation Easement. Additionally, future residential construction is subject to discretionary action (Coastal Administrative Permit) during which time flagging/staking and structure placement can be further analyzed. At the time of residential construction, the sites should be fully flagged/staked to the proposed building height to ensure that ridgeline development is not allowed.

### **Conclusion**

The primary purpose of the lot line adjustment application is to allow future development in a more clustered development pattern, and preserve/protect the aesthetic and sensitive resources that are located within the subject properties. Conditions requiring the placement of areas containing Arnold Loamy Sand, Maritime Chaparral, and upper ridges into a Scenic and Conservation Easement would prohibit future residential development within these areas, which futures the goals and policies found within the North County Coastal Land Use Plan and North County Implementation Plan.

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