



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

August 17, 2004

Jamie Kirk  
Kirk Consulting  
9720 Atascadero Road  
Atascadero, CA 93422

Dear Ms. Kirk:

**SUBJECT: TENTATIVE MAP 2586**

This Department has reviewed your recent letter regarding the basis for acceptance of the subject application. The reason for your request is the appeal by SMART, of the Department's action to accept the application as complete for purposes of processing. You wish to have, in writing from this Department, the reason why we determined the proposed project met the requirements of the Planning Area standard A1.

Salinas River Planning Area development standard A1 addresses subdivision of the Santa Margarita Ranch property ownership shown in the cited exhibit. The standard states:

“All new land divisions that are proposed prior to approval of a specific plan required by Standard No. 2 shall cluster allowed residential density of the Santa Margarita Ranch property ownership shown in Figure 7-24 in accordance with agricultural lands clustering standards of the Land Use Ordinance Chapter 22.22.150. This agricultural clustering division shall reconfigure and/or relocate existing parcels with minimal or no visual impact on Santa Margarita, Garden Farms and Highway 101.”

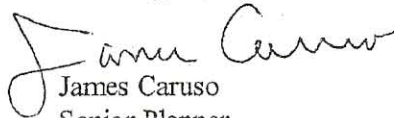
This Department determined that the operative phrase of this standard is “shall cluster allowed residential density of the Santa Margarita Ranch property ownership shown in Figure 7-24 in accordance with agricultural lands clustering standards of Land Use Ordinance Chapter 22.22. This standard requires the Department to determine the allowable density of the ag cluster through implementation of the performance standards found in Chapter 22.22.040 of the Land Use Ordinance. Furthermore, the standard requires the Department to recognize the factors used to determine allowable density from the Santa Margarita property ownership.

The latter sentence that addresses reconfiguration and/or relocation of existing parcels does not directly affect this project. The appellants' wish to have this sentence read as if the maximum number of lots that could be created as part of the ag cluster is based on relocating the existing legal lots found in Figure 7-24. This would result in the creation of no new lots. The subject

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sentence would describe a lot line adjustment, not an agricultural cluster subdivision. If this sentence is read as the appellants' wish, then the first sentence of the standard becomes meaningless. We do not agree with their interpretation of this standard. Instead, our interpretation of this sentence would require the cluster subdivision lots to not have visual impacts on the communities noted in the standard. Please feel free to contact me at 781-5702 to discuss this or other issues.

Sincerely,

  
James Caruso  
Senior Planner

cc: Smart