

Attachment C3

THURSDAY, AUGUST 23, 2012

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of August 23, 2012 together with the maps and staff reports attached thereto and incorporated therein by reference.

[HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING.](#) (9:00 AM)

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[ROLL CALL](#) (9:00 AM)

PRESENT: Commissioner(s) Tim Murphy, Carlyn Christianson, Ken Topping, Jim Irving, and Dan O'Grady.

ABSENT:

2. [Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend Sections 22.30.070, 22.30.075, 22.06.030, and 22.80.030 of the Land Use Ordinance, Title 22 of the County Code referring to Olive Oil Processing, Tasting and Retail Sales in addition to retail sales of other agricultural products from farm and field stands. This project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment; therefore, the activity is not subject to CEQA. \[Reference: State CEQA Guidelines sec. 15061\(b\)\(3\), General Rule Exemption\] County File No: LRP2011-00010 Supervisorial District: 1, 3, 4 & 5 Karen Nall, Project Manager Recommend the Board of Supervisors approve the amendments](#) (9:25 AM)

Karen Nall, Project Manager: presents staff report.

Dan O'Grady: opens Public Comment

Art Kishiyama and Joy Fitzhugh: speak.

Karen Nall, Project Manager: addresses Public Comment and shows a Power Point presentation.

Commissioners: deliberate amendments

Jim Irving: for the record is not in support of the requirement of a Minor Use Permit as per Section 22.30.070 D. 4. and provides reasoning.

Karen Nall, Project Manager: Review amendments with Commission using a Power Point presentation.

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Commissioners: deliberate Pg. 2-9 IV. in terms of roadside structures, areas, and vicinities regarding the definition or intent of roadside stands. Pg. 2-10, Pg. 2-14 Table 2, Section 2 delete (6) and revise.

Linda Auchinachie, Ag. Dept.: explains agricultural retail sales in terms of terminations of use and language revision to Pg. 2-11.

Karen Nall, Project Manager: overviews amendments made.

Jim Irving: provides reasoning for suggesting striking the requirement of a Minor Use Permit as per Pg. 2-4, Section 22.30.070 D. 4.

Tim McNulty, County Counsel: discusses the argument for CEQA analysis, states this is under the General Rule of Exemption and further discusses this in regards to legal non-conforming uses.

Commissioners: deliberate non-conforming uses in terms of discretionary permitting.

Karen Nall, Project Manager: explains evaluating applications for level of permit needed for Minor Use Permits and an established scale being used by the Planning & Building Department.

Thereafter, on motion of Carlyn Christianson, seconded by Jim Irving, and on the following vote:

AYES: Commissioner(s) Carlyn Christianson, Jim Irving, Tim Murphy, Ken Topping, Dan O'Grady.

NOES: None.

ABSENT: None.

The Commission recommends the Board of Supervisors approve Land Use Ordinance Amendment LRP2011-00010 based on the findings listed in Exhibit A, and amendments made at today's hearing.