

Attachment 6 - Planning Commission Minutes

THURSDAY, JUNE 14, 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 June 14, 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.](#) (9:13 AM)

[ROLL CALL](#) (9:13 AM)

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

ABSENT:

- [Hearing to consider a request to expand the existing COLD CANYON LANDFILL \(Landfill\) including the following eight primary components: 1. Expanding the disposal area footprint by approximately 46 acres; 2. Increasing the total facility allowable tonnage limit from 1,620 to 2,050 tons per day; 3. Expanding and relocating the Resource Recovery Park to the eastern corner of the site; 4. Expanding and enhancing the Materials Recovery Facility; 5. Constructing a new scalehouse and entrance approximately one-half mile south of the existing entrance on Highway 227; 6. Increasing the operating hours for the Landfill and the Resource Recovery Park \(7:00 a.m. to 5:00 p.m.\) and the Materials Recovery Facility \(7:00 a.m. to 10 p.m., processing only after 5 p.m.\); 7. Increasing the staffing levels from 75 to 114; and 8. Other miscellaneous improvements \(e.g., relocating fuel tanks, landscaping, replacing equipment maintenance building\). Many of the existing operations at the Landfill would continue as they do currently if the proposed project is approved. Additional details associated with the above referenced project are contained in Section III.C and III.D of the EIR. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is evidence that the project may have a significant effect on the environment, and therefore a Final Environmental Impact Report \(FEIR\) was prepared \(pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.\) for this project. The FEIR addresses potential impacts on: Aesthetic Resources, Agricultural Resources, Air Quality, Biological Resources, Climate Change / Green House Gas \(GHG\) Emissions, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation and Circulation, and Water Resources. Mitigation measures are proposed to address these impacts and are included as conditions of approval. Overriding considerations were determined necessary based on significant and unavoidable impacts associated with Aesthetic Resources, Agricultural Resources, Climate Change / Green House Gas \(GHG\) Emissions, Hazards and Hazardous Materials, and Noise. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public](#)

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[hearing\(s\). County File No.: DRC2005-00170 APN\(s\): 044-171-014,044-261-011, 047, 048
Supervisory District: 3 Date Accepted: July 26, 2006 Murry Wilson, Project Manager Recommend
approval](#)

POST HEARING DETERMINATION: CONTINUED TO JUNE 28, 2012 (11:56 AM)

Jim Irving, Tim Murphy, Ken Topping, and Carlyn Christianson: disclose ex-parte contacts.

John Nall: introduces staff and consultants involved with hearing.

Murry Wilson, Project Manager: presents staff report.

Tom Martin, applicant: discusses the proposed project.

Dan O'Grady: opens Public Comment.

Bruce Falkenhagen, David Goldeen, Natalie Risner, Clint Cochrane, Tyree Cochrane, Earl Darway, Jon Hoffmann, Lisa Platt, Heber Patchett, Sue Baron, Ron Holland, Bill Burress, James Hanson, Andy Maddalena, Debrah Cash, Dodie Williams: speak.

Dan O'Grady: closes Public Comment.

Commissioners, staff and consultants: respond to Public comment and begin their deliberations.

Commissioner Topping: requests staff to supply the requested changes and materials at the next hearing.

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 Planning Commission continues the COLD CANYON LANDFILL (DRC2005-00170) item to June 28, 2012.

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.

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Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission

MINUTES APPROVED AT THE 6/28/12 PC.

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THURSDAY, JUNE 28, 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 June 28, 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.](#) (9:14 AM)

ROLL CALL

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

ABSENT:

2. Continued hearing to consider a request to expand the existing COLD CANYON LANDFILL (Landfill) including the following eight primary components: 1. Expanding the disposal area footprint by approximately 46 acres;2. Increasing the total facility allowable tonnage limit from 1,620 to 2,050 tons per day;3. Expanding and relocating the Resource Recovery Park to the eastern corner of the site;4. Expanding and enhancing the Materials Recovery Facility;5. Constructing a new scalehouse and entrance approximately one-half mile south of the existing entrance on Highway 227;6. Increasing the operating hours for the Landfill and the Resource Recovery Park (7:00 a.m. to 5:00 p.m.) and the Materials Recovery Facility (7:00 a.m. to 10 p.m., processing only after 5 p.m.); 7. Increasing the staffing levels from 75 to 114; and 8. Other miscellaneous improvements (e.g., relocating fuel tanks, landscaping, replacing equipment maintenance building). Many of the existing operations at the Landfill would continue as they do currently if the proposed project is approved. Additional details associated with the above referenced project are contained in Section III.C and III.D of the EIR. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is evidence that the project may have a significant effect on the environment, and therefore a Final Environmental Impact Report (FEIR) was prepared (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) for this project. The FEIR addresses potential impacts on: Aesthetic Resources, Agricultural Resources, Air Quality, Biological Resources, Climate Change / Green House Gas (GHG) Emissions, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation and Circulation, and Water Resources. Mitigation measures are proposed to address these impacts and are included as conditions of approval. Overriding considerations were determined necessary based on significant and unavoidable impacts associated with Aesthetic Resources, Agricultural Resources, Climate Change / Green House Gas (GHG) Emissions, Hazards and Hazardous Materials, and Noise. Anyone interested in commenting or receiving a copy of the proposed Environmental

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Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s). (CONTINUED FROM 6/14/12)

County File No.: DRC2005-00170 APN(s): 044-171-014,044-261-011, 047, 048 Supervisorial District: 3 Date Accepted: July 26, 2006 Murry Wilson, Project Manager Recommend approval

POST HEARING DETERMINATION: CONTINUED TO JULY 12, 2012

Carlyn Christianson, Jim Irving, Dan O'Grady, Ken Topping: disclose ex-parte contacts.

Murry Wilson, Project Manager: introduces agencies and Consultants involved in proposal.

Commissioners and staff: begin their deliberations.

Tom Martin, applicant: makes his presentation and suggestions for changes to Conditions.

Dan O'Grady: opens Public Comment.

Jon Hoffman, Bruce Faulkenhagen, Leah Cochrane, Nancy Mohr, Tyree Cochrane, Sue Barone, Hubert Patchett, Earl Darway, Pat Clements, Angela Viles, and Brad Sorenson: speak.

Dan O'Grady: closes Public Comment.

Murry Wilson, Project Manager: addresses Public Comment concerns.

Bill Henry, Morro Group: addresses Public Comment concerns.

Paul Sorenson, Hydrogeologist: responds to water questions from Public Comment.

Commissioners, staff & consultants: continue their deliberations.

Thereafter, on motion of Ken Topping, seconded by Carlyn Christianson, and on the following vote:

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

NOES: None.

ABSENT: None.

The Commission continues this item to July 12, 2012.

Respectfully submitted,
Ramona Hedges, Secretary
County Planning Commission

Minutes approved at the 7/26/12 PC.

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THURSDAY, JULY 12, 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 July 12, 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. \(9:13 AM\)](#)

[ROLL CALL \(9:14 AM\)](#)

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

ABSENT: Commissioner(s) Carlyn Christianson.

- [Continued hearing to consider a request to expand the existing COLD CANYON LANDFILL \(Landfill\) including the following eight primary components: 1. Expanding the disposal area footprint by approximately 46 acres; 2. Increasing the total facility allowable tonnage limit from 1,620 to 2,050 tons per day; 3. Expanding and relocating the Resource Recovery Park to the eastern corner of the site; 4. Expanding and enhancing the Materials Recovery Facility; 5. Constructing a new scalehouse and entrance approximately one-half mile south of the existing entrance on Highway 227; 6. Increasing the operating hours for the Landfill and the Resource Recovery Park \(7:00 a.m. to 5:00 p.m.\) and the Materials Recovery Facility \(7:00 a.m. to 10 p.m., processing only after 5 p.m.\); 7. Increasing the staffing levels from 75 to 114; and 8. Other miscellaneous improvements \(e.g., relocating fuel tanks, landscaping, replacing equipment maintenance building\). Many of the existing operations at the Landfill would continue as they do currently if the proposed project is approved. Additional details associated with the above referenced project are contained in Section III.C and III.D of the EIR. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is evidence that the project may have a significant effect on the environment, and therefore a Final Environmental Impact Report \(FEIR\) was prepared \(pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.\) for this project. The FEIR addresses potential impacts on: Aesthetic Resources, Agricultural Resources, Air Quality, Biological Resources, Climate Change / Green House Gas \(GHG\) Emissions, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation and Circulation, and Water Resources. Mitigation measures are proposed to address these impacts and are included as conditions of approval. Overriding considerations were determined necessary based on significant and unavoidable impacts associated with Aesthetic Resources, Agricultural Resources, Climate Change / Green House Gas \(GHG\) Emissions, Hazards and Hazardous Materials, and Noise. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion](#)

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[of the public hearing\(s\). \(CONTINUED FROM 6/14/12 & 6/28/12\) County File No.: DRC2005-00170](#)
[APN\(s\): 044-171-014,044-261-011, 047, 048](#)
[Supervisorial District: 3 Date Accepted: July 26, 2006 Murry Wilson, Project Manager Recommend approval](#)
[POST HEARING DETERMINATION: CONTINUED TO AUGUST 9, 2012](#) (10:18 AM)

Murry Wilson, Project Manager: presents requested condition changes and explanations.

Lacey Ballard, Cold Canyon Land Fill (CCLF): provides handouts.

Dan O'Grady: opens Public Comment.

Jon Hoffman, Bruce Falkenhagen, Earl Darway, and Pat Clements: speak.

Lacey Ballard, CCLF: addresses Public Comment.

Commissioners and staff: begin deliberations.

Return from lunch and continue discussion on Condition changes.

Mary Whittersleeve, Public Works: responding to questions discusses the hours of operation of the landfill .

Murry Wilson, staff: added additional revision to Bv; in table. (*) Doors must be closed during the hours of operation 5:00 pm - 10:00p,.....".

Dan O'Grady: for the record would like it known that he believes any future expansion of the landfill should comply with the procedures set forth for site evaluations in the siting element.

Commissioners and staff: discuss revision to #5 customer and residents. Staff also states made change to Condition #6. Revision " Within 60 days of final project approval". Also adding a NOTE at the end of Condition 6 ** All measures required by this plan shall be implemented within 180 days. Condition 6h " and/or illegally dumped" also changing five to "three linear".

Murry Wilson, staff: reports he will return with language to revise Conditions 8 and 9.

Whitney McDonald, County Counsel: explains the option of including a condition from the previous staff report on page 3-128, Condition A-23. Commission agrees with addition.

Revise condition 10 to read " a minimum of 5db , up to 15dB and up to 15 dB (FEIR, pg V-226)

Changes to Condition 12 adding (#4) ; Condition 13 - change to " within 180 days condition 14 - change " implementation of NS/mm" and " after implementation of NS/mm" and change 6 months to "3 months". Revise Condition 16a. ; 17 (note: change to 60 days); Condition 18 - revise note: " w/in 180 days of approval of the approvedAES/mm-4, unless weather conditions reduce the ability..... one year from the time of approval of the plan required by AES/mm-4.

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Tom Martin, CCFL: discusses Condition 22 revisions in regards to issues with funding.

Jason Giffin, Director Planning & Building: discusses funding options.

Thereafter, on motion of Jim Irving, seconded by Tim Murphy, and on the following vote:

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

NOES: None.

ABSENT: Commissioner(s) Carlyn Christianson.

The Commission continues this item to August 9, 2012.

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission

MINUTES APPROVED AT THE 8/9/12 PC.

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THURSDAY, AUGUST 9, 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 9, 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.

[ROLL CALL](#) (9:14 AM)

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

ABSENT:

4. [Continued hearing to consider a request to expand the existing COLD CANYON LANDFILL \(Landfill\) including the following eight primary components: 1. Expanding the disposal area footprint by approximately 46 acres; 2. Increasing the total facility allowable tonnage limit from 1,620 to 2,050 tons per day; 3. Expanding and relocating the Resource Recovery Park to the eastern corner of the site; 4. Expanding and enhancing the Materials Recovery Facility; 5. Constructing a new scalehouse and entrance approximately one-half mile south of the existing entrance on Highway 227; 6. Increasing the operating hours for the Landfill and the Resource Recovery Park \(7:00 a.m. to 5:00 p.m.\) and the Materials Recovery Facility \(7:00 a.m. to 10 p.m., processing only after 5 p.m.\); 7. Increasing the staffing levels from 75 to 114; and 8. Other miscellaneous improvements \(e.g., relocating fuel tanks, landscaping, replacing equipment maintenance building\). Many of the existing operations at the Landfill would continue as they do currently if the proposed project is approved. Additional details associated with the above referenced project are contained in Section III.C and III.D of the EIR. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is evidence that the project may have a significant effect on the environment, and therefore a Final Environmental Impact Report \(FEIR\) was prepared \(pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.\) for this project. The FEIR addresses potential impacts on: Aesthetic Resources, Agricultural Resources, Air Quality, Biological Resources, Climate Change / Green House Gas \(GHG\) Emissions, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation and Circulation, and Water Resources. Mitigation measures are proposed to address these impacts and are included as conditions of approval. Overriding considerations were determined necessary based on significant and unavoidable impacts associated with Aesthetic Resources, Agricultural Resources, Climate Change / Green House Gas \(GHG\) Emissions, Hazards and Hazardous Materials, and Noise. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion](#)

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[of the public hearing\(s\). \(CONTINUED FROM 6/14/12 & 6/28/12 & 7/12/12\)](#)
[County File No.: DRC2005-00170 APN\(s\): 044-171-014,044-261-011, 047, 048](#)
[Supervisorial District: 3 Date Accepted: July 26, 2006](#)
[Murry Wilson, Project Manager Recommend approval](#)
POST HEARING DETERMINATION: APPROVED (11:25 AM)

Murry Wilson, Project Manager: addresses Public Comment from previous hearings.

Dan O'Grady: explains Public Comment will be held to one minute for each speaker.

Jon Hoffmann, and John Belsure: speak.

Commissioners and staff: begin their deliberations.

Whitney McDonald, County Counsel: verifies for the record that Ms. Christianson has viewed the video streaming of the July 26, 2012 Cold Canyon hearing because she was absent from that meeting.

Murry Wilson, Project Manager: reads into the record environmental monitor funding language.

Commissioners: deliberate conditions.

Dan O'Grady: recesses the hearing for the lunch break. The hearing is to resume at 1:30 PM.

Commissioners and staff: continue reviewing Conditions.

Tom Martin, applicant: responds to commissioners questions.

Whitney McDonald: County Counsel, discusses the legal issues of regulating where states and counties place trash.

Jim Irving: discusses the sheet submitted after lunch by staff with revised Conditions.

Chairman O'Grady: reviews table and Conditions of concerns from previous project and Conditions Number (D000281D). Murry Wilson, staff, responds to concerns.

Ken Topping: questions the letter submitted by Golder Associates. Commissioners deliberate.

Chairperson O'Grady: suggests deliberation on Findings.

Ken Topping: suggest change to Findings B, changing "decease" to "disease".

Chairperson O'Grady: discusses Finding D.

Whitney McDonald, County Counsel and Murry Wilson, staff: review CEQA findings changes.

Tim Murphy: would like additional clarification regarding "berm" on new Condition 120.

Jim Irving: suggests adding an additional Condition regarding screening the berm.

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Tom Martin: applicant, responds to Condition #120 and the suggestion of adding an additional condition in regards to the "berms".

Carlyn Christianson: suggests to modify Condition 10. Discussion on revised language.

Whitney McDonald: states for the record the CEQA findings have been distributed in hard copy.

Tim Murphy: states the requirement of a date of the insulation of the berm.

Carlyn Christianson: comments on project. States she is not in favor for the alternative.

Jim Irving: comments on project.

Tim Murphy: states view on project.

Ken Topping: discusses view on project. And the option of going with alternative two. Requests straw vote for Alternative two.

STRAW VOTE: Tim Murphy - NO, Dan O'Grady - YES, Jim Irving - NO, Carlyn Christianson - NO.

FOR the record - Dan O'Grady explains his NO vote and reasoning for being in favor of alternative two. Further comments on his view of the proposed project and feels alternative two provides the best value for the county.

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.

NOES: Commissioner(s) , Dan O'Grady.

ABSENT: None.

The Commission certifies the Final Environmental Impact Report (FEIR) in accordance with the applicable provisions of the California Environmental Quality Act, Public resources Code Section 21000 et seq. and approves Conditional Use Permit DRC2005-00170 based on the findings listed in Exhibit A, as amended at today's hearing, and the conditions listed in Exhibit B, as amended at today's hearing, including adoption of the CEQA findings and overriding considerations in Exhibit C; adopted.

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission

MINUTES APPROVED AT THE 9/13/12 PC.