



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

July 30, 2012

Cynthia Hawley
PO Box 29
Cambria, CA 93428

Tim Winsor
3785 San Simeon Creek Rd.
Cambria, CA 93428

NOTICE OF FINAL COUNTY ACTION

HEARING DATE: July 26, 2012

SUBJECT: Tim Winsor / County File Number: DRC2011-00043
Development Plan / Coastal Development Permit

LOCATED WITHIN COASTAL ZONE: YES

The above-referenced application was approved by the Planning Commission, based on the approved Findings and Conditions, which are attached for your records. This Notice of Final Action is being mailed to you pursuant to Section 23.02.033(d) of the Land Use Ordinance.

Appeal to the Board. This action is appealable to the Board of Supervisors within 14 days of this action. If there are Coastal grounds for the appeal there will be no fee. If an appeal is filed with non-coastal issues there is a fee of \$850.00.

Appeal to the Coastal Commission. This coastal development permit action is not appealable to the California Coastal Commission pursuant to regulations contained in Coastal Act Section 30603 and the County Coastal Zone Land Use Ordinance 23.01.043. These regulations contain specific time limits to appeal, and the criteria and procedures that must be followed to appeal this action. If this action is not appealable to the Coastal Commission, then the County's coastal development permit action is effective subject to its terms and conditions. If this action is appealable to the Coastal Commission, then the Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this action from San Luis Obispo County. The action and coastal development permit are not effective until the Coastal Commission's appeal period has expired and no appeal has been filed. This means that no construction permits can be issued until both the County appeal period and the additional Coastal Commission appeal period have expired without an appeal being filed. If an appeal is filed with the Coastal Commission, then the County's coastal development permit action is stayed and you will need to contact the

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EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

Attachment 4

Commission directly for details on next steps. Potential appellants must exhaust County appeal avenues prior to appeal to the Coastal Commission.

Appeals and/or questions about the Commission's appeal process should be directed to: California Coastal Commission Central Coast District Office, 725 Front Street, Suite 300, Santa Cruz, CA, 95060; phone (831) 427-4863; fax: (831) 427-4877.

If the use authorized by this Permit approval has not been established or if substantial work on the property towards the establishment of the use is not in progress after a period of twenty-four (24) months from the date of this approval or such other time period as may be designated through conditions of approval of this Permit, this approval shall expire and become void unless an extension of time has been granted pursuant to the provisions of Section 23.02.050 of the Land Use Ordinance.

If the use authorized by this Permit approval, once established, is or has been unused, abandoned, discontinued, or has ceased for a period of six (6) months or conditions have not been complied with, such Permit approval shall become void.

If you have questions regarding your project, please contact **Terry Wahler** at (805) 781-5600. If you have any questions regarding these procedures, please contact me at (805) 788-2947.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Hedges".

Ramona Hedges, Secretary
County Planning Commission

PLANNING COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, July 26, 2012

PRESENT: Commissioners Ken Topping, Jim Irving, Carlyn Christianson, Tim Murphy, and
Chairman Dan O'Grady

ABSENT: None

PLANNING COMMISSION RESOLUTION NO. 2012-014

RESOLUTION RELATIVE TO THE GRANTING
OF A
DEVELOPMENT PLAN / COASTAL DEVELOPMENT PERMIT

WHEREAS, the County Planning Commission of the County of San Luis Obispo, State of California, did, on the 26th day of July, 2012, grant a Development Plan / Coastal Development Permit DRC2011-00043 to TIM WINSOR and approves the General Rule Exemption. The site is in the Agriculture land use category and is located east of Red Mountain Road, approximately 3.5 miles east of Highway 1 north of the community of Cambria, in the North Coast Planning area. APN(s) Assessor Parcel Number(s): 011-291-052.

WHEREAS, the Planning Commission, after considering the facts relating to such application, approves this Permit based on the Findings listed in Exhibit A.

WHEREAS, the Planning Commission, after considering the facts relating to such application, approves this Permit subject to the Conditions listed in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the County of San Luis Obispo, State of California, in a regular meeting assembled on the 26th day of July, 2012, does hereby grant the aforesaid Permit No. DRC2011-00043.

This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance/Coastal Zone Ordinance Section 22.64.070/23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance/Coastal Zone Ordinance Section 22.64.080/23.02.042.

Attachment 4

If the use authorized by this Permit approval, once established, remains vacant and unused for its authorized purpose, or is abandoned or discontinued for a period greater than 12 consecutive months, such Permit approval shall become void.

On motion of Commissioner Topping, seconded by Commissioner Irving, and on the following roll call vote, to-wit:

AYES: Commissioners Topping, Irving, Christianson, and Murphy
NOES: Chairman O'Grady
ABSENT: None

the foregoing resolution is hereby adopted.

/s/ Dan O'Grady
Chairperson of the Planning Commission

ATTEST:

/s/ Ramona Hedges
Secretary, Planning Commission

EXHIBIT A - FINDINGS

Development Plan

- A. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies. No new development is associated with this development plan amendment and modification request.
- B. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- C. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because no new development and no site disturbance is associated with this development plan amendment and modification request. The property will continue to be subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development and will not conflict with the surrounding lands and uses because the development plan amendment and modification does not involve new development or site disturbance.
- E. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the request because the development plan amendment and modification does not involve new development and the existing alternative access road (under the San Simeon Creek Ranch Road Association) is constructed to a level that is consistent with the current level of vehicular use.

Coastal Access

- F. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the property is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Archeological Sensitive Area

- G. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because no new development is proposed with this project.

CEQA

- L. 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]

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes the modification of the conditions of approval for Development Plan/Coastal Development Permit D870020D (previously modified by D000263D), as follows:
 - a) The property affected is described as: C.C. O.R. 99-007545 which is a portion of APN 011-291-052, legal description: Lot 1 of Voluntary Merger (V.M. O.R. 2001-007998).
 - b) The above described property is no longer subject to the conditions of approval for Development Plan/Coastal Development Permit D870020D (previously modified by D000263D).
 - c) The above described property is removed from the site plan for Development Plan/Coastal Development Permit D870020D (previously modified by D000263D).
2. This permit is valid from the effective date of approval and remains effective in perpetuity unless further amended or modified by a subsequent development plan.