



## County Planning Department Hearing

# AGENDA

Road Names  
Minor Use Permits  
Lot Line Adjustments  
Administrative Fine Appeals

**MEETING DATE: FRIDAY, JULY 18, 2014**

**HEARING OFFICER: Mike Wulkan**

### **MEETING LOCATION AND SCHEDULE**

The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey St., Room #D170, County Government Center, San Luis Obispo, CA., on the first and third Fridays of each month. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets.,

Meeting Begins

9:00 a.m.

*ALL HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.*

### **MATTERS TO BE CONSIDERED**

#### **PUBLIC COMMENT PERIOD**

1. Members of the public wishing to address the Planning Department Hearing Officer on consent agenda items and matters other than hearing items may do so at this time, when recognized by the Hearing Officer. Presentations are limited to three minutes per individual.

#### **CONSENT AGENDA**

2. Unless pulled from the consent agenda by the Planning Department Hearing Officer for separate action, the following items will be acted on collectively because individual public hearings were not requested or required pursuant to Land Use Ordinance Section 22.062.050B.4.b. or Coastal Zone Land Use Ordinance Sections 23.02.033b.(2)(ii) and 23.02.033b.(4)(ii):
3. June 6, 2014 PDH DRAFT Minutes
4. Hearing to consider a request by **CHARLES HILL** (c/o Pristine Sun) for a Minor Use to allow an additional 2.5 acres of site disturbance for a previously approved 0.450-megawatt (MW) photovoltaic solar energy facility. The additional disturbance is to accommodate the reconfiguration and phased installation of some of the previously

approved solar panels. The project will occur over approximately 5.5 acres, and will result in the disturbance (soil movement) of a total area of approximately four (4) acres of the 30.9-acre parcel. The project site is located at 5475 Jack Creek Road, approximately 0.2 mile northwest of Highway 46, approximately five miles west of the unincorporated community of Templeton. The project is located in the Adelaida, Rural planning area. To be considered at the hearing is the approval of an Addendum to the previously adopted Mitigated Negative Declaration (April 5, 2013). Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162), the Lead Agency may prepare an addendum to an adopted negative declaration where all of the following apply: 1) only minor technical changes or additions are necessary; 2) no substantial changes have been made or occurred that would require major revisions to the Negative Declaration due to either new significant effects or substantial increases in the severity of previously identified significant effects; 3) substantial changes have not occurred with respect to the circumstances under which the project is undertaken; 4) new information of substantial importance which was not known or could not have been known at the time of the adopted Negative Declaration. The Environmental Coordinator finds that all of the above conditions apply and an addendum to the adopted Negative Declaration is appropriate. No new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted. 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 hearing(s).

**County File Number: DRC2013-00032**  
Supervisorial District: 1  
**Megan Martin, Project Manager**

Assessor Parcel Number: 039-191-035  
Date Accepted: March 6, 2014.  
**Recommendation: Approve**

5. Hearing to consider a request by **ACHEVE'E VINEYARDS, LLC** for a Minor Use Permit to allow for the phased construction of a winery to include: Phase I - construction of a 7,640 square foot (sf) winery building that will contain a 2,915 sf fermentation room, 1,140 sf barrel room, 1,405 sf case goods storage room, 445 sf to include an employee break room, conference room and offices, 140 sf lab, 1,128 sf tasting room, 267 sf public restroom and 200 sf employee restroom and maintenance room, outdoor use areas would include: a 2,565 sf crush pad area and 500 sf patio/pergola; Phase II - construction of a 1,560 sf addition onto the Phase I building for a 790 sf barrel room and 770 sf case goods storage room (this building would total 9,200 sf). The project will result in the disturbance of approximately 43,170 sf (0.99 acres) on a 70.53 acre parcel. Wine production is estimated at 10,000 cases per year. The project includes 6 special events per year; with no more than 80 people each, in addition to industry-wide events, which are exempt from permit requirements. No outdoor amplified music after 5 pm is proposed. The proposed project is within the Agriculture land use category, and is located at 5170 Vineyard Drive, approximately 2 miles northwest of Highway 46 West, and approximately 3 miles northwest of the community of Templeton. The site is in the Adelaida planning area. Also to be considered at the hearing is will be approval of the Environmental Document prepared for the project. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on June 12, 2014 for this project. Mitigation measures are proposed to address aesthetics, agricultural resources, biological resources, geology and soils, public services / utilities, transportation / Circulation, wastewater, and water / hydrology and are included as conditions of approval. 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 hearing(s).

**County File Number: DRC2012-00123**  
Supervisory District: 1  
**Holly Phipps, Project Manager**

Assessor Parcel Number: 039-101-045  
Date Accepted: October 9, 2013  
**Recommendation: Approve**

6. Hearing to consider a request by **PEDRO VARGAS** for a Minor Use Permit to allow the construction of a 3,000 square foot (sf) wine processing facility. The project will result in the disturbance of approximately 4,275 sf on a 17.71 acre parcel. No special events and no public tasting are proposed. Wine production is estimated at 5,000 cases per year. The applicant requests a waiver of the minimum 100 foot setback to property line requirement to allow a 50 feet (rear) setback. The proposed project is within the Agriculture land use category and is located at 950 Indian Dunes Rd. (private road), approximately 1,500 feet north of Pear Valley Way, and approximately 2 miles west of San Miguel. The site is in the Salinas River planning area. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on **May 15, 2014** of issuance for this project. Mitigation measures are proposed to address aesthetics, biological resources, air quality, geology and soils, public services/ utilities, and wastewater, and water/hydrology and are included as conditions of approval. 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 hearing(s).

**County File Number: DRC2013-00006**  
Supervisory District: 1  
**Holly Phipps, Project Manager**

Assessor; Parcel Number: 027-051-028  
Date Accepted: October 22, 2013  
**Recommendation: Approve**

7. Hearing to consider a request by **CRAIG & KAREN HOESCHEN** for a Minor Use Permit/ Coastal Development Permit to allow for the replacement and repair to existing stairs and entryway deck, as well as 203 square feet of additional decking, on an existing single family residence. The proposed project is within the Residential Single Family land use category at 511 Canterbury Lane, approximately 146 feet southeast of Warwick Street, within the community of Cambria, in the North Coast Planning Area. This project is exempt under CEQA.

**County File Number: DRC2013-00088**  
Supervisory District: 2  
**Megan Martin, Project Manager**

Assessor Parcel Number: 022-083-048  
Date accepted: May 9, 2014.  
**Recommendation: Approve**

8. Hearing to consider a request by **PASO ROBLES BEACH WATER ASSOCIATION & AT&T** for a Minor Use Permit/Coastal Development Permit to allow for modifications to an existing unmanned wireless communications facility consisting of: removal of three (3) existing 59" OMNI antennas and installation of six (6) new 72.5" LTE antennas concealed within two (2) 27" x 90" radomes and six (6) new RRUs mounted on an

existing 34' tall water tank, and one (1) new equipment rack within an existing equipment shelter. The proposed project would be collocated at an existing wireless communications facility, and would result in minimal disturbance on a 4,300 square-foot parcel in the Residential Single Family land use category. The project site is located at 955 Park Avenue in the community of Cayucos, approximately 200 feet north of Park Ave. The site is within the Estero planning area. This project is exempt under CEQA. .

**County File Number: DRC2013-00078**  
Supervisory District: 2  
**Brandi Cummings, Project Manager**

Assessor Parcel Number: 064-081-051  
Date Accepted: April 8, 2014 :  
**Recommendation: Approve**

9. Hearing to consider a request by **PHIL & JULIE FOX** for a Minor Use Permit / Coastal Development Permit to allow for the construction of a new 3,451 square-foot single family residence with a 624 square-foot attached garage, 852 square feet of decking, and the maximum height of the proposed residence will be 28 feet from average natural grade. The project will result in the disturbance of approximately 5,000 square feet of a 13,068 square-foot lot. The proposed project is within the Residential Single Family land use category and is located on the east side of Burton Drive, approximately 850 feet southeast of the intersection with Kay Street, within the community of Cambria. The site is in the North Coast planning area. A Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on **June 12, 2014** for this project. Mitigation measures are proposed to address Air Quality, Biological Resources, Geology and Soils, Water, and are included as conditions of approval. 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 hearing(s).

**County File Number: DRC2012-00091**  
Supervisory District 2  
**Cody Scheel, Project Manager**

APN(s): 024-331-009, 025 & 026  
Date Accepted: October 1, 2013  
**Recommendation: Approve**

10. Hearing to consider a request by **MIKE & JUDY NEAL** for a Minor Use Permit / Coastal Development Permit to allow for the construction of a 188 square foot addition and remodel to an existing kitchen on the ground level of an existing 1,733 square foot two story residence, and 316 square feet of roof deck constructed above the proposed kitchen addition. The proposed kitchen addition and second story deck addition would be attached to the rear (northwest corner) of the existing residence. The permit would also allow for the addition of approximately 50 square feet to the existing second story deck located at the front of the residence (southwest corner). The project requires the purchase of 300 square feet of Transfer of Development Credits (TDCs). The project will result in the disturbance of approximately 375 square feet of a 3,500 square foot lot. The proposed project is within the Residential Single Family land use category and is located at 341 Lancaster Street, in the community of Cambria. The site is in the North Coastal planning area. This project is exempt under CEQA.

**County File Number: DRC2013-00054**  
Supervisory District: 2  
**Cody Scheel, Project Manager**

Assessor Parcel Number: 022-291-012  
Date Accepted: May 9, 2014  
**Recommendation: Approve**

## HEARING ITEMS

11. Continued hearing to consider a request by **PEOPLES' SELF HELP HOUSING CORPORATION** for a Minor Use Permit to allow the construction of 24 single-family residences in the previously-approved Tract 2710. The houses will be based on four floor plans, each of which are single-story and vary in size from 1,215 square feet to 1,536 square feet. Each house will be located on a lot varying in size from 6,000 square feet to 9,300 square feet. Also to be considered is a request pursuant to California Government Code Section 65915 to allow a reduction in the front setback for Lots 1 and 14 from 25 feet to 20 feet. The rear setback for Lot 14, which functions as a side yard, would be reduced from 10 feet to 5 feet. The proposed project is in the Residential Single Family land use category and is located on the south side of 11th Street at N Street in the community of San Miguel. The site is in the Salinas River sub-area of the North County planning area. The Environmental Coordinator finds that the previously adopted Negative Declaration is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted (Cont'd from the May 16, 2014 PDH).

**County File Number: DRC2013-00065**  
Supervisorial District: 1  
**Michael Conger, Project Manager**

Assessor Parcel Number: 021-241-021  
Date Accepted: March 20, 2014  
**Recommendation: Approve**

12. Hearing to consider a request by **JOHN BIRKLER** for a Minor Use Permit to convert an existing detached garage/ workshop to a guest house/ home office and modify the 50-foot minimum distance standard for a guesthouse/ home office to the primary residence pursuant to County Land Use Ordinance Section 22.30.410E. Due to the existing improvements on site, the 600 square foot guesthouse will be located approximately 810 feet from the primary single family residence on an approximately 55.65 acre parcel. The proposed project is within the Residential Rural Land Use category located at 1191 Deerfield Road, approximately 0.50 miles southwest of the Highway 46 and Hidden Valley Road intersection, and two miles west of the community of Templeton. The site is in the Adelaida sub-area of the North County Planning Area. This project is exempt under CEQA.

**County File Number: DRC2013-00087**  
Supervisorial District: 1  
**Schani Siong,, Project Manager**

Assessor Parcel Number: 039-401-041  
Date Accepted: May 9, 2014  
**Recommendation: Cont. to 9/5/14**

ESTIMATED TIME OF ADJOURNMENT: 10:00 a.m.

DONNA HERNANDEZ, SECRETARY PRO TEM  
COUNTY PLANNING DEPARTMENT HEARINGS

## **PUBLIC RECORDS ACT**

Supplemental correspondence and other materials for open session agenda items that are distributed to the Planning Department staff within 72 hours preceding the Planning Department Hearing meeting are available for public viewing in the Planning and Building Department located at 976 Osos Street, Room 200. With respect to documents submitted by members of the public to the Planning Department staff during a meeting, the law requires only that those documents be copied by the Clerk after the meeting for members of the public who desire copies. However, as a courtesy to others, it is requested that members of the public bring at least 4 extra copies of documents that they intend to submit to the Planning Department staff during a meeting so that those extra copies can be immediately distributed to all members of the Planning Department staff and other members of the public who desire copies.

## **DEPARTMENT OF PLANNING AND BUILDING MEETING PROCEDURES**

Planning Department Hearings are conducted under the authority of the Hearing Officer. Each item scheduled for public hearing at a Planning Department Hearing will be announced by the Hearing Officer and the hearing will be conducted as follows:

1. The Planning Department staff will present the staff report and recommendation on the matter being heard.
2. The Hearing Officer will open the public hearing and will first ask the project applicant (if any) to present any points they feel the Planning Department Hearings should understand about their proposal.
3. The Hearing Officer will ask other interested persons to present any testimony they wish to give about the proposal being considered.
4. The Hearing Officer will offer the project applicant an opportunity for rebuttal of any testimony against the proposal or to clarify information previously presented.

## **RULES FOR PRESENTING TESTIMONY**

All persons who wish to present testimony to the Planning Department Hearings in a public hearing must observe the following rules:

1. When beginning to speak, first identify yourself and place of residence. This is required for the public record. Planning Department Hearings are tape recorded.
2. All remarks must be addressed to the Hearing Officer. Conversation or debate between a speaker and a member of the audience is not permitted.
3. Please keep your remarks as brief as possible. When a number of speakers wish to testify on the same project, the Hearing Officer may limit the time for testimony to 3 minutes for individuals and 8 minutes for persons representing a group. Focus your testimony on the most important facts you wish to be considered. Avoid duplicating testimony provided by others.
4. Whenever possible, written testimony should be presented as well as oral. Written testimony can be submitted for Planning Department Hearings consideration in advance of the actual hearing date.

## **APPEALS**

If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the Board of Supervisors up to 14 days after the date of action, in writing, to the Planning Department. If legitimate coastal resource issues related to our local Coastal Program are raised in the appeal, there will be no fee. If an appeal is filed for an inland project, or for a coastal project with no legitimate coastal issues, there will be a fee set by the current fee schedule. If a fee is required, it must accompany the appeal form. The appeal will not be considered complete if a fee is required but not paid. There must be an original form and original signature, a FAX is not accepted.

Planning Department Hearings decisions may also be appealable to the California Coastal Commission pursuant to Coastal Act Section 30603 and the County Coastal Zone Land Use Ordinance 23.01.043. Exhaustion of appeals at the county is required prior to appealing the matter to the California Coastal Commission. The appeal to the Board of Supervisors must be made to the Planning Commission Secretary, Department of Planning and Building, and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations contain specific time limits to appeal, criteria, and procedures that must be followed to appeal this action. The regulations provide the California Coastal Commission 10 working days following the expiration of the County appeal period to appeal the decision. 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.

Contact the Coastal Commission's Santa Cruz Office at (831) 427-4863 for further information on appeal procedures.

**HEARING IMPAIRED:** There are devices available for the hearing impaired upon request.

## **ON THE INTERNET**

This agenda may be found on the internet at: <http://www.sloplanning.org> under Quicklinks, Meeting Agendas. For further information, please call (805) 788-2947.