OK, Mike Wulkan 9/1/14

# SAN LUIS OBISPO PLANNING DEPARTMENT HEARING MINUTES FOR THE MEETING OF
# Friday, July 18, 2014

Minutes of the Regular Meeting of the County Planning Department Hearings held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by Mike Wulkan, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

**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.**

## 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.

   Mike Wulkan, Hearing Officer: states that a letter received from the California Coastal Commission for item 9 shall be entered into the record.

## 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

   Minutes are Received and Filed.
   **Thereafter, on motion of the hearing officer, the Planning and Building Department Hearing Minutes of June 6, 2014, are Received and Filed as recommended and are available on file at the office of the County Planning and Building Department.**

4. Hearing to consider a request by **CHARLES HILL** (c/o Pristine Sun) for a Minor Use Permit 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 no 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** Assessor Parcel Number: 039-191-035
Supervisorial District: 1 Date Accepted: March 6, 2014.
**Megan Martin, Project Manager** **Recommendation: Approve**

**Thereafter, on motion of the hearing officer, the request by CHARLES HILL for a Minor Use Permit (DRC2013-00032) is granted based on the Findings A. through F. listed in Exhibit A and subject to the Conditions 1 through 48 listed in Exhibit B (Document Number: 2014-039_PDH).**

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** Assessor Parcel Number: 039-101-045

Supervisorial District: 1
**Holly Phipps; Project Manager**

Date Accepted: October 9, 2013
**Recommendation: Approve**

**Thereafter, on motion of the hearing officer, the request by ACHEVE'E VINEYARDS, LLC for a Minor Use Permit (DRC2012-00123) is granted based on the Findings A. through F. listed in Exhibit A and subject to the Conditions 1 through 41 listed in Exhibit B with a revision to Condition 3 which will now read: This approval authorizes outdoor amplified music for special events between the hours of 10 a.m. to 5 p.m. as allowed per Section 22.30.070.di.(3). No outside amplified music shall occur before 10 a.m. or after 5 p.m.". (Document Number: 2014-040_PDH).**

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 Subarea of the North County 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 **May 15, 2014** for this project. Mitigation measures are proposed to address aesthetics, biological resources, geology and soils, public services/ utilities, 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**
Supervisorial District: 1
**Holly Phipps, Project Manager:**

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

**Thereafter, on motion of the hearing officer, the request by PEDRO VARGAS for a Minor Use Permit (DRC2013-00006) is granted based on the Findings A. through G. listed in Exhibit A, with the newly revised Findings B and F, with Finding B to now read: "The proposed project is a wine production facility to process off-site and on-site grapes which 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 including the agricultural and open space policies." Revised Finding F to now read: "The proposed winery will not generate a volume of traffic beyond safe capacity of all roads providing access to the project because the project is located on Indian Dunes Road, a private driveway and then onto 10th Street, a local road constructed to handle any additional traffic associated with this project." , and subject to the Conditions 1 through 31 listed in Exhibit B with the newly added Condition 25 which will read: " Prior to occupancy or final inspection, the applicant shall off-set the water usage as required by Ordinance No. 3246". The remaining Conditions shall be renumbered accordingly. (Document Number: 2014-041_PDH).**

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**
Supervisorial District: 2
**Megan Martin, Project Manager**

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

**Thereafter, on motion of the hearing officer, the request by CRAIG & KAREN HOESCHEN for a Minor Use Permit /Coastal Development Permit (DRC2013-00088) is granted based on the Findings A. through M. listed in Exhibit A and subject to the Conditions 1 through 14 listed in Exhibit B (Document Number: 2014-042_PDH).**

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**
Supervisorial District: 2
**Brandi Cummings; Project Manager**

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

**Thereafter, on motion of the hearing officer, the request by PASO ROBLES BEACH WATER ASSOCIATION & AT&T for a Minor Use Permit/Coastal Development Permit (DRC2013-00078) is granted based on the Findings A. through G. listed in Exhibit A and subject to the Conditions 1 through 23 listed in Exhibit B (Document Number: 2014-043_PDH).**

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. 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 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 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**
Supervisorial District: 2
**Cody Scheel; Project Manager**

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

**Thereafter, on motion of the hearing officer, the request by PHIL & JULIE FOX for a Minor Use Permit/Coastal Development Permit (DRC2012-00091) is granted based on the Findings A. through M. listed in Exhibit A and subject to the Conditions 1 through 56 listed in Exhibit B (Document Number: 2014-044_PDH).**

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**
Supervisorial District: 2
**Cody Scheel; Project Manager**

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

**Thereafter, on motion of the hearing officer, the request by MIKE & JUDY NEAL for a Minor Use Permit/Coastal Development Permit (DRC2013-00054) is granted based on the Findings A. through M listed in Exhibit A, and subject to the Conditions 1 through 28 listed in Exhibit B, with newly added Findings J and L. Finding J which will read: "Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of the proposed residential addition, and will not create significant adverse effects on the identified sensitive resource, because the proposed project is located on a previously disturbed site, and the project does not require clearing of topsoil or removal of trees". Newly added Finding L will read: "There will be no significant negative impact on the identified sensitive habitat, and the proposed use will be consistent with the biological continuance of the habitat as the proposed project is located on a previously disturbed site and will not impact and biological resources. The project does not require removal of trees". (Document Number: 2014-045_PDH).**

## 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. from the 5/16/14 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**

Airlin Singewald, Planning Staff: presents project via a Power Point presentation.

**Thereafter, on motion of the hearing officer, the request by PEOPLES' SELF HELP HOUSING CORPORATION for a Minor Use Permit (DRC2013-00065) is granted based on the Findings A. through G. listed in Exhibit A and subject to the Conditions 1 through 35 listed in Exhibit B, revised from the previous Planning Department Hearing of May 16, 2014. (Document Number: 2014-046_PDH).**

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**

**Thereafter, on motion of the hearing officer, the request by JOHN BIRKLER for a Minor Use Permit (DRC2013-00087) is continued to the September 5, 2014 Planning Department Hearing.**

**ADJOURNMENT @: 9:23 a.m.**

**Next Scheduled Meeting: August 1, 2014,** in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

**Donna Hernandez, Secretary Pro Tem**
**Planning Department Hearings**