

Attachment 3 - Planning Commission Minutes:
December 12, 2013 and February 27, 2014

THURSDAY, DECEMBER 12, 2013

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 December 12, 2013 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. (09:06 AM)

ROLL CALL (09:06 AM)

PRESENT: Commissioner(s) Ken Topping, Don Campbell, Tim Murphy, and Jim Irving.
ABSENT: Commissioner(s) Eric Meyer.

FLAG SALUTE (09:06 AM)

PUBLIC COMMENT PERIOD (09:06 AM)

No one coming forward.

PLANNING STAFF UPDATES (09:07 AM)

Ellen Carroll, staff: updates Commissioners on their near term schedule.

Jim Irving: will be absent January 23, 2014.

Ken Topping: comments on the final copy of the Dana Adobe DEIR.

CONSENT AGENDA: (09:09 AM)

a. October 10, 2013 draft Planning Commission minutes (09:09 AM)

Jim Irving: comments he was absent from this meeting, as well as Commissioner Campbell.

Whitney McDonald, County Counsel: suggests this item be pulled and placed on the next agenda since there is no quorum to vote on this item.

Jim Irving: requests Item a. be pulled and placed on the next agenda.

b. October 24, 2013 draft Planning Commission minutes (09:09 AM)

c. October 31, 2013 CANCELLED Planning Commission minutes (09:09 AM)

d. November 7, 2013 draft Planning Commission minutes (09:09 AM)

e. November 14, 2013 CANCELLED Planning Commission minutes (09:09 AM)

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Thereafter, on motion of Don Campbell, seconded by Tim Murphy, and on the following vote:

AYES: Commissioner(s) Don Campbell, Tim Murphy, Ken Topping, Jim Irving.

NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

the Commission approves Consent items b. through e.

HEARINGS: (09:10 AM)

1. Continued hearing to consider a request by ROY JONES for a Conditional Use Permit to allow major grading for construction of a creek crossing and widening of an existing access road; construction of a residential driveway, building pad for an approximately 2,300 square foot single-family residence; and construction of a retention pond to hold 3.1 acre feet of water. Additional site improvements proposed, include a septic system and extension of utility lines. The project will result in the disturbance of approximately 3.55 acres of an 80 acre parcel, including 19,313 cubic yards of cut and 16,095 cubic yards of fill. The proposed project is within the Rural Lands land use category and is located at 4263 California Canyon Highway (CA-58), approximately 13 miles east of the community of Santa Margarita. The project site is in the Las Pilitas (Rural) 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 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 October 9, 2013 for this project. Mitigation measures are proposed to address: Air Quality, Biological Resources, Geology/Soils, Hazards, Wastewater, and Water/Hydrology, and are included as conditions of approval. CONTINUED FROM 11/7/13. County File Number: DRC2012-00004 Assessor Parcel Number: 070-181-067 Supervisorial District No.: 5 Date Accepted: December 4, 2012 Xzandrea Fowler, Project Manager Recommend: Continue off calendar (09:10 AM)

Xandrea Fowler, Project Manager: explains reasoning for continuance request.

Thereafter, on motion of Tim Murphy, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Tim Murphy, Don Campbell, Ken Topping, Jim Irving.

NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

the Commission continues this item, off calendar.

2. Hearing to consider a request by the HEIGHTS AT VISTA DEL MAR, LLC for a Vesting Tentative Tract Map (Tract Map 3048) to subdivide an existing 48.74 acre parcel into 22 residential lots of approximately 1.0 to 2.0 acres in size, one 14.9-acre common open

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space parcel, and one 0.85-acre common lot (detention basin) for the purpose of sale and/or development. Building envelopes are proposed within each residential lot, ranging in size from approximately 0.24 to 1.3 acres. The project includes off-site road improvements to Castillo del Mar from its existing western terminus to Valley Road. The project will result in the disturbance of approximately 5.5 acres for infrastructure improvements of a 48.74 acre parcel with additional disturbance as the parcels are developed. The division will create two on-site roads. The proposed project is within the Residential Suburban land use category and is located adjacent to the southeastern boundary of the City of Arroyo Grande, north of the Falcon Ridge subdivision. The site is in the San Luis Bay (Inland) planning area. The Environmental Coordinator finds that the previously certified Final Environmental Impact Report (FEIR) is adequate for the purposes of compliance with CEQA. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the certified FEIR was prepared as the following conditions 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 FEIR 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; and 4) no new information of substantial importance which was not known or could not have been known at the time of the certified FEIR has been identified. County File No: SUB2012-00053 Assessor Parcel Number: 075-021-026 Supervisorial District: 4 Date Accepted: July 26, 2013 Stephanie Fuhs, Project Manager Recommend: Approve (09:12 AM)

Stephanie Fuhs, Project Manager: provides reasoning for changes to conditions and presents staff report via a power point presentation.

Shanna Scott, SWCA Environmental Consultants: explains final Environment Impact report in terms of requirements for subsequent environmental review.

Jason Blankenship, applicant's agent: explains the project proposal. States he would like to reserve the right to build a water tank. Comments on mitigations for the project. Comments that the option to buy the road expires in February.

Commissioners and applicant's agent: discuss parcel purchase, water tank, sphere of influence amendment in terms of annexation by LAFCO regarding water resources service.

Whitney McDonald, County Counsel: clarifies conditions for water services in regards to project presented today.

Jim Irving: opens Public Comment.

Daryl Berg, Nancy Loversky, Mark Vasquez, George Bekey, Shirley Bekey, and Theresa McClish: speak.

Jim Irving: comments on flexibility regarding design guidelines with Ms. McClish.

Stephanie Fuhs, Project Manager: addresses Public Comment issues.

Ellen Carroll, staff: requests Public Works staff explain how drainage review is submitted with Mr. Frank Honeycutt from Public Works replying.

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Jason Blankenship, applicant's agent; addresses Public Comment issues.

Whitney McDonald, County Counsel: provides reasoning for changes to Conditions 32 and 33. Discusses the issue of the water tank and the water supplier in terms of who will be using it.

Commissioners and staff: continue with deliberations.

Thereafter, on motion of Tim Murphy, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Tim Murphy, Don Campbell, Ken Topping, Jim Irving.

NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

the Commission approves Vesting Tentative Tract map 3048 based on the findings listed in Exhibit A and the conditions listed in Exhibit B and to rely upon the previously certified Final Environmental Impact Report (FEIR) for Vesting Tentative Tract Map 1789 and the attached Addendum prepared for the project.

3. [Hearing to consider a request by CYPRESS RIDGE L.P. for a Vesting Tentative Tract Map \(TR 2993\) and Conditional Use Permit to allow a cluster subdivision of two existing 20.78 and 40.02 acre parcels resulting in twenty-one parcels of one acre each for the purpose of sale and/or development and two open space parcels of 21.2 and 14.6 acres. The applicant has applied for a Transfer of Development Credit \(TDC\) to transfer nine \(9\) residential credits to the property. The project will result in the disturbance of approximately 40 acres of a 61-acre site as a result of the access drive, access trails, and future residences on the proposed parcels. The proposed project is within the Residential Rural \(RR\) land use category and is located at 852 Zenon Way, approximately 2,400 feet northeast of Callender Road, directly east of the community of Palo Mesa. The site is in the South County Inland 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 November 7, 2013 for this project. Mitigation measures are proposed to address Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Noise, Public Services/Utilities, Recreation, and Water/Hydrology, and are included as conditions of approval County File No: SUB2008-00028 APN\(s\): 075-351-022, -028 Supervisorial District: 4 Date Accepted: May 1, 2009 Brian Pedrotti, Project Manager Recommend: Approve \(11:16 AM\)](#)

Brian Pedrotti, Project Manager: presents staff report via a power Point presentation.

Cindy Chambers, agent: has concerns for Condition 12 requirement to provide a trail easement and provides reasoning.

Jim Irving: opens Public Comment. Christopher Carlsen, John McGee, and Elizabeth Kavanaugh: speak.

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Elizabeth Kavanaugh, Parks and Recreation: requests Condition 12 be changed to include "...and adjacent to Zenon Way....".

Brian Pedrotti, Project Manager: addresses concerns regarding traffic circulation and cites condition language into the record. Cindy Chambers, agent: takes issue with the trail easement requirement of the North/South easement since there are already existing trails.

Elizabeth Kavanaugh, Parks & Recreation: clarifies existing trails and provides reasoning why there is a request for the trail easement.

Commissioners and staff: begin their deliberations.

Thereafter, on motion of Tim Murphy, seconded by Ken Topping, and on the following vote:

AYES: Commissioner(s) Tim Murphy, Ken Topping, Don Campbell, Jim Irving.

NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

The Commission continues this item to January 23, 2014.

COMMISSION BUSINESS (01:02 PM)

The purpose of a study session is to provide information to the Planning Commission. No deliberations will occur and no decisions will be made by the Planning Commission at a study session. Public comment at a study session is at the discretion of the Planning Commission. (01:02 PM)

4. Study Session on General Plan Annual Progress Report for Fiscal Year 2012-13. (01:03 PM)

Mike Wulkan, staff: present study session information via a Power Point presentation.

Thereafter, on motion of Ken Topping, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Ken Topping, Don Campbell, Tim Murphy, Jim Irving.

NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

The Commission accepts all correspondence entered into the record.

Thereafter, on motion of Tim Murphy, seconded by Ken Topping, and on the following vote:

AYES: Commissioner(s) Tim Murphy, Ken Topping, Don Campbell, Jim Irving.

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NOES: None.

ABSENT: Commissioner(s) Eric Meyer.

The Commission adjourns to the next regularly scheduled meeting on January 9, 2014.

ADJOURNMENT: 3:09 PM

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission

Minutes approved at the 1/9/14 PC.

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THURSDAY, FEBRUARY 27, 2014

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 February 27, 2014 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.
(09:08 AM)

DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT DRAFT

ROLL CALL (09:08 AM)

PRESENT: Commissioner(s) Eric Meyer, Don Campbell, Jim Irving, Ken Topping, and Tim Murphy.

ABSENT:

2. Continued hearing to consider a request by CYPRESS RIDGE L.P. for a Vesting Tentative Tract Map (TR 2993) and Conditional Use Permit to allow a cluster subdivision of two existing 20.78 and 40.02 acre parcels resulting in twenty-one parcels of one acre each for the purpose of sale and/or development and two open space parcels of 21.2 and 14.6 acres. The applicant has applied for a Transfer of Development Credit (TDC) to transfer nine (9) residential credits to the property. The project will result in the disturbance of approximately 40 acres of a 61-acre site as a result of the access drive, access trails, and future residences on the proposed parcels. The proposed project is within the Residential Rural (RR) land use category and is located at 852 Zenon Way, approximately 2,400 feet northeast of Callender Road, directly east of the community of Palo Mesa. The site is in the South County Inland 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 November 7, 2013 for this project. Mitigation measures are proposed to address Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Noise, Public Services/Utilities, Recreation, and Water/Hydrology, and are included as conditions of approval. (CONTINUED FROM 12/12/13 & 1/23/14) County File No: SUB2008-00028 APN(s): 075-351-022, -028
Supervisory District: 4 Date Accepted: May 1, 2009
Brian Pedrotti, Project Manager Recommend approval
POST HEARING DETERMINATION: APPROVED
(09:28 AM)

Eric Meyer: reports he was not at the prior meeting but reviewed the video and is prepared to listen to testimony in order to make a decision.

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Tim Murphy: opens Public Comment

Debbie Peterson: speaks.

Cindy Chambers, agent: provides a Power Point presentation of the applicant's proposal.

Commissioners: begin deliberations.

Commissioners: discuss Ms. Peterson's Air Pollution Control District's (APCD) dust concern.

Ken Topping: would like the applicant's map added as an Exhibit.

Brian Pedrotti, Project Manager: states the applicant's map will now be titled as Exhibit A.

Brian Pedrotti: reads condition changes into the record.

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

AYES: Commissioner(s) Tim Murphy, Jim Irving, Eric Meyer, Don Campbell, Ken Topping.

NOES: None.

ABSENT: None.

The Commission adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Vesting Tentative Tract Map 2993 and Conditional Use Permit SUB2008-00028 based on the Tract Map Findings in Exhibit A -adding new Finding g. to read "g. The site was not an approved sending site, and also has a valid conservation easement recorded against the sending site."; and subject to Vesting Tentative Tract Map Conditions listed in Exhibit B - changing Tract Map Condition 12. to include "...consistent with Applicant Exhibit A)." at the end to the paragraph; changing Tract Map Condition 39 to strike the word "Department" and replace it with the word "Bureau" in reference to the Bureau of Real Estate; deleting the language "...not from any date of possible reconsideration action" from the end of the sentence of Condition 44.; and the Commission approves the Conditional Use Permit findings in Exhibit C - correcting the LUO Chapter referenced from 22.16.010 to 22.16.020.B2; and subject to the Conditional Use Permit Conditions in Exhibit D; adopted.

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission