

## Attachment 7 - January 23, 2014 Planning Commission Minutes

**THURSDAY, JANUARY 23, 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 January 23, 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. (09:07 AM)

ROLL CALL (09:07 AM)

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

ABSENT: Commissioner(s) Jim Irving.

FLAG SALUTE (09:07 AM)

PUBLIC COMMENT PERIOD (09:07 AM)

Craig Losee: speaks.

PLANNING STAFF UPDATES (09:09 AM)

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

CONSENT AGENDA: (09:11 AM)

HEARINGS: (09:11 AM)

1. Hearing to consider a request by RON RINELL & THE PEROZZI FAMILY TRUST for a Conditional Use Permit to allow for the construction and operation of a green waste composting facility. The facility would consist of two composting sites, approximately 4 acres in size each that would be contained with an earthen berm and would include holding ponds to contain drainage and runoff. The operation would consist of collecting and processing organic materials (i.e., tree waste, leaves, manure and similar feedstock) into a soil amendment material. The allowable daily maximum feedstock received would be 300 tons per day (equivalent of 500 cubic yards per day) and the allowable maximum volume of materials onsite for all operational phases (receiving, processing, windrows, curing, screening and storage) would be 41,441 cubic yards per day. The facility would operate Monday through Saturday between the hours of 9:00 AM and 3:00 PM, and would not be open to the public. The maximum allowable truck trips would be 150 per day. The project will result in the disturbance of approximately 8 acres, on three parcels totaling 630 acres, including 6,000 cubic yards of fill. The proposed project is within the Agriculture land use category and is located at 4400 Orcutt Road, adjacent to the City of San Luis Obispo. The site is located within the San Luis Obispo planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The

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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 December 19, 2013 for this project. Mitigation measures are proposed to address: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Geology and Soils, Hazards/Hazardous Materials, Noise, Public Services and Water/Hydrology 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: DRC2005-00211 APN(s): 044-011-003, -004 & -029

Supervisorial District No.: 3 Date Accepted: October 9, 2009

Xzandrea Fowler, Project Manager Recommend continue to 2/27/14

**POST HEARING DETERMINATION: CONTINUED TO 2/27/14**

(09:11 AM)

Xzandrea Fowler, Project Manager: presents reasoning for continuation request.

Tim Murphy: opens Public Comment. Has a speaker slip for Mary Johnson who is no longer present to speak.

**Thereafter, on motion of Don Campbell, seconded by Eric Meyer, and on the following vote:**

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

**NOES: None.**

**ABSENT: Commissioner(s) Jim Irving.**

**The Commission continues this item to February 27, 2014.**

- 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,

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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. County File No: SUB2008-00028 APN(s): 075-351-022, -028 Supervisorial District: 4 Date Accepted: May 1, 2009 Brian Pedrotti, Project Manager Recommend continue to 2/6/14

**POST HEARING DETERMINATION: CONTINUED TO 2/27/14**  
(09:12 AM)

Brian Pedrotti, Project Manager: presents reasoning for continuance request to February 27, 2014.

**Thereafter, on motion of Eric Meyer, seconded by Don Campbell, and on the following vote:**

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

**NOES: None.**

**ABSENT: Commissioner(s) Jim Irving.**

**The Commission continues this item to February 27, 2014.**

3. Hearing to consider a request by JACK LOPERENA for a Minor Use Permit/Coastal Development Permit to allow for the construction of a 3,097 square foot single family residence which includes 1) 1,097 square feet of living space; 2) 1,040 square foot basement; 3) 338 square foot mezzanine; 4) 242 square foot garage and 200 square foot carport; and, 5) 180 square foot covered deck. The proposed project is within the Residential Single Family land use category and is located on the west side of Studio Drive, adjacent to the State Parks property on the northern end of Studio Drive, approximately 250 feet south of the intersection of Studio Drive and Highway 1. The site is in the Estero 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 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, air quality, biological resources, geology and soils, noise, and water. Mitigation measures are proposed to address these impacts and are included as conditions of approval. There were no significant and unavoidable impacts associated with this project. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement for the hearing. Comments will be accepted up until completion of the public hearing(s).

County File No: DRC2005-00216 Assessor Parcel Number: 064-253-007

Supervisorial District: 2 Date Accepted: April 16, 2007

Ryan Hostetter, Project Manager Recommend approval

**POST HEARING DETERMINATION: CONTINUED TO APRIL 10, 2014**  
(09:13 AM)

Ryan Hostetter, Project Manager: introduces project team, Mike Phipps, Geologist, Shawna Scott, & Steve McMasters. Shows a Power Point presentation regarding the history of this project and outlines presentation.

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Michael Phipps, Geologist: presents and discusses environmental analysis, peer reviews, site reviews, and preparation of reports.

Ryan Hostetter, Project Manager: requests condition 1. h. be deleted and provides reasoning.

Commissioners: question staff before Public Comment begins.

Tim Murphy asks for ex-parte contacts: Don Campbell and Ken Topping disclose ex-parte contacts.

Cathy Novak, agent: presents applicant's proposal.

Bruce Elster, Project Engineer: presents a picture of the plans to address rock out-cropping.

Tim Murphy: opens Public Comment.

Eric Huth, Janet Arnold, Tracy Hermann, Carol Baptiste, Cynthia Sugimoto, Doreen Liberto-Blanck, Mark Foxx, John Kasunich, Kevin Elder, and Don Funk: speak.

Cathy Novak, agent: addresses Public Comment issues.

Bruce Elster, Project Engineer: addresses Public Comment.

Don Campbell: asks for clarification regarding cason bearings with Mr. Elder responding.

Steve McMasters, staff: addresses Public Comment.

Shanna Scott, SWCA: addresses Public Comment in terms of public outreach and a scoping meeting.

Ryan Hostetter, Project Manager: addresses Public Comment in terms of standards used by the Planning Department.

Commissioners: begin deliberations.

Ken Topping: for the record, provided a report regarding sea level rise by the State of California. Comments on this report and asks how the impact of a heightened wave against the sea wall would be effected. Notes the Local Hazard Mitigation Plan for a standard sea level projection of 4.6 feet.

Commissioners: deliberate whether or not this lot is on a coastal bluff.

Ken Topping: feels there is reason to consider an alternative design in terms of hazards from sea water rise, and/or catastrophic events. Prefers design alternative A with esthetic treatment on the western side.

Eric Meyer: likes pushing back the main floor so that it doesn't protrude over the beach.

Bruce Elster, Project Engineer: comments on being amenable to returning with a revised plan. Has concerns for the length of time the project has taken in terms of extending the

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length of time to return with a revised plan. Does not want to have another requirement for a new EIR. States the applicant will not ask for any variances.

**Thereafter, on motion of Ken Topping, seconded by Eric Meyer, and on the following vote:**

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

**NOES: None.**

**ABSENT: Commissioner(s) Jim Irving.**

**The Commission continues this item to April 10, 2014.**

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

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

**NOES: None.**

**ABSENT: Commissioner(s) Jim Irving.**

**The commission accepts all correspondence submitted into the record.**

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

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

**NOES: None.**

**ABSENT: Commissioner(s) Jim Irving.**

**The Commission adjourns to the next regularly scheduled Planning Commission meeting on February 6, 2014.**

**ADJOURNMENT: 3:42 PM**

Respectfully submitted,  
Ramona Hedges, Secretary  
SLO County Planning Commission  
***MINUTES APPROVED AT THE 4/10/14 PC***