

THURSDAY, JANUARY 8, 2015

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 8, 2015 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HOWEVER, HEARINGS GENERALLY PROCEED IN THE ORDER LISTED. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY. (08:58 AM)

ROLL CALL (09:00 AM)

PRESENT: Commissioner(s) Don Campbell, Eric Meyer, Jim Harrison, Jim Irving, and Kenneth Topping.

ABSENT:

FLAG SALUTE (09:00 AM)

PUBLIC COMMENT PERIOD (09:00 AM)

Ken Topping: opens Public Comment with no one coming forward.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON FOR 2015 (09:00 AM)

Thereafter, on motion of Jim Irving, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Jim Irving, Don Campbell, Eric Meyer, Jim Harrison.

NOES: None.

ABSENT: None.

The Commission elects Ken Topping as Chairman to the 2015 San Luis Obispo County Planning Commission.

Thereafter, on motion of Jim Irving, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Jim Irving, Don Campbell, Jim Harrison, Kenneth Topping.

NOES: None.

ABSENT: None.

The Commission elects Eric Meyer as Vice Chairman to the 2015 San Luis Obispo County Planning Commission.

PLANNING STAFF UPDATES (09:02 AM)

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

CONSENT AGENDA: (09:05 AM)

COMMISSION BUSINESS (09:07 AM)

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. (09:07 AM)

1. Study session on the County Renewable Energy Streamlining Program (RESP). The RESP is a request by the COUNTY OF SAN LUIS OBISPO to encourage the development of certain renewable energy projects in the most suitable locations in unincorporated inland areas of the county. This would be accomplished by amending portions of the County General Plan, the Land Use Ordinance, Title 22 of the County Code, and the Rules of Procedure to Implement the California Land Conservation Act of 1965. The proposed amendments would: 1) establish a Renewable Energy Combining Designation where the land use permitting of certain renewable energy projects is streamlined, for example, through the use of Site Plan Review in lieu of Minor Use Permits; 2) establish new performance standards that renewable energy projects must meet; and 3) revise the Rules of Procedure to Implement the Land Conservation Act of 1965 to allow certain renewable energy projects on contracted land. (09:07 AM)

Mike Wulkan, staff: introduces team, and team stake holders involved in this project. Reports the public hearing on this item will be held on January 22, 2015.

James Caruso, Project Manager: presents staff report via a Power Point presentation.

Tammy Seale, PMC: explains the EIR prepared for this project.

James Caruso, Project Manager: updates Commissioners on schedule of hearings for this item. Commissioners: begin questioning staff.

Ken Topping: opens Public Comment.

Eric Greening, David Chipping, Eric Veium, and Susan Harvey: speak.

Trevor Keith, staff: explains constraints in timelines for the review and adoption process.

HEARINGS:

2. Hearing to consider a request by FRED KERR for a conditional use permit to: 1) amend development plan D000195D/ S000136L/COAL00-0292 to shift a designated building envelope by approximately 30 feet to the east, and 2) allow the development of a 1,564 square foot garage and guesthouse within the adjusted building envelope pursuant to Title 22 Section 22.30.410. The existing building envelope was established by the original development plan (D000195D) and included as a condition of approval of the lot line adjustment (as approved by the Subdivision Review Board at that time). The new building

envelope will not increase the development potential of the site. The proposed 1,564 square foot structure includes a 1,142 square foot garage and 422 square foot guesthouse, and will be located adjacent to the existing single family residence. The previously approved Mitigated Negative Declaration will also be considered as applicable to this project. The proposed project is within the Rural Lands land use category and is located at 9250 North Forty Road, west of the village of Garden Farms. The project site is in the Salinas River Sub Area of the North County Planning Area. The Environmental Coordinator found that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA dated November 2, 2001. County File Number: DRC2014-00025 Assessor Parcel Number: 070-112-017 Supervisorial District: 5 Date Accepted: September 3, 2014 Rob Fitzroy, Project Manager Recommendation: Approve

Rob Fitzroy, Project Manager: presents staff report via a Power Point presentation.

Ken Topping: asks Commissioners if they have questions of staff with no Commissioners having questions. Opens Public Comment with no one coming forward.

Craig Smith, agent: explains proposed project and discusses minor input items such as why the building envelope is being shifted.

Commissioners: begin deliberating proposal.

Jim Orton, County Counsel: explains noticing procedures and an amendment to go with the recorded agreement.

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

AYES: Commissioner(s) Don Campbell, Eric Meyer, Jim Harrison, Jim Irving, Kenneth Topping.

NOES: None.

ABSENT: None.

The Commission approves DRC2014-00025 to adjust the existing development envelope and to construct a 1,564 square foot garage based on the findings listed in Exhibit A and the conditions listed in Exhibit B; adopted

3. Continued hearing to consider a request by LAS PILITAS RESOURCES LLC for a Conditional Use Permit and Reclamation Plan to allow mining and the phased reclamation of 41 acres on an approximately 234 acre site. The applicant is requesting a maximum annual production rate of 500,000 tons, a portion of which will be recycled asphalt and Portland cement concrete. The project also includes a request to waive the ordinance requirement of Section 22.30.080.A. which limits recycling facilities in the Rural Lands Category to only when in conjunction with an approved waste disposal site and a request to waive the ordinance requirement of Section 22.30.560.B.2.b. which requires storage yards to be screened from public views. The site is in the North County Planning Area, Las Pilitas Sub Area, within the EX1 (Extractive Resource Area) combining designation. Also being considered is certification of the Final Environmental Impact Report and CEQA overriding considerations for significant and unavoidable impacts. The proposed project is

within the Rural Lands land use category and is located at 6660 Calf Canyon Road (north side of Highway 58), east of the Salinas River Bridge and approximately 1/4 mile west of the Parkhill Road intersection, east of the community of Santa Margarita. 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: Aesthetics and Visual Resources, Agricultural Resources, Air Quality, Greenhouse Gases, Biological Resources, Geology, Hazards and Hazardous Materials, Noise, Public Services and Utilities, Recreation, Transportation and Circulation, Wastewater, and Water Quality and Supply. Mitigation measures are proposed to address these impacts and would be included as conditions of approval and overriding considerations would be necessary based on significant and unavoidable impacts associated with Aesthetics and Visual Resources, Noise, and Transportation and Circulation. 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). (Cont'd from the 12/11/14 Planning Commission Hearing). CONTINUED FROM 12/11/14. County File Number: DRC2009-00025 APN(s): 070-141-070 / 071 Supervisorial District: 4 Date Accepted: June 29, 2010 Murry Wilson, Project Manager Recommend Denial (10:20 AM)

Commissioners: disclose ex-parte contacts.

Ken Topping: allows speakers who were unable to speak at the 12/11/14 hearing to speak.

Rex Swan, Jeannette Watson, Samadhy Koots, Ben CosKo, Michelle Blasingame, Sally Spears and Sherry Martinez: speak

Ken Topping: opens regular Public Comment.

Julie Stuart, Ron Ross, John French, Robert Reghetti, Martin Murquia, Greg Morris, Leslie Halls, John Joyner, Steve Ingels, Susan Harvey, Bettina Salter, Ed Goshorn, Dale Carr, Blake Finnegan, Guy Rathbun, Thomas Smith, Ted Mathiesen, Peg Grady, Angela West, Michael Gille, Jill Gallagher, Cheri Roe, Eric Greening, Nick Thille, Richard Gayou, Charles Kleeman, Babak Naficy, Joe Fariss, Tina Ballentyne, Alan Volbrecht, James Swan, Lindsey Mitchell, Linda Peterman, Miranda Joseph, Don Lampson, Lauren Fontes, Joe Patterson, Jori Clarke, Carolina Van Stone, Jim Joffe, C. Z. Whitney, Gwyen Pelfrey, Buch Pope, Bill Borgsmiller, Tamara Kleeman, and Zoe Doty: speak.

Sophie Treder, attorney representing applicant: addresses public testimony with a Power Point presentation.

Ellen Carrol, staff: introduces new Project Manager, Rob Fitzroy, Environmental Specialist.

Rob Fitzroy, Project Manager discusses Surface Mining and Reclamation Act designation process, and addresses public Comment.

Whitney McDonald, County Counsel: provides an overview of the Surface Mining and Reclamation Act (SMARA) and Designation process.

Sophie Treder, attorney representing applicant: addresses Ms. McDonald's SMARA presentation.

Rob Fitzroy, Project Manager: continues on presenting staff report in terms of concerns raised about aggregate shortfalls indentified in SR215 via a Power Point presentation.

Steve McMasters, staff: discusses required project findings.

Frank Honeycutt, Public Works: discusses traffic impacts.

Commissioners: continue deliberating. Discuss the likelihood of a continuance of this project because of the time left remaining to make finding.

Thereafter, on motion of Jim Irving, seconded by Eric Meyer, and on the following vote:

AYES: Commissioner(s) Jim Irving, Eric Meyer, Don Campbell, Jim Harrison, Kenneth Topping.

NOES: None.

ABSENT: None.

The Commission continues this item to February 5, 2015.

Thereafter, on motion of Jim Irving, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Jim Irving, Don Campbell, Eric Meyer, Jim Harrison, Kenneth Topping.

NOES: None.

ABSENT: None.

the Commission accepts all correspondence entered into the record.

Thereafter, on motion of Jim Irving, seconded by Don Campbell, and on the following vote:

AYES: Commissioner(s) Jim Irving, Don Campbell, Eric Meyer, Jim Harrison, Kenneth Topping.

NOES: None.

ABSENT: None.

The Commission adjourns to the next regularly scheduled meeting on January 22, 2015.

ADJOURNMENT: 5:00 pm

Respectfully submitted,
Ramona Hedges, Secretary
SLO County Planning Commission

