



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

April 23, 2015

Sierra Club  
PO Box 15755  
San Luis Obispo, CA 93406

California Flats Solar, LLC  
Attn: John Gaglioti  
135 Main St. 6<sup>th</sup> Floor  
San Francisco, CA 94105

Denis Duffy Assoc.  
Attn: Tyler Potter  
947 Cass St. Ste. 5  
Monterey, CA 93940

**SUBJECT: APPEAL OF CA FLATS SOLAR LLC.  
COUNTY FILE NUMBER: DRC2014-00016  
HEARING DATE: APRIL 9, 2015\_PLANNING COMMISSION**

We have received your request on the above referenced matter. In accordance with County Real Property Division Ordinance Section 21.04.020, Land Use Ordinance Section 22.70.050, and the County Coastal Zone Land Use Ordinance 23.01.043, the matter will be scheduled for public hearing before the Board of Supervisors. A copy of the appeal is attached.

The public hearing will be held in the Board of Supervisors' Chambers, County Government Center, San Luis Obispo. As soon as we get a firm hearing date and the public notice goes out you will receive a copy of the notice.

Please feel free to telephone me at 781-5718 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Nicole Retana".

Nicole Retana, Secretary  
County Planning Department

CC: Rob Fitzroy Project Manager  
Steve McMasters, Supervisor  
Whitney McDonald, County Counsel

976 OSOS STREET, ROOM 300 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600

EMAIL: [planning@co.slo.ca.us](mailto:planning@co.slo.ca.us) • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>



# INLAND APPEAL FORM

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING  
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

Promoting the Wise Use of Land • Helping to Build Great Communities

Please Note: An appeal should be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

PROJECT INFORMATION Name: CA Flats Solar LLC File Number: DRC 2014-00016

Type of permit being appealed:

- Plot Plan
- Site Plan
- Minor Use Permit
- Development Plan/Conditional Use Permit
- Variance
- Land Division
- Lot Line Adjustment
- Other: \_\_\_\_\_

The decision was made by:

- Planning Director (Staff)
- Building Official
- Planning Department Hearing Officer
- Subdivision Review Board
- Planning Commission
- Other \_\_\_\_\_

Date the application was acted on: \_\_\_\_\_

The decision is appealed to:

- Board of Construction Appeals
- Board of Handicapped Access
- Planning Commission
- Board of Supervisors

### BASIS FOR APPEAL

State the basis of the appeal. Clearly state the reasons for the appeal. In the case of a Construction Code Appeal, note specific code name and sections disputed). (Attach additional sheets if necessary)

See attached

List any conditions that are being appealed and give reasons why you think it should be modified or removed.

Condition Number \_\_\_\_\_ Reason for appeal (attach additional sheets if necessary)

### APPELLANT INFORMATION

Print name: SIERRA CLUB  
 Address: PO Box 15755, SAN LUIS Obispo CA 93406  
 Phone Number (daytime): 805-543-8717

We have completed this form accurately and declare all statements made here are true.

Ashley Christa \_\_\_\_\_  
 Signature Date 4/23/15

2015 APR 23 PM 2:36  
SLO COUNTY  
PLANNING/BUILDING  
DEPT

### OFFICE USE ONLY

Date Received: 4/23/15 By: DAR  
 Amount Paid: \$850.00 Receipt No. (if applicable): 001513

INLAND APPEAL FORM  
SAN LUIS OBISPO COUNTY PLANNING & BUILDING  
SLOPLANNING.ORG

PAGE 2 OF 2  
JULY 1, 2010  
PLANNING@CO.SLO.CA.US

## ATTACHMENT 2

The Project (including road improvements) has the potential to induce growth by introducing industrial development and disturbance in a previously pristine area. The EIR should address the "ways in which the proposed project could foster economic or population growth...." CEQA Section 15126.2(d). The project and access improvement could facilitate other activities that could significantly affect the environment. The project will reset the baseline for consideration of impacts to threatened and endangered species, will impact the potential for species recovery. "It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment" per CEQA 15126.2(d).

The County should determine to what extent the road will be an impediment to wildlife corridors or impact the natural flow of water, and if it will be fenced.

The applicant should provide the conservation easements (B-1 (a)). Providing funds for acquisition of conservation easements is not sufficient.

**Mitigation Ratios for Wetland Habitat:** Permanent fill for road crossings should be mitigated at 2:1 similar to the 2:1 mitigation for permanent fill for project site. Temporary road access lasting longer than 1 year should be mitigated at 1:1, as is the permanent access. unrestored for more than one rainy season should be mitigated at a rate of 1:1. Temporary dewatering of wetlands by new construction wells should be mitigated at 2:1. Permanent dewatering should be mitigated at 3:1.



**San Luis Obispo County Department of Planning and Building**  
 County Government Center      San Luis Obispo, California 93408      Telephone: (805) 761-5600

4/23/2015  
2:38:43PM

**Receipt #: 282014000000001513**  
**Date: 04/23/2015**

**Line Items:**

Case No	Last Name	Tran Code	Description	Revenue Account No	Amount Paid
		APPEAL	Appeal to Board of Supervisors Fee -	1420000-1000000000-142S23	850.00
			PDA -4350106		
			<b>Line Item Total:</b>		<b>\$850.00</b>

**Payments:**

Method	Payer	Bank No	Account No	Confirm No	How Received	Amount Paid
Check	SIERRA CLUB SANTA LUCIA CHAPTER		1419		In Person	850.00
					<b>Payment Total:</b>	<b>\$850.00</b>
					Balance	