

Thursday, July 23, 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 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. Hearings generally proceed in the order listed, unless changed by the Planning Commission at the meeting.

ROLL CALL:

PRESENT: Kenneth Topping; Eric Meyer; James Harrison; and Don Campbell

ABSENT: Jim Irving

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Commission on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

Ken Topping: opens Public Comment.

Eric Greening: speaks.

PLANNING STAFF UPDATES

2. This is the time set for Planning Staff updates.

Steve McMasters: staff: updates Commissioners on their near term schedule.

Ken Topping: asks about August 13th in regards to the Starbucks appeal which was moved to August 27. Asks for any information on the Phillips 66 proposal with Ryan Hostetter stating they are working on publication of the final EIR. Once published it will take a minimum of a month to be heard.

Jim Harrison:: would like to know more about Monarch Dunes with Mr. Jay Johnson responding.

CONSENT AGENDA:

3. May 29, 2015 draft Planning Commission minutes

4. AGP2014-00004 - Proposal by McCrea Ranch to alter the boundaries of an Agricultural Preserve,

rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property includes approximately 2345 acres and is located in the Agriculture land use category at 2121 Shedd Canyon Road approximately 2.0 miles south west of the community of Shandon, in the Shandon-Carriso Planning Area. Also to be considered is the approval of the environmental document. A Class 17 Categorical Exemption was issued for the application.

County File Number: AGP2014-00004
 Assessor Parcel Number: 019-171-024, 028, 029, 033, 034, 035, 036, 037, 038
 Supervisorial District 1 Date Accepted March 3, 2015
 Project Manager: Terry Wahler Recommend: Board of Supervisors approval

- 5. AGP2014-00005 - Proposal by Anderson-Middleton to amend an Agricultural Preserve by altering the boundaries and changing the minimum parcel size of the land to be added; and to amend an existing land conservation contract by adding land. The property includes approximately 2,556 acres and with the added 17 acres will equal approximately 2,573 acres. The subject parcel is located in the Agriculture land use category south of Highway 46, west of Shed Canyon and approximately 3.5 miles west of the community of Shandon, in the North County / Shandon-Carriso Sub-area planning area. Also to be considered is the approval of the environmental document. A Class 17 Categorical Exemption was issued for the application.

County File Number: AGP2014-00005 Assessor Parcel Number: 019-171-021, 022, 023 & 038
 Supervisorial District: 1 Date Accepted March 3, 2015
 Project Manager: Terry Wahler Recommend: Board of Supervisors approval

- 6. AGP2014-00009 - Proposal by the Garcia Trust to amend the boundaries of an Agricultural Preserve, rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property consists of approximately 320 acres located within the Agriculture land use category, at 1749 Morro Creek Road, approximately 2.5 miles northeast of the city of Morro Bay. The site is in the North County-Adelaida planning area. Also to be considered is the approval of the environmental document. A Class 17 categorical exemption was issued for the application.

County File Number: AGP2014-00009 Assessor Parcel Nos: 046-201-009 and 073-092-048
 Supervisor District 2 Date Accepted: May 5, 2015
 Project Manager: Terry Wahler Recommend: Board of Supervisors approval

- 7. AGP2014-00010 - Proposal by the Garcia Trust to amend the boundaries of an Agricultural Preserve to add land and rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property consists of

approximately 138.5 acres located within the Agriculture land use category, at 1710 Toro Creek Road approximately 2.5 miles northeast of the city of Morro Bay. The site is in the North County-Adelaida planning area. Also to be considered is the approval of the environmental document. A Class 17 categorical exemption was issued for the application.

County File Number: AGP2014-00010
 Assessor Parcel Numbers: 073-092-026 and 073-092-048
 Supervisorial District: 2 Date Accepted March 3, 2015
 Project Manager: Terry Wahler Recommend: Board of Supervisors approval

- 8. AGP2014-00011 - Proposal by the Garcia Trust to amend the boundaries of an Agricultural Preserve, rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract. The property consists of approximately 40.5 acres located within the Agriculture land use category, at 1750 Morro Creek Road approximately 2.5 miles northeast of the city of Morro Bay. The site is in the North County-Adelaida planning area. Also to be considered is the approval of the environmental document. A Class 17 categorical exemption was issued for the application.

County File Number: AGP2014-00011 Assessor Parcel Number: 073-092-049
 Supervisorial District: 2 Date Accepted March 5, 2015
 Project Manager: Terry Wahler Recommend: Board of Supervisors approval

- 9. AGP2014-00012 - Proposal by James Procter to establish an agricultural preserve to enable the applicant to enter into a land conservation contract. The property consists of approximately 331 acres located within the Rural Lands land use category at 2980 Atascadero Road, on the southern side of Atascadero Road at its intersection with Bear Ridge Road, approximately 4.5 miles east of the City of Morro Bay. The site is in the North County / Salinas River Sub-area planning area. Also to be considered is the approval of the environmental document. A Class 17 categorical exemption was issued for the application.

County File Number: AGP2014-00012 Assessor Parcel Number: 073-011-059 & 060
 Supervisorial District: 2 Date Accepted March 3, 2015
 Project Manager: Terry Wahler Recommend: Board of Supervisors approval

Thereafter on **Motion by:** Eric Meyer, **Second by:** James Harrison, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Ken Topping	X			
James Harrison	X			
Eric Meyer	X			
Don Campbell	X			

The Commission approves Consent Item 3, and recommends the Board of Supervisors approve

Consent Items 4-9.

HEARINGS: (Advertised for 9:00 a.m.)

- 10. Hearing to consider a request by **GOLDEN STATE WATER COMPANY** for a Development Plan / Coastal Development Permit to allow for the construction of a new 400-foot deep (lower-aquifer) domestic community well. The project site is in the Commercial Service land use category and is located at 1140 Los Olivos Avenue, in the community of Los Osos. The site is in the Estero planning area. Also to be considered is the approval of the environmental document. A Class 3 categorical exemption was issued for the project.

County File Number: DRC2014-00143
 Supervisorial District: 2
 Project Manager: Megan Martin

Assessor Parcel Number: 074-291-010
 Date Accepted: June 16, 2015
Recommend: Approval

Megan Martin, Project Manager: presents staff report via a Power Point presentation. Reports amendments to Condition 7.a., b., and c., should read coordination with County Public Works Department.

Patrick Vowel: Engineer for Golden State Water: explains well support for the flow rate and how much will be pulled annually.

Don Campbell: asks if technology has been utilized to sound the site with Mr. Vowel responding.

Megan Martin, Project Manager: explains litigation/adjudication happening within the neighborhood.

Jim Harrison: comments on sea water intrusion with Mr. Vowel responding.

Megan Martin, Project Manager: shows graphic of Zones in terms of location of wells.

Don Campbell: is concerned about limits of well drilling with Mr. Vowel responding with anticipated well depth drilling.

Patrick Vowell, Golden State Water Quality Engineer: presents a Power Point presentation.

Eric Meyer: asks if the applicant is comfortable with the conditions as listed especially in terms of the limitation on depth level drilling with Mr. Vowell responding.

Megan Martin, Project Manager: states conditions can be changed to add "an approximately ___ foot well" with Commissioner Campbell being in agreement.

Thereafter on **Motion by:** Eric Meyer, **Second by:** Don Campbell, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Ken Topping	X			
James Harrison	X			
Eric Meyer	X			

Don Campbell	X			
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The Commission approves Development Plan DRC2014-00143 based on the findings listed in Exhibit A and the conditions listed in Exhibit B, including the amendment to add “County Public Works Department” to Condition 7. a., b., and c.; adopted.

- 11. Request by Private Capital Investments for a Conditional Use Permit to increase the number of senior apartments to 40 units from the approved 36 units. The proposal amends the original Conditional Use Permit (DRC2013-00003) by dividing the approved single building into two buildings and reconfiguring the parking lot design. The project will result in the disturbance of approximately 1.08 acres. The proposed project is located on the east side of Mary Avenue, in the community of Nipomo. The site is in the South County Inland planning area. Also to be considered is reliance on the Negative Declaration that was previously adopted on February 3, 2014.

County File Number: DRC2014-00153
 Supervisorial District: 4
 Project Manager: Brian Pedrotti

Assessor Parcel Number: 092-572-057
 Date Accepted: June 23, 2015
 Recommend: Approval

Commissioners: disclose their ex-parte contacts.

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

Jim Harrison: would like clarification on what will happen to the vacant lot nearby with Mr. Pedrotti responding.

Don Campbell: asks about the parcel with the red line around it with Mr. Pedrotti responding.

Todd Smith, agent: explains project proposal.

Commissioners: begin questioning agent about proposal.

Todd Smith, agent: referring to Condition 3, feels this was compliant with W. Tefft corridor and provides reasoning. Would like this to be modified to allow further flexibility and provides reasoning.

Brian Pedrotti, Project Manager: shows revision language on screen for Condition 3 with Commissioners input.

Jim Harrison: referring to Pg. 11-4 in terms of landscaping -would clarification on proposed landscaping with Mr. Smith responding.

Eric Meyer: discusses sidewalk improvements in terms of being contiguous with Mr. Pedrotti explaining the street plan profile.

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

Travis Craig, Cal Fire: explains concerns about the applicant’s fire safety plan.

Jim Harrison: asks if Cal Fire has reserve training in emergency medical service to respond to second calls coming in with Mr. Craig responding. Asks about response time with Mr. Craig stating it

approximately 8-10 minutes and provides further reasoning. Further states mutual aid from the City of Santa Maria call response time is 10-12 minutes.

Don Campbell: speaking in regards to future assisted living next door asks if there is a requirement for EMT training with Mr. Craig responding.

Jim Harrison: compliments Cal Fire on their work.

Eric Meyer: states the West Tefft Design Guidelines need clarification in terms of conditions applied.

Brian Pedrotti, Project Manager: explains design guidelines in terms of this proposal and the options involved. Reads Condition 3 language into the record.

Thereafter on **Motion by:** James Harrison, **Second by:** Eric Meyer, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Ken Topping	X			
James Harrison	X			
Eric Meyer	X			
Don Campbell	X			

The Commission considers and relies on the Negative Declaration that was previously adopted on original adoption date and approves condition Use Permit DRC2014-00153 based on the findings listed in Exhibit A, and the Conditions listed in Exhibit B, adding the sentence “...or shall show the front setback as zero with the third story setback as 20 feet, in compliance with the West Tefft Corridor Design Plan; adopted.

Thereafter on **Motion by:** Don Campbell, **Second by:** Eric Meyer, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Ken Topping	X			
James Harrison	X			
Eric Meyer	X			
Don Campbell	X			

The Commission accepts all testimony and correspondence entered into the record.

Thereafter on **Motion by:** Eric Meyer, **Seconded by:** Don Campbell, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Ken Topping	X			
James Harrison	X			

Eric Meyer	X			
Don Campbell	X			

The Commission adjourns to July 30, 2015.

ADJOURNMENT: 12:00 PM

Respectfully submitted,
Ramona Hedges, Secretary
San Luis Obispo County Planning Commission

Minutes approved at the xx/xx/xx Planning Commission meeting.