

Thursday, September 24, 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: Jim Irving; Kenneth Topping; and Don Campbell

ABSENT: James Harrison and Eric Meyer

PUBLIC COMMENT PERIOD

- 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

- This is the time set for Planning Staff updates.
Ellen Carroll, staff: updates Commissioners on their near term schedules.

CONSENT AGENDA:

- July 23, 2015 draft Planning Commission minutes

Thereafter on **Motion by:** Don Campbell, **Second by:** Ken Topping, and on the following vote, the Commission approves Consent Item 3.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James				
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric				
Topping, Ken	x			

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

- Hearing to consider a request by PROMESA & VERIZON WIRELESS for a Conditional Use Permit (DRC2014-00122) to allow the installation of a wireless communication facility consisting of: (1) 175

square foot equipment shelter; (2) GPS units, (1) standby generator, (1) electrical meter, (1) 100' tall monoecalyptus tree, (12) 6' panel antennas, (9) remote radio heads (RRHs) and (4) raycaps all located at the 84 foot and 92 foot elevations on the 95 foot tall tower, and an 8' chain link fence around the entire 35'X40' lease area. The project will result in the disturbance of approximately 1,400 square feet on a 50.34 acre parcel. The proposed project is within the residential rural land use category and is located on the south side of 1049 Dawn Rd, north of Camino Caballo, south of the community of Arroyo Grande. The site is in the South County Inland sub area of the South County 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 July 9, 2015 for this project. Mitigation measures are proposed to address Aesthetics and are included as conditions of approval.

County File Number: DRC2014-00122
 Supervisorial District: 4
 Project Manager: James Caruso

Assessor Parcel Number: 091-232-030
 Date accepted: April 24, 2015
 Recommendation: Withdrawl

This item has been withdrawn.

5. Hearing to consider a request by DLP AG PARTNERSHIP, L.P. for a Conditional Use Permit (DRC2013-00113) to allow for the phased development of wine production facility and tasting room/hospitality facility as well as a special event program. At buildout the winery would total 17,408 sf and the tasting room/hospitality facility would total 5,063 sf. Events are proposed to include 20 events per year with a maximum of 150 attendees and additional wine industrywide and non-profit events. The request also includes amplified music past 5 PM. The project will result in the disturbance of approximately 3.0 acres on a 42.28 acre parcel. The proposed project is located in the Agricultural land use category and is located on the north side of Adelaida Road (3590 Adelaida Road) approximately 3 miles west of the City of Paso Robles, in the Adelaida Sub Area of the North County Planning Area. Also to be considered is hte approval of the environmental document. A Mitigated Negative Declaration was issued on August 6, 2015.

County File Number: DRC2013-00113
 Supervisorial District: 1
 Project Manager: Holly Phipps

Assessor Parcel Number: 026-233-036
 Date Accepted: July 16, 2014
 Recommendation: Approval

Holly Phipps, Project Manager: presents staff report via a Power Point presentation.

Jamie Kirk, agent: shows a Power Point presentation.

Commissioners: discuss proposal with the agent.

Ken Topping: opens Public Comment.

Marilyn Hansen, Gianni Manucci, John Pokrajac, Shana Reiss, Devin Best, Rob Miller, Eric Greening, Nicolo Lekeu, and David Parrish: speak.

Commissioners: begin deliberating proposal with staff.

Glen Marshall: explains construction times anticipated, collision history. Discusses speed limit signs and how the process is evaluated to install them. Speaks to enforcement on the roadway.

Whitney McDonald, County Counsel: discusses speed trap laws in terms of the statutory process explained by Mr. Marshall.

Commissioners and staff: discuss notification to CHP in regards to traffic violations in the Adelaida area.

Karen Nall, staff: discusses hours of construction in terms of how this requirement is applied.

Commissioners: begin deliberating proposal.

Glenn Marshall, Public Works: explains data is collected from Adelaida Road and this determines traffic and the amounts of such. Will research and come back with more information.

Don Campbell: explains to the public how to make changes to the General Plan in terms of contacting the Board of Supervisors.

Rob Miller, applicant's engineer: explains the proposals water treatment plan.

Jim Irving: has concerns for amplified music after 5 PM.

Ken Topping: would like to know if the noise study took into consideration the area's topography with Ms. Carroll responding.

Commissioners: deliberate on the time to cut off amplified music, enforcibility of this.

Don Campbell: is agreeable to the cut off time of 7:00 PM rather than 5:00 PM.

Commissioners: begin discussing Condition 1. C and d in terms of number of events. Condition 1. B. Condition language worked on.

Whitney McDonald, County Counsel: suggests deletion of Finding G in terms of modifications of conditions.

Ken Topping: for the record suggests that a study session is set up to address commissioners' concerns with Planning & Building standards with winery development, specifically related to events. Would like a workshop on this subject.

Ellen Carroll, staff: will carry this message back to the Planning Director to address Chairman Topping's concern.

Jim Irving: suggests a joint study session of the Board of Supervisors and the Planning Commission to review events and non events in the rural areas and would like this session scheduled.

Glenn Marshall, Public Works: provides traffic counts in the Adelaida area.

Thereafter on **Motion by:** Jim Irving, **Second by:** Ken Topping, and on the following vote

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James				
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric				
Topping, Ken	x			

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 Conditional Use Permit DRC2013-00113 based on the findings listed in Exhibit A, deleting Finding G, and subject to the Conditions listed in Exhibit B, changing Condition 1. b) to add language “...(including 2 non-profit events with up to 200 guests); changing Condition 1. c) to read “1. c) This approval authorizes up to 3 periodic industry-wide events by ordinance.” Deleting Condition 1. d); Adding new Condition 6 to read: “6. At the time of application for construction permits, the applicant shall submit plans to the Department of Public Works to secure an Encroachment Permit to reconstruct the primary access driveway in accordance County Public Improvement Standard B-1e & A-5, and the secondary access driveway to B-1 & A-5 rural driveway standards. All existing encroachments including fences, landscaping, etc that impair sight distance shall be removed from within the right-of-way.” Renumbering conditions appropriately; Changing Condition 13. To add the sentence “Lights shall have timers and be turned off flowing close of business.”; Deleting Condition 30. a), b), c) and d). Adopted.

- 6. Hearing to consider a request by FRANK MAZZONE for an amendment to the San Luis Bay (Inland) Area Plan of the Land Use Element (LRP2013-00016) to change the land use category from Agriculture (16.74 acres) to Residential Rural. A Planning Area Standard is also proposed which will limit any future subdivision to two parcels and prohibit secondary residences. The project site is located at 6505 Monte Road, San Luis Obispo on the east side of Highway 101 at the intersection of San Luis Bay Drive and Monte Road, approximately 3 miles south of the City of San Luis Obispo, in the San Luis Obispo Sub Area North of the San Luis Obispo Planning Area. Also to be considered is the approval of the environmental document. A General Rule Exemption was issued on August 20, 2015.

County File No: LRP2013-00016
 Supervisorial District: 3
 Project Manager: Holly Phipps

Assessor Parcel Number: 076-251-044
 Date Authorized: September 23, 2014
 Recommendation: Approval

Holly Phipps, Project Manager: presents staff report via a Power Point presentation.

Ken Topping: asks for ex-parte contacts with none being disclosed.

Jamie Kirk, agent: shows a Power Point presentation regarding proposal.

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

Thereafter on **Motion by:** Don Campbell, **Second by:** Jim Irving, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James				
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric				
Topping, Ken	x			

The Commission recommends the Board of Supervisors approve this general plan amendment as shown in Exhibits LRP2013-00016 B and C, based on the recommending findings contained in the staff report.

7. Hearing to consider a request by the FOOD BANK COALITION OF SLO COUNTY for a Conditional Use Permit (DRC2015-00013) to: 1) modify a specific condition of approval (Condition 48 –height limits) relating to a portion of Lot 11 of Tract 2368, and 2) construct a two-story, 19,664 square foot warehouse, including 3,520 square feet of administrative offices on Lot 11. The project will result in 2.86 acres of disturbance of the 3.03 acre parcel. The proposed project is within the Commercial Service land use category and is located at 1180 Kendall Road, south of the City of San Luis Obispo. The site is in the San Luis Obispo urban subarea of the San Luis Obispo planning area. The Environmental Coordinator found that the previously adopted Mitigated Negative Declaration is adequate for the purposes of compliance with CEQA. Per State CEQA Guidelines (Sec. 15164(a), Sec. 15162) an Addendum to the adopted Mitigated Negative Declaration 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 Mitigated Negative Declaration 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; 4) no new information of substantial importance which was not known or could not have been known at the time of the adopted Mitigated Negative Declaration has been identified. No new mitigation measures have been proposed.

County File Number: DRC2015-00013
 Supervisorial District: 3
 Project Manager: Stephanie Fuhs

Assessor Parcel Number: 076-512-011
 Date Accepted: August 19, 2015
 Recommendation: Approval

Stephanie Fuhs, Project Manager: presents staff report via a Power Point presentation.
 Commissioners: begin questioning staff.

Ken Topping: opens Public Comment.

Rachel Koveski, agent provides information regarding proposal.

Carl Hanson: speaks.

Commissioners: begin their deliberations.

Wendy Lewis, Food Bank Coalition: further provides reasoning for consolidation to one central hub.

Commissioners: begin their deliberations.

Mike Peachy, architect: explains concept of “fixed fins” on windows which shields light spillage towards other properties.

Ken Topping: would like a condition to address the window design.

Thereafter on **Motion by:** Jim Irving, **Second by:** Don Campbell, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James				
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric				
Topping, Ken	x			

The Commission considers and finds Conditional Use Permit DRC2015-00013 consistent with the Mitigated Negative Declaration that was previously adopted on August 14, 2003 for Tract 2363, and approves Conditional Use Permit DRC2015-00013 based on the findings listed in Exhibit A, and subject to the Conditions listed in Exhibit B, changing Condition 1. A. to read: “1. a. Waiver of the second story height restriction imposed by Conditional Use Permit S00007U for Tract 2368 to allow a proposed warehouse to have a second story for administrative offices within the allowed 25 feet height limit.” Changing Condition 2. C. to add the sentence: “2. C. The warehouse that will be located on the portion of Lot 11 (Parcel 1 of CO15-0041) may be two stories. The remainder of Lot 11 (Parcel 2 of CO15-0041) will need to comply with the original condition and shall be 25 feet maximum and a single story unless a new land use permit is applied for and approved by the Planning Commission.”; Changing the first and second sentences of Condition 2. D. to read: “2. D. Windows: The two windows shown on the proposed elevations for the portion of Lot 11 where the warehouse will be located shall be allowed. Windows shall be prohibited on those portion of the proposed buildings on the remainder of Lot 11 and on Lot 12, located along the northeastern edge of the lots neighboring residential use(s).; Changing Condition 20. To read “20. The maximum height of the project is 25 feet from average natural grade.”; Adopted.

8. Hearing to consider a request by AT&T COMMUNICATIONS AND T-MOBILE for a Conditional Use Permit (DRC2014-00159) to allow for the construction and operation of an unmanned wireless communications facility consisting of six (6) panel antennas located inside a radio frequency transparent radome mounted to the top of a 50-foot high faux windmill, four (4) equipment cabinets within a 400 square-foot fenced enclosure, and approximately 170 feet of utility trenching. The

project will result in the disturbance of approximately 600 square feet of a 10,000 square-foot fenced enclosed parcel. The proposed project is within the Residential Suburban land use category and is located on the west side of Soda Lake Road approximately 2.75 miles south of Carrisa Highway (Highway 58) in the California Valley village reserve area. The project site is in the Shandon-Carrizo sub area of the North County planning area. Also to be considered is the approval of the environmental document. A Class 3 categorical exemption was issued for this project.

County File Number: DRC2014-00159
 Supervisorial District: 5
 Project Manager: Cody Scheel

Assessor Parcel Number: 072-201-010
 Date Accepted: July 29, 2015
 Recommendation: Approval

Commissioners: have no ex-parte contacts to report.

Cody Scheel, Project Manager: presents staff report via a Power Point presentation.

Ken Topping: opens Public Comment

Brian Landon, agent: is available for questions.

Thereafter on **Motion by:** Don Campbell, **Second by:** Jim Irving, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James				
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric				
Topping, Ken	x			

The Commission approves Conditional Use Permit DRC2014-00159 based on the findings listed in Exhibit A and the conditions listed in Exhibit B. Adopted.

Thereafter on **Motion by:** Jim Irving, **Second by:** Don Campbell, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James				
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric				
Topping, Ken	x			

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

Thereafter on **Motion by:** Don Campbell, **Second by:** Jim Irving, and on the following vote:

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:

Harrison, James				
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric				
Topping, Ken	x			

The Commission adjourns to October 22, 2015.

ADJOURNMENT: 12:15 PM

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

Minutes approved at the 12/10/15 Planning Commission meeting.