REVIEWED 5/24/16

MATT JANSSEN

SAN LUIS OBISPO PLANNING DEPARTMENT HEARING MINUTES FOR THE MEETING OF Friday, April 08, 2016

Minutes of the Regular Meeting of the County Planning Department Hearings held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by **Matt Janssen, Hearing Officer.**

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings 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. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

Matt Janssen, Hearing Officer: opens meeting.

PUBLIC COMMENT PERIOD

1. Members of the public wishing to address the Planning Department Hearing Officer on consent agenda items and matters other than hearing items may do so at this time, when recognized by the Hearing Officer. Presentations are limited to three minutes per individual.

   Matt Janssen, Hearing Officer: opens public comment with no one coming forward.

CONSENT AGENDA

2. Unless pulled from the consent agenda by the Planning Department Hearing Officer for separate action, the following items will be acted on collectively because individual public hearings were not requested or required pursuant to Land Use Ordinance Section 22.062.050B.4.b. or Coastal Zone Land Use Ordinance Sections 23.02.033b.(2)(ii) and 23.02.033b.(4)(ii):

3. A request by the **CAMBRIA COMMUNITY SERVICES DISTRICT (CCSD) and FRIENDS OF FISCALINI** for a Minor Use Permit / Coastal Development Permit (DRC2015-00016) to allow for hazardous fuel reduction and forest restoration activities on approximately 50 acres of the Fiscalini Ranch Preserve in Cambria. These activities would include removal of dead and dying trees, ladder fuel, and woody debris; thinning stands of overcrowded small trees; and removal of invasive plants. The project description includes various measures to minimize or avoid environmental impacts. The work would occur first in three approximately 1-acre size test plots and then the most successful treatment will be applied to the balance of the project acreage. The proposed project will result in approximately 50 acres of temporary site disturbance, primarily by hand crews with chain saws, of a 378-acre parcel. The proposed project would also finalize ZON2014-00693 authorizing the removal of up to 300 hazardous trees on CCSD properties. No permanent site disturbance is proposed. The proposed project is within the Open Space land use category and is located on the Fiscalini Ranch, which is bounded by Warren Road to the south, Huntington Road to the North, the Pacific Ocean to the west, and Highway 1 and Trenton Avenue to the east, within the community of Cambria. The site is in the North Coast planning area. Also to be considered is approval of the proposed environmental

determination. The proposed project is consistent with the Final Environmental Impact Report for the Fiscalini Ranch Preserve Management Plan certified by the CCSD on November 16, 2009.

County File Number: DRC2015-00016
Supervisorial District: 2
Project Manager: Airlin M. Singewald

Assessor Parcel Number: 013-121-025
Date Accepted: January 15, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by CAMBRIA COMMUNITY SERVICES DISTRICT (CCSD) and FRIENDS OF FISCALINI for a Minor Use Permit/Coastal Development Permit (DRC2015-00016) is granted based on the Findings A. through N. in Exhibit A and subject to the Conditions 1 through 16 in Exhibit B. (Document Number: 2016-25_PDH)

4. A request by **JIM COLO** for a Minor Use Permit/Coastal Development Permit (DRC2015-00066) to allow the establishment of a vacation rental at an existing single-family residence. The project will result in no site disturbance. The proposed project is within the Residential Multi-Family land use category and is located at 1872 Strand Way, approximately 0.4 miles southwest the Pier Avenue and Lakeside Avenue intersection, within the community of Oceano. The site is in the San Luis Bay (Coastal) sub-area of the South County Coastal Planning Area. A Class 1 Categorical Exemption was issued on March 2, 2016 (ED15-166).

County File Number: DRC2015-00066
Supervisorial District: 4
Project Manager: Brandi Cummings

Assessor Parcel Number: 061-072-003
Date Accepted: February 25, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by JIM COLO for a Minor Use Permit/Coastal Development Permit (DRC2015-00066) is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 14 in Exhibit B. (Document Number: 2016-26_PDH)

5. A request by **ELIZABETH CRUMP** for a Minor Use Permit / Coastal Development Permit (DRC2015-00080) to allow an existing single family residence to be used as a residential vacation rental. The proposed project is within the Residential Multi-Family land use category and is located at 320 Sandpiper Lane, approximately 90 feet east of Strand Way, in the community of Oceano. The site is in the San Luis Bay (Coastal) planning area. Also to be considered is the approval of the environmental document. A Class 1 categorical exemption was issued for this project.

County File Number: DRC2015-00080
Supervisorial District: 4
Project Manager: Cody Scheel

Assessor Parcel Number: 061-061-030
Date Accepted: February 4, 2016
Recommendation: Approval

Matt Janssen, Hearing Officer: states for the record this item will be approved with a set of revised Conditions that were presented prior to the hearing.

Thereafter, on motion of the hearing officer, the request by ELIZABETH CRUMP for a Minor Use Permit/Coastal Development Permit (DRC2015-00080) is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 13 in Exhibit B. (Document Number: 2016-27_PDH)

6. A request by **MAURICE & JOY MONTOYA** for a Minor Use Permit / Coastal Development Permit (DRC2015-00064) to allow for the construction of a two-story, 2,158 square foot single-family dwelling with an attached 583 square foot garage, 103 square foot balcony, and 480 square foot roof deck. The proposed project will result in the disturbance of the entire 2,996 square foot vacant parcel. The proposed project is within the Residential Multi-Family land use category and is located on York Avenue, approximately 110 feet east of the intersection of Strand Way and York Avenue, in the community of Oceano. The site is in the San Luis Bay (Coastal) 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: DRC2015-00064
Supervisorial District: 4
Project Manager: Cody Scheel

Assessor Parcel Number: 061-062-012
Date Accepted: February 25, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by MAURICE & JOY MONTOYA for a Minor Use Permit/Coastal Development Permit (DRC2015-00064) is granted based on the Findings A. through H. in Exhibit A and subject to the Conditions 1 through 29 in Exhibit B. (Document Number: 2016-28_PDH)

7. A request by **ROWLAND TWISSELMAN & T-MOBILE for** a Minor Use Permit (DRC2015-00045) to allow for the co-location, construction and operation of an unmanned wireless communications facility consisting of three (3) new 8-foot tall panel antennas and three (3) Remote Radio Units mounted behind the proposed panel antennas, all to be located at a height of 60 feet on an existing 140-foot tall monopole. The project also involves the installation of two (2) equipment cabinets and one (1) H-frame on a concrete slab on grade, enclosed by an approximately 7-foot tall chain-link fence, located within an approximately 400 square foot lease area. The project will result in the disturbance of approximately 300 square feet of a 159-acre parcel. The proposed project is within the Agriculture land use category and is located at 7390 Cattle Drive, approximately 2 miles east of Bitterwater Road, approximately 7 miles northwest of the California Valley Village Reserve Line. 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: DRC2015-00045
Supervisorial District: 5
Project Manager: Cody Scheel

Assessor Parcel Number: 071-161-035
Date Accepted: November 4, 2015
Recommendation: Approval

Airlin Singewald, Project Manager: clarifies the applicant's name, Twisselman and Crown Castle (agent for T-Mobile).

Matt Janssen, Hearing Officer: states for the record this item will be approved with a set of revised Conditions that were presented prior to the hearing.

Thereafter, on motion of the hearing officer, the request by ROWLAND TWISSELMAN AND CROWN CASTLE (Agent for T-MOBILE) for a Minor Use Permit (DRC2015-00045) is granted based on the Findings A. through F. in Exhibit A and subject to the REVISED Conditions 1 through 35 in Exhibit B. (Document Number: 2016-29_PDH)

HEARING ITEMS

8. A request by **DAVID NANKIVELL** for a Minor Use Permit / Coastal Development Permit (DRC2015-00074) to allow an existing 2,140 square-foot, 4-bedroom single family residence to be used as a

residential vacation rental. The Minor Use Permit is requesting to modify the location standard for vacation rentals per Coastal Zone Land Use Ordinance Section 23.08.165(C)(1). The requested waiver would allow the proposed vacation rental to be located within 40 feet of an existing vacation rental, which is closer than the distance requirement allows for. The proposed project will result in no site disturbance on a 3,963 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 5840 Moonstone Beach Drive, between Stafford and Chatham Roads, within the community of Cambria. The site is in the North Coast planning area. Also to be considered is the proposed environmental determination. This project is exempt under CEQA.

County File Number: DRC2015-00074
Supervisorial District: 2
Project Manager: Airlin M. Singewald

Assessor Parcel Number: 022-052-052
Date Accepted: January 14, 2016
Recommendation: Denial

Airlin Singewald, Project Manager: states the applicant has requested to continue this item to June 3, 2016.

Matt Janssen, Hearing Officer: opens public comment and explains the process for a continued item. Also, states he received a request to speak on this item from Sherry and John Bell, questions if they would like to speak today or on June 3, 2016. Confirms they will return on June 3, 2016 and speak at that hearing.

Thereafter, on motion of the hearing officer, the request by DAVID NANKIVELL for a Minor Use Permit / Coastal Development Permit (DRC2015-00074) is Continued to June 3, 2016.

9. A request by **1736PAC, LLC.** for a Minor Use Permit / Coastal Development Permit (DRC2015-00073) to allow an existing 2,478 square-foot, 4-bedroom single family residence to be used as a residential vacation rental. The Minor Use Permit is requesting to modify the location standard for vacation rentals per Coastal Zone Land Use Ordinance Section 23.08.165(C)(2). The requested waiver would allow the proposed vacation rental to be located within 40 feet of an existing vacation rental, which is closer than the distance requirement allows for. The proposed project will result in no site disturbance on a 5,432 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 1736 Pacific Avenue, approximately 75 feet north of the 18th Street and Pacific Avenue intersection, within the community of Cayucos. The site is in the Estero planning area. Also to be considered is the proposed environmental determination. This project is exempt under CEQA.

County File Number: DRC2015-00073
Supervisorial District: 2
Project Manager: Airlin M. Singewald

Assessor Parcel Number: 064-236-007
Date Accepted: January 14, 2016
Recommendation: Denial

Airlin Singewald, Project Manager: presents staff report via power point.

Matt Janssen, Hearing Officer, expresses his ex-parte communications regarding the proposed project.

Jeff Edwards, Agent: discusses the approval of the proposed project in which the applicant has provided Findings for approval. Also, notes correspondence to be entered into the record.

Matt Janssen, Hearing Officer: states he has read the grand jury report.

Zack Taylor, Owner: states reason for approval of the proposed property.

Hutton Taylor, Owner: states reasons for approval on the proposed property.

Cindy Walton, Owner of Cayucos Vacation Rentals: speaks to the approval of the proposed property.

Mark Walton: Owner of Cayucos Vacation Rental: states for the record would like to make correction to the Case Number and item number.

Richard Walkins, neighbor: speaks to historical aspect of of Cayucos.

James Prange, Employee of Cayucos Vacation Rental: speaks to legal and illegal vacation rentals in Cayucos.

Jeff Edwards, Agent: speaks to comments made by the public.

Matt Janssen, Hearing Officer: closed public comment.

Airlin Singewald, Project Manager: states Conditions were not included with the staff report but, is able to craft Finding and Conditions if the project is approved.

Matt Janssen, Hearing Officer: deliberates on the proposed property.

Thereafter, on motion of the hearing officer, the request by 1736PAC, LLC. for a Minor Use Permit / Coastal Development Permit (DRC2015-00073) is Denied and subject to the Findings A. through G. in Exhibit A.

ADJOURNMENT

Next Scheduled Meeting: May 6, 2016, in the County Board of Supervisors Chambers, County Government Center San Luis Obispo, CA.

Nicole Retana, Secretary
Planning Department Hearings

Minutes will be approved at the June 3, 2016, Planning Department Hearings Meeting.