7/11/16

SAN LUIS OBISPO PLANNING DEPARTMENT HEARING MINUTES FOR THE MEETING OF Friday, May 06, 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 **Rob Fitzroy, 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.

Rob Fitzroy, 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.

   Rob Fitzroy, Hearing Officer: opens and closes 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 **MARC & ANNA TOGNAZZINI** for a Minor Use Permit / Coastal Development Permit (DRC2015-00065) to allow for the construction of a 300 square foot detached replacement garage, and the addition of 54 square feet of covered porch and 390 square feet of uncovered deck to the existing residence. The applicant is requesting an adjustment per Section 23.07.174(2) to allow the replacement garage to be located within the required riparian setback of 100 feet, and an adjustment per section 23.05.104(f) to allow the replacement garage to be located within the required side setback. The project also includes approximately 600 square feet of flatwork, and approximately 175 linear feet of 6-foot tall as-built wooden fencing, and approximately 50 linear feet of 3-foot tall as-built wooden fencing, both located within the front setback. The applicant is requesting a waiver per Section 23.04.190(b)(4) to allow the as-built solid fencing in the front setback. The proposed project will result in the disturbance of approximately 1,550 square feet of a 0.63 acre parcel. The proposed project is within the Agriculture land use category and is located at 2160 San Bernardo Creek Road, approximately 3.3 miles northeast of the City of Morro Bay. The site is located in the Estero 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:v DRC2015-00065
Supervisorial District: 2
Project Manager: Cody Scheel

Assessor Parcel Number: 073-041-014
Date Accepted: March 3, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by MARC & ANNA TOGNAZZINI for a Minor Use Permit/Coastal Development Permit (DRC2015-00065) is granted based on the Findings A. through P. in Exhibit A and subject to the Conditions 1 through 18 in Exhibit B. (Document Number: 2016-030_PDH)

4. A request by **JOSEPH STEINMANN** for a Minor Use Permit/ Coastal Development Permit (DRC2014-00039) to allow for the construction of a 1,225 square-foot single-story residence with a 485 square-foot garage and 775 square feet of deck area. The project will result in the disturbance of approximately 2,500 square feet (0.05 acre) on a 2.17 acre parcel. The proposed project is within the Agriculture land use category and is located 0.23 miles northeast of the 13th Street exit from Cabrillo Avenue (Highway 1), in the community of Cayucos. The site is in the Estero planning area. Also to be considered is the approval of the environmental document. A mitigated negative declaration was issued on November 17, 2015.

County File Number: DRC2014-00039
Supervisorial District: 2
Project Manager: Schani Siong

Assessor Parcel Number: 073-095-007
Date Accepted: July 14, 2014
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by JOSEPH STEINMANN for a Minor Use Permit/Coastal Development Permit (DRC2014-00039) adopting the Negative Declaration in accordance with applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 40 in Exhibit B. (Document Number: 2016-31_PDH)

5. A request by **JEFFRY BROWN** for a Minor Use Permit/Coastal Development Permit (DRC2015-00063) to allow the construction of a 300 square-foot conforming garage to replace an existing 530 square-foot non-conforming garage, and the addition of 400 square feet of living area to an existing 1,910 square-foot single family residence. The proposed project will disturb approximately 1,200 square feet of the 3,000 square foot parcel. The property is within the Residential Single Family land use category, within the Small Scale Design neighborhood, and is located at 3266 Studio Drive, west of Studio Drive and Coronado Avenue intersection, in the community of Cayucos. The site is located in the Estero planning area. Also to be considered is the environmental document. A Class 1 categorical exemption was issued for this project.

County File Number: DRC2015-00063
Supervisorial District: 2
Project Manager: Schani Siong

Assessor Parcel Number: 064-417-001
Date Accepted: January 27, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by JEFFRY BROWN for a Minor Use Permit/Coastal Development Permit (DRC2015-00063) is granted based on the Findings A. through H. in Exhibit A and subject to the Conditions 1 through 36 in Exhibit B. (Document Number: 2016-032_PDH)

6. A request by **DAVID SALMON** for a Minor Use Permit (DRC2015-00003) to allow for the construction of a 6,170 square-foot (sf) single family residence with an attached 1,114 sf garage and a 176 sf

storage space. The project includes an approximately 175 foot long driveway from Paseo de Caballo to the site. The project is located on the west side of Paseo de Caballo, approximately 1,500 feet southwest of Highway 1, approximately 400 ft. north of the community of San Luis Obispo. The site is in the San Luis Obispo Sub-area (north) of the San Luis Obispo Planning Area. Also to be considered is approval of the environmental document. A mitigated negative declaration was issued on March 11, 2016.

County File Number: DRC2015-00003
Supervisorial District: 2
Project Manager: Brandi Cummings

Assessor Parcel Number: 073-333-003
Date Accepted: January 19, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by DAVID SALMON for a Minor Use Permit (DRC2015-00003) is granted based on the Findings A. through H. in Exhibit A and subject to the Conditions 1 through 28 in Exhibit B. (Document Number: 2016-033_PDH)

7. A request by **DON ERNST** for a Minor Use Permit (DRC2015-00057) to allow for the construction of a 189 space temporary parking lot (Transit Station) with a 200 square-foot office building and a modification to parking lot construction standards. The project will result in the disturbance of the entire 2.06 acre site. The project is located within the Commercial Service land use category and is located on the north side of Farmhouse Lane, approximately 400 feet from the Farmhouse Lane and Broad Street intersection, immediately east of the City of San Luis Obispo. The site is in the San Luis Obispo (North) subarea of the San Luis Obispo Planning Area. Also to be considered is approval of the environmental document. A Class 3 categorical exemption was issued for this project.

County File Number: DRC2015-00057
Supervisorial District: 3
Project Manager: Brandi Cummings

Assessor Parcel Number: 076-511-040
Date Accepted: March 7, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by DON ERNST for a Minor Use Permit (DRC2015-00057) is Continued Off Calendar.

8. A request by **JAMES & JAIMIE FUCILLO** for a Minor Use Permit (DRC2015-00084) to allow conversion of 600 square-foot existing permitted workshop space to a 600 square-foot guest house and request for modification of the 50 foot maximum distance standard for a guesthouse to the primary residence located at 250 Indian Knob Hill Road, San Luis Obispo. The proposed project is within the Residential Suburban land use category and is located approximately 1,800 feet from the Indian Knob Road and Squire Canyon Road intersection. The site is in the San Luis Bay Sub Area of the San Luis Obispo Planning Area. Also to be considered is approval of the environmental document. A Class 1 categorical exemption was issued for this project.

County File Number: DRC2015-00084
Supervisorial District: 3
Project Manager: Brandi Cummings

Assessor Parcel Number: 076-273-013
Date Accepted: March 11, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by JAMES & JAIMIE FUCILLO for a Minor Use Permit (DRC2015-00084) is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 15 in Exhibit B. (Document Number: 2016-034_PDH)

9. A request by **JOSEPH & CHRIS FERRARA** for a Minor Use Permit (DRC2015-00069) to allow the phased construction of a winery facility with a public tasting room. At build-out the winery facility would

total 10,331 square-feet (sf). Wine production is estimated at a maximum of 15,000 cases per year. The applicant also requests a setback modification (LUO Section 22.30.070.D.2.d.1) to allow a setback of less than 200 feet for the tasting room during Phase I and Phase II. The project will result in the disturbance of approximately 1.47 acres on a 30 acre parcel. The proposed project is within the Agriculture land use category and is located on the west side of Templeton Road (at 1875 Templeton Road), adjacent to the City of Atascadero and approximately 0.5 miles southeast of the community of Templeton. The site is in the El Pomar-Estrella sub area of the North County planning area. Also to be considered is approval of the environmental document. A mitigated negative declaration was issued for this project on March 24, 2016.

County File Number: DRC2015-00069
Supervisorial District: 5
Project Manager: Brandi Cummings

Assessor Parcel Number: 034-131-038
Date Accepted: January 15, 2016
Recommendation: Approval

Rob Fitzroy, Hearing Officer: notes for the record this item is including Revised Conditions of Approval that were received prior to the hearing.

Thereafter, on motion of the hearing officer, the request by JOSEPH & CHRIS FERRARA for a Minor Use Permit (DRC2015-00069) is granted based on the Findings A. through G. in Exhibit A and subject to the Revised Conditions 1 through 44 in Exhibit B. (Document Number: 2016-035_PDH

10. A request by **MICHAEL WILSON & BRANDON SIMONDS** for a Minor Use Permit (DRC2015-00052) to allow the conversion of a 2,500 sf agricultural barn into a winery with a 146 sf tasting room. No Special Events are proposed. The applicant is requesting to participate in industry events as allowed per ordinance. The applicant is requesting a waiver of the minimum 200 foot setback to property line to allow 150 feet (front setback). The proposed project is located in the Agricultural land use category and is located on the south side of El Pomar Drive (at 3939 El Pomar Drive) approximately 5 miles east of the community of Templeton, in the El Pomar/Estrella 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: DRC2015-00052
Supervisorial District: 5
Project Manager: Holly Phipps

Assessor Parcel Number: 033-281-015
Date Accepted: November 25, 2015
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by MICHAEL WILSON & BRANDON SIMONDS for a Minor Use Permit (DRC2015-00052) is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 22 in Exhibit B. (Document Number: 2016-036_PDH)

HEARING ITEMS

11. A request by **JUDITH A. MEGLASSON** for a Lot Line Adjustment (COAL 15-0074) to adjust the lot lines between two parcels of approximately 160 and 880 acres each. The adjustment will result in two parcels of approximately 638.3 and 401.7 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located on both sides of Tucker Canyon Road, approximately 1.6 miles northeast of the intersection of San Juan Road and Tucker Canyon Road, and southeast of the community of Shandon. The 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 General Rule Exemption was issued for this project.

County File Number: SUB2015-00030 Assessor Parcel Number: 017-261-015, -021
Supervisorial District: 1 Date Accepted: March 8, 2016
Project Manager: Jo Manson **Recommendation: Approval**

Holly Phipps, County Staff, filling in for Jo Manson: presents staff report via power point.

Skip Touchon, Agent: states is in approval with the Findings and Conditions and is available for questions.

Thereafter, on motion of the hearing officer, the request by JUDITH A. MEGLASSON for a Minor Use Permit / Coastal Development Permit (SUB2015-00030/COAL 15-0074) notes a General Rule Exemption (ED15-223) was issued on March 22, 2016 and is granted based on the Findings A. through D. in Exhibit A and subject to the Conditions 1 through 14 in Exhibit B. (Document Number: 2015-037_PDH)

12. A request by **BRUCE & LINDA GRUMMER** for a Minor Use Permit / Coastal Development Permit (DRC2015-00085) to allow an existing single family residence to be used as a residential vacation rental. The proposed project is within the Residential Single-Family land use category and is located at 2765 Crockett Circle, approximately 370 feet southeast of Austin Court, 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 1 categorical exemption was issued for this project.

County File Number: DRC2015-00085 Assessor Parcel Number: 074-454-013
Supervisorial District: 2 Date Accepted: March 3, 2016
Project Manager: Cody Scheel **Recommendation: Approval**

Rob Fitzroy, Hearing Officer: discusses the proposed project has been requested to be elevated to the Planning Commission via the Project Manager, Cody Scheel. Opens and closes Public Comment with no one coming forward.

Thereafter, on motion of the hearing officer, the request by BRUCE & LINDA GRUMMER for a Minor Use Permit / Coastal Development Permit (DRC2015-00085) is elevated to the Planning Commission on July 14, 2016.

ADJOURNMENT

Next Scheduled Meeting: May 20, 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 August 5, 2016 Planning Department Hearing Meeting.