

Thursday, March 10, 2016

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; Eric Meyer; James Harrison; and Don Campbell

ABSENT: None

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.
Eric Greening: speaks.

PLANNING STAFF UPDATES

2. This is the time set for Planning Staff updates.
Ellen Carroll, Environmental Coordinator: updates Commissioners on their near term schedules and appeals received.

CONSENT AGENDA:

3. A request for a two year time extension and a sixth one year time extension by THE BU HOUSES LLC for Vesting Tentative Tract Map 2162 and Development Plan D940090D to allow a six-phase cluster subdivision to subdivide an approximately 400 acre site into a maximum of 345 lots ranging in size from 6,000 square feet to 37,500 square feet and an approximately 300 acre open space parcel. The subdivision includes a marina/boat launch ramp and boat trailer parking area, hiking trails between phases and an alternative fire access road linkage to Bee Rock Road, included as a condition of approval. The project site is located within the East Neighborhood of Oak Shores Village, accessed by Lake View Drive and is identified as parcel A-7 within the Phasing Plan for Oak Shores. The site is in the Residential Single Family, Open Space and Recreation land use categories. The site is in the Nacimiento Sub Area in the North County Planning Area. A Final EIR dated April 27, 1984 was prepared for the proposed Oak Shores II development. A Supplemental EIR was approved/certified for this project by the Board of Supervisors on September 24, 1996.

County File Number: S940036T/D940090D
 Supervisorial District: 1
 Project Manager: Jo Manson

Assessor Parcel Number: 012-381-001
 Date Accepted: N/A
 Recommendation: Approval

Jim Irving: has concerns for the EIR and would like to know the validity of such an old EIR in terms of this time extension request.

Terry Wahler, staff: provides an overview and addresses Mr. Irving's questions.

Jo Manson, Project Manager: presents staff report via a Power Point presentation.

Terry Wahler, staff: clarifies and explains the expiration dates for environmental documents.

Commissioners: begin their deliberations with staff.

Rob Miller, Civil Engineer: explains extension of existing spray field system.

Thereafter on **Motion by** Jim Irving, **Second by** James Harrison, and on the following vote, the Commission approves the two year and sixth one year time extension requests for Vesting Tentative Tract Map 2162 and Development Plan D940090D to be granted to September 24, 2019 subject to the conditions of approval set by the Board of Supervisors on September 24, 1996.

Motion by: Jim Irving

Second by: James Harrison

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

4. A request for a second time extension by MIDLAND PACIFIC HOMES/MVE INVESTMENTS, LLC for a Tentative Tract Map 2633 to subdivide an existing 24.43-acre parcel into 44 lots between 10,000 to 15,000 square feet in size and four open space parcels 0.2, 1.9, 2.9, and 4.8 acres in size. Proposed tract improvements include access roads, two detention basins, detached pedestrian walkways, a neighborhood park, and landscaping. The proposed project is located on the west side of Cemetery Road, approximately 1,500 feet south of 10th Street, in the community of San Miguel. The site is in the Salinas River Subarea in the North County Planning Area. A Negative Declaration was approved by the Board of Supervisors on November 15, 2005.

County File Number: SUB2003-00271
 Supervisorial District: 1
 Project Manager: Jo Manson
 Commissioners: deliberate with staff.

Assessor Parcel Number: 021-371-001
 Date Accepted: N/A
 Recommendation: Approval

Dennis Moresco: provides reasoning for time extension request.

Thereafter on **Motion by** Jim Irving, **Second by** Eric Meyer, and on the following vote. The Commission approves the second time extension request for Tentative Tract Map 2633 to be granted to February 23, 2017 subject to the conditions of approval set by the Planning Commission on February 23, 2006.

Motion by: Jim Irving
Second by: Eric Meyer

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

5. A request for a second time extension by MARGARITA VALLEY RANCH, LLC and RONALD J. YETTMAN for a Vesting Tentative Tract Map 2715 and Conditional Use Permit to subdivide an existing 1.14 acre parcel into a planned development of eight approximately 1,500 square foot parcels and one approximately 35,000 square feet open space parcel, and to construct eight detached multi-family residences. The project includes off-site road improvements. The project will result in the disturbance of approximately 1.14 acres of a 1.14 acre parcel. The proposed project is within the Residential Multi-Family land use category and is located at 365 Butterfly Lane, 200 feet south east of Grand Avenue, in the community of Nipomo. The site is in the South County Inland Subarea in the South County planning area. A Negative Declaration was approved by the Planning Commission on January 26, 2006.

County File Number: SUB2004-00335
 Supervisorial District: 4
 Project Manager: Jo Manson

Assessor Parcel Number: 092-142-016
 Date Accepted: N/A
 Recommendation: Approval

Commissioners: begin deliberating with staff.

Greg Nester, agent: provides history of proposal and reasoning for time extension request.

Ellen Carroll, staff: acknowledges the Commissioners concerns as the Planning & Building Dept will be considering these issues in the future through design review and land use processes.

Thereafter, on **Motion by:** James Harrison, **Seconded by:** Ken Topping, and on the following vote, the Commission approves the second one year time extension to be granted to January 26, 2017 subject to the conditions of approval set by the Planning Commission on January 26, 2006 in accordance with Resolution No. 2006-003.

Motion by: James Harrison
Second by: Ken Topping

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

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

6. A request by ROB MARINAI for a Conditional Use Permit to allow a three-story 83-unit motel, with a total of 38,500 square feet of floor area and 12,800 square-foot of subterranean parking. The applicant is also requesting a modification to the sign ordinance. The project will result in the disturbance of approximately 1.2 acres of a 1.2 acre parcel. The proposed project is within the Commercial Retail land use category and is located on the south side of Hill Street (at 549 Hill Street), approximately 300 feet west of South Frontage Road, in the community of Nipomo. The site is in the South County (Inland) Planning Area.

County File Number: DRC2014-00131

Assessor Parcel Number: 092-579-004

Supervisory District: 4

Date Accepted: September 14, 2015

Project Manager: Brandi Cummings

Recommendation: Continue off calendar

Brandi Cummings, Project Manager: presents reasoning for continuance request.

Thereafter, on **Motion by:** James Harrison, **Second by:** Eric Meyer, and on the following vote, the Commission continues this item off calendar.

Motion by: James Harrison

Second by: Eric Meyer

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

7. A request by the SAN LUIS OBISPO COUNCIL OF GOVERNMENTS & CITY OF SAN LUIS OBISPO for a Conditional Use Permit to allow the construction of a new community identification sign to read “San Luis Obispo” and an exception to Section 22.20.060(C)(2) to allow for a 326 square foot signage area. The monument sign will act as a gateway to the city. The sign will have a mission style design with stucco finish, clay tiles, decorative bell, and stone base. The monument will not exceed 24 feet in height from the lowest point on grade to the tallest point on sign structure. The project will result in approximately 250 square feet of site disturbance on a 0.64-acre parcel in the Public Facilities land use category. The project is located on the southern corner of the intersection of southbound State Highway 1 and Highland Drive, bordering the northern limits 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 approval of the proposed environmental determination. A Class 3 categorical exemption was issued for this project. CONTINUED FROM 10/22/15 AND 1/14/16.

County File Number: DRC2014-00123

Assessor Parcel Number: 073-341-025

Supervisory District: 5

Date Accepted: July 23, 2015

Project Manager: Airlin M. Singewald

Recommendation: Approval

Airlin Singewald, Project Manager: presents staff report via a Power Point presentation.

Jeff Brubaker, agent: explains project proposal.

Don Campbell: opens Public Comment

Myron Amerine and Odile Ayrel: speak and show pictures on the overhead.

Commissioners: deliberate proposal with staff and the agents.

Ben Dore, County Counsel: cautions Commissioners on placing conditions on the project in terms of a connection between the impact causes of the project.

Eric Meyer: would like the sidewalk built at least to the edge of the county's domain.

Commissioners: agree a sidewalk is justified and encourage SLOCOG to collaborate to build a sidewalk. Thereafter, on **Motion by** Eric Meyer, **Second by:** Ken Topping, and on the following vote, the Commission approves Conditional Use Permit DRC2014-00123 based on the finding listed in Exhibit A, changing the first sentence of Finding G to read: "G. The maximum allowable sign area of 100 square feet and height of 12 feet is modified to allow for the proposed 19 foot tall monument sign with an approximately 344 square foot sign face and approximately 90 square foot sign area.: and subject to the conditions in Exhibit B, changing Condition 1 b., 1. c., 1. d. and 1. e. to read: "1. b. An exception to the 100 square-foot sign area and 12-foot height limit is hereby approved to allow for a 19-foot tall sign (measured from lowest point below sign) with an approximately 344 square-foot sign face and approximately 90 square-foot sign area." 1. C. An exception to the 10' side setback requirement is hereby approved to allow the sign to be located within 1 foot of the Highway 1 right-of-way. 1. d. Construction of curb, gutter, and sidewalk improvements to City of San Luis Obispo standards along the property's Ferrini Road frontage. These improvements shall be installed prior to construction permit final; and 1. e. The project will result in approximately 2,200 square feet of site disturbance on a 0.64-acre parcel in the Public Facilities land use category"; Adopted**Motion by:** Eric

Meyer

Second by: Ken Topping

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

8. A request by DAVID AQUINO and VERIZON WIRELESS for a Conditional Use Permit to allow the construction and operation of a new wireless communications facility consisting of twelve (12) 6' tall panel antennas, nine (9) RRHs, and four (4) Raycaps, installed on one (1) new 53' tall artificial pine tree ("monopine"), ground-mounted equipment cabinets within a new equipment shelter (11' -6" x

16'-10.5"), and a new 30 kW emergency back-up diesel generator, all located within a 31' x 37' gravel base lease area and surrounded by an 8' tall fence. The proposed project will result in the disturbance of approximately 1,147 square feet on a 9.5 acre parcel. The proposed project is within the Residential Suburban land use category and is located at 594 Eucalyptus Road, on the northwest corner of Eucalyptus Road and Osage Street, in the community of Nipomo. The site is in the South County Inland sub area of the South County planning area.

County File Number: DRC2014-00126
 Supervisorial District: 4
 Project Manager: Brandi Cummings

Assessor Parcel Number: 091-311-033
 Accepted Date: November 30, 2015
 Recommendation: Approval

Brandi Cummings, Project Manager: presents staff report via a Power Point presentation.

Commissioners: begin asking questions of staff.

Tricia Knight, agent: addresses photo simulation questions and describes project proposal.

Don Campbell: opens public comment with no one coming forward.

Commissioners: deliberate proposal.

Thereafter, on **Motion by** James Harrison, **Second by** Eric Meyer and on the following vote, the Commission adopts the Mitigated Negative Declaration in accordance with the applicable provision of the California environmental Quality Act, Public Resources Code Section 21000 et seq; and approves Conditional Use Permit DRC2014-00126 based on the findings listed in Exhibit A and the conditions listed in Exhibit B; Adopted.**Motion by:** James Harrison

Second by: Eric Meyer

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

9. A request by PAUL MERRILL for a Conditional Use Permit to allow the construction of three lattice amateur (non-commercial) radio towers including: 1) a 160-foot tall "guyed" tower with five sets of antennas and a small wind generator on the top; 2) a 90-foot tall "crank-up" telescoping tower with two sets of antennas reaching a maximum height 106 feet; and 3) a 55-foot tall "crank-up" telescoping tower with one set of antennas. The project will result in approximately 300 square-feet of site disturbance on an approximately 10-acre parcel in the Residential Rural land use category. The proposed project is located at 150 Rolling Ranch Road, approximately 1,000 feet north of El Pomar Drive and five miles east of the community of Templeton. The subject property is in the El Pomar-Estrella sub-area of the North County planning area. Also to be considered is approval of the environmental determination. A Class 3 Categorical Exemption was issued for this project.

Supervisory District: 5
 Project Manager: Airlin M. Singewald

Date accepted: January 14, 2016
 Recommendation: Approval

Commissioners: disclose ex parte contacts.

Airlin Singewald, Project Manager: presents staff report via a Power Point presentation.

Thereafter, on **Motion by** Jim Irving, **Second by** Ken Topping, and on the following vote, the Commission holds the meeting past 12:00 PM.

Motion by: Jim Irving
Second by: Ken Topping

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

Paul Merrill, applicant: explains reasoning for proposal.

Eric Meyer: would like a condition crafted to address size limitation of the tower with Mr. Singewald drafting condition.

Commissioners: discuss the visual impact of the tower / faux wind mill.

Tricia Knight, agent: reports Mr. Merrill is agreeable with a condition indicating the tower not to exceed 7 feet in diameter and have under 5 blades.

Don Campbell: opens Public Comment with Mr. Thorton speaking.

Commissioners: deliberate proposal. Thereafter, on **Motion by** Jim Irving, **Second by** Ken Topping, and on the following vote: the Commission approves Conditional Use Permit DRC2015-00060 based on the findings listed in Exhibit A and the conditions listed in Exhibit B, changing Condition 1. a. to read: "1. a. This approval authorizes the construction of three amateur radio antennas including: a. One 160-foot tall "guyed" tower with five sets of antennas and a small (maximum of 5 blades and a 7-foot diameter) wind generator on the top. The tower would have a maximum guy wire radius of 128 feet and six 6' x 4' guy anchors..."; Adopted.

Motion by: Jim Irving
Second by: Ken Topping

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

Thereafter, on **Motion by** Jim Irving, **Second by** Eric Meyer, and on the following vote, the Commission accepts all testimony and correspondence entered into the record.

Motion by: Jim Irving
Second by: Eric Meyer

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

Thereafter, on **Motion by** Eric Meyer, **Second by** Ken Topping, and on the following vote, the Commission adjourns to Friday, March 11, 2016.

Motion by: Eric Meyer
Second by: Ken Topping

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

ADJOURNMENT: 12:04

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

Minutes approved at the 8/11/16 Planning Commission meeting.