SAN LUIS OBISPO PLANNING DEPARTMENT HEARING MINUTES FOR THE MEETING OF
Friday, August 19, 2016

9/27/16

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 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. June 3, 2016 PDH Minutes

   Thereafter, on motion of the hearing officer, the Planning and Building Department minutes of June 3, 2016 are Received and Filed as recommended and are available on file at the office of the County Planning and Building Department.

4. June 17, 2016 PDH Minutes

   Thereafter, on motion of the hearing officer, the Planning and Building Department minutes of June 17, 2016 are Received and Filed as recommended and are available on file at the office of the County Planning and Building Department.

5. July 15, 2016 PDH Minutes

   Thereafter, on motion of the hearing officer, the Planning and Building Department minutes of July 15, 2016 are Received and Filed as recommended and are available on file at the office of the County Planning and Building Department.

6. A request by **JOHN SOMERS** for a Minor Use Permit / Coastal Development Permit (DRC2015-00103) to allow for the remodel of the existing second and third story decks, with an additional 206 square feet of new decking. The project also involves an interior remodel to the existing 2,486 square foot three story single family residence. The project will result in the disturbance of approximately 200 square feet on a 5,227 square-foot parcel. The project requires the purchase of 13 square feet of Transfer of Development Credits (TDCs). The proposed project is in the Residential Single Family land use category and is located at 5249 Whitehall Avenue, on the southwest corner of Hastings Street and Whitehall Avenue, within the community of Cambria. The site is in the North Coast planning area. Also to be considered is the approval of the environmental document. A Class 1 categorical exemption was issued for this project. (Rescheduled from the July 15, 2016 meeting.)

County File Number: DRC2015-00103
Supervisorial District: 2
Project Manager: Cody Scheel

Assessor Parcel Number: 022-227-019
Date Accepted: May 20, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by JOHN SOMERS for a Minor Use Permit / Coastal Development Permit (DRC2015-00103) noting a Class 1 Categorical Exemption was issued on July 15, 2016 (ED15-296) is granted based on the Findings A. through N. in Exhibit A and subject to the Conditions 1 through 26 in Exhibit B. (Document Number: 2016-054_PDH)

7. A request by **VERNE & NANETTE KUSWA** for a Minor Use Permit/ Coastal Development Permit (DRC2015-00099) to allow for an addition of a 242 square foot upper level deck to an existing 1,792 square foot two story single family residence with an attached (2) car garage. The project is located within the Residential Single-Family land use category and is located at 1700 Londonderry Drive, at the intersection of Arliss Dr and Londonderry Dr in the community of Cambria. The site is in the North Coastal Planning Area. Also to be considered is the approval of the environmental document. A Categorical Exemption was issued for this project.

County File Number: DRC2015-00099
Supervisorial District: 2
Project Manager: Schani Siong

Assessor Parcel Number: 024-241-024
Date Accepted: April 7, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by VERNE & NANETTE KUSWA for a Minor Use Permit/ Coastal Development Permit (DRC2015-00099) noting a Class 3 Categorical Exemption was issued on May 16, 2016 (ED15-281) is granted based on the Findings A. through N. in Exhibit A and subject to the Conditions 1 through 22 in Exhibit B. (Document Number: 2016-055_PDH)

8. A request by **CAROLYN & DAVID SANTOS** for a Minor Use Permit/ Coastal Development Permit (DRC2015-00091) to allow for an addition of 288 square foot upper level deck and stairs to an existing 3,118 square foot two story single family residence. The project is located within the Residential Single-Family land use category and is located at 125 Pacific Avenue, approximately 100 feet southeast of the intersection of 1st Street and Pacific Avenue, 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 categorical exemption was issued for this project.

County File Number: DRC2015-00091
Supervisorial District: 2
Project Manager: Schani Siong

Assessor Parcel Number: 064-123-012
Date Accepted: April 7, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by CAROLYN & DAVID SANTOS for a Minor Use Permit/ Coastal Development Permit (DRC2015-00091) noting a Class 3 Categorical Exemption (Section 15303) is proposed for this project is granted based on the Findings A. through H. in Exhibit A and subject to the Conditions 1 through 13 in Exhibit B. (Document Number: 2016-056_PDH)

9. A request by **DON ERNST** for a Minor Use Permit (DRC2015-00057) to allow for the development of a 183 space limited-term parking lot with a 200 square-foot office building. The request includes a modification to parking lot construction standards to allow gravel surfacing and reduced landscaping. The parking lot will serve as a transit station for shuttles to convey employees to and from off-site work locations, as well as provide rental vehicle parking for the airport. 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. This project is exempt under CEQA. (Rescheduled from the July 15, 2016 meeting.)

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) noting a Class 3 Categorical Exemption was issued on May 17, 2016 is granted based on the Findings A. through H. in Exhibit A and subject to the Conditions 1 through 26 in Exhibit B. (Document Number: 2016-057_PDH)

10. A request by **PACIFIC GAS & ELECTRIC COMPANY** for a Minor Use Permit/Coastal Development Permit (DRC2015-00116) to allow for grading on slopes greater than 20 percent. The project consists of the removal of a 40-year old earthen berm and damaged 48-inch x 40-foot metal corrugated culvert from the bed and bank of Pecho Creek, adjacent to Diablo Canyon Road. The project will also remove vegetation and debris in Pecho Creek, for 80 linear feet upstream of the berm. The removed berm soil will be exported and spread on a previously permitted spoils disposal site 0.3 miles north of the Diablo Canyon Nuclear Power Plant main building, and approximately 4.3 miles west of the berm removal area. Following berm removal, disturbed creek banks will be recontoured to match the existing slope contours immediately adjacent and upstream of the berm removal area. Up to 15 multi-trunked willows will be removed as part of this project. A site stabilization plan has been developed for assistance with revegetation of banks, mitigation, and enhancement of riparian habitat for wildlife. Construction equipment will be staged on the south side of Diablo Canyon Road, within an existing graded and gravel-surfaced turn-out. The project will result in 3,780 cubic yards of earthwork cut and will result in the disturbance of approximately 22,500 square-feet (0.52 acres) within a 4.3 acre project limit area, across three parcels totaling approximately 2,220 acres. The spoils disposal site is located on a separate parcel totaling 968 acres. The proposed project is within the Agriculture and Public Facilities land use categories and is located approximately 115 ft. north of Diablo Canyon Road at the intersection with Pecho Creek, approximately 2 miles northwest of the community of Avila Beach. The site is in the San Luis Bay Coastal planning area. Also to be considered is approval of the environmental document. A Negative Declaration was issued on July 14, 2016.

County File Number: DRC2051-00116

APN(s): 076-011-013, 076-151-012, 076-171-016, 076-171-032

Supervisorial District: 3
Project Manager: Brandi Cummings

Date Accepted: May 10, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by PACIFIC GAS & ELECTRIC COMPANY for a Minor Use Permit/Coastal Development Permit (DRC2015-00116) is granted based on the Findings A. through L. in Exhibit A and subject to the Conditions 1 through 20 in Exhibit B. (Document Number: 2016-058_PDH)

11. A request by **ONSORC, LLC,** for a Minor Use Permit (DRC2015-00075) to allow construction of an 11,350 square foot office/warehouse building. The project site is Lot 3 of Tract 2368, a commercial service business park subdivision, recorded in 2006. The project will result in disturbance of the entire 1.01 acre parcel. The proposed project is within the Commercial Service land use category and is located on Farmhouse Lane, east of Highway 227, adjacent to the southern city limits of the City of San Luis Obispo. The site is in the San Luis Obispo subarea of the San Luis Obispo planning area. Also to be considered is the approval of the environmental determination. The Environmental Coordinator finds that the previous Mitigated Negative Declaration that was adopted for Tract 2368 is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Mitigated Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted on August 14, 2003.

County File Number: DRC2015-00093
Supervisorial District: 3
Project Manager: Stephanie Fuhs

Assessor Parcel Number: 076-512-003
Date Accepted: June 21, 2016
Recommendation: Approval

Thereafter, on motion of the hearing officer, the request by ONSORC, LLC, for a Minor Use Permit (DRC2015-00075) is granted based on the Findings A. through F. in Exhibit A and subject to the Conditions 1 through 30 in Exhibit B. (Document Number: 2016-059_PDH)

HEARING ITEMS

12. A request by **JOHN TENBROECK** for a Minor Use Permit/Coastal Development Permit (DRC2015-00079) to allow grading of a site with slopes over 20% for a 2,019 square-foot single-family residence with a 378 square-foot attached garage. The project will result in approximately 1,100 square-feet of site disturbance on the 1,750 square-foot parcel. The proposed parcel is within the Residential Single Family land use category and is located at 2788 Richard Avenue, approximately 975 feet northeast from the Highway 1 and Old Creek Road intersection, in the community of Cayucos. The site is located in the Estero Planning Area. Also to be considered is approval of the environmental document. A Class 3 Categorical Exemption is proposed for this project.

County File Number: DRC2015-00079
Supervisorial District: 2
Project Manager: Brandi Cummings

Assessor Parcel Number: 064-204-032
Date Accepted: May 5, 2016
Recommendation: Approval

Brandi Cummings, Project Manager: presents staff report via power point.

Rob Fitzroy, Hearing Officer: opens and closes public comment with no one coming forward.

Rob Fitzroy, Hearing Officer: requests clarification on the side elevation stairs with Ms. Cummings responding.

Terry Wahler, Planning Staff: states this is a fire code issue and Building is in the process of reviewing it right now.

Rob Fitzroy, Hearing Officer: questions if continuing this project is an option with County Staff responding.

Thereafter, on motion of the hearing officer, the request by JOHN TENBROECK for a Minor Use Permit/Coastal Development Permit (DRC2015-00079) is Continued to September 2, 2016.

13. A request by **JOHN BIRKLER** for a Minor Use Permit (DRC2015-00075) to convert a portion of an existing permitted workshop to a 600 square-foot guesthouse, and to modify the 50 foot maximum distance standard for a guesthouse to the primary residence pursuant to County Land Use Ordinance Section 22.30.410.E. The project will result in no permanent disturbance of the 51.64 acre site. The proposed parcel is within the Rural Lands land use category and is located at 1191 Deerfield Road, approximately 0.5 miles from the Highway 46 and Hidden Valley Road intersection, in the Templeton Gap area. The site is located in the Adelaida subarea of the North County Planning Area. This project is exempt under CEQA. (Rescheduled from the July 15, 2016 meeting)

County File Number: DRC2015-00075
Supervisorial District: 1
Project Manager: Brandi Cummings

Assessor Parcel Number: 039-401-041
Date Accepted: May 4, 2016
Recommendation: Approval

Brandi Cummings, Project Manager: presents staff report via power point.

Dan Llyod, Agent: discusses the history of the proposed project and states is available for questions.

Rob Fitzroy: opens public comment.

Bil Hockey, Neighbor: discusses reasons for denial of proposed project.

Dan Llyod, Agent: responds to public comment.

Brandi Cummings: responds to public comment, past code violations and reasoning for the waiver.

Rob Fitzroy, Hearing Officer: discusses his view on the proposed project.

Thereafter, on motion of the hearing officer, the request by JOHN BIRKLER for a Minor Use Permit (DRC2015-00075) noting Class 1 Categorical Exemption was issued on May 10, 2016 (ED15-183) is granted based on the Findings A. through G. in Exhibit A and subject to the Conditions 1 through 10 in Exhibit B. (Document Number: 2016-060_PDH)

14. A request by **FU-CHUAN TSAI (CHATHAM LANE, LLC)** for a Minor Use Permit / Coastal Development Permit (DRC2015-00130) to allow an existing 2,423 square-foot, 3-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 immediately adjacent to an existing vacation rental and within 50 feet of two other vacation rentals,

which is closer than the location requirement allows for. The proposed project will result in no site disturbance on a 3,050 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 201 Chatham Lane, on the northeast corner of the Chatham Lane and Moonstone Beach Drive intersection, within the community of Cambria. The site is in the North Coast planning area. Also to be considered is approval of the environmental determination. The project is exempt under CEQA.

County File Number: DRC2015-00130
Supervisorial District: 2
Project Manager: Airlin M. Singewald

Assessor Parcel Number: 022-014-039
Date Accepted: July 1, 2016
Recommendation: Denial

Airlin Singewald, Project Manager: states the applicant has indicated they had a scheduling conflict with today's meeting and would like to request a continuance to October 14, 2016.

Rob Fitzroy, Hearing Officer: questions if the applicant has responded they will be available for the proposed Continuation date with Airlin Singewald responding.

Rob Fitzroy, Hearing Officer: opens public comment.

Barbara Snyder, neighbor: states reasons for denial of the proposed project.

Karen Stoeckel, neighbor: states supports the County decision recommending denial.

Barbara Crowley, neighbor: states would like to reserve her comments to the continued hearing date, October 14, 2016.

John Lamb, neighbor: states will reserve his comments for the continuation date of October 14, 2016.

Joseph Crowley, neighbor: states he will reserve his comments for the continuation date of October 14, 2016.

Thereafter, on motion of the hearing officer, the request by FU-CHUAN TSAI (CHATHAM LANE, LLC) for a Minor Use Permit / Coastal Development Permit (DRC2015-00130) is Continued to October 14, 2016.

ADJOURNMENT

Next Scheduled Meeting: September 2, 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 October 14, 2016, Planning Department Hearings Meeting.