



County Planning Department Hearing

AGENDA

Road Names
Minor Use Permits
Lot Line Adjustments
Administrative Fine Appeals

MEETING DATE: Friday, May 06, 2016

HEARING OFFICER: ROB FITZROY

MEETING LOCATION AND SCHEDULE

The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, 1055 Monterey St., Room #D170, County Government Center, San Luis Obispo, CA., on the first and third Fridays of each month. The Board of Supervisors Chambers are located on the corner of Santa Rosa and Monterey Streets.,

Meeting Begins

9:00 a.m.

ALL 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.

MATTERS TO BE CONSIDERED

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.

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: DRC2015-00065
Supervisorial District: 2
Project Manager: Cody Scheel

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

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

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

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

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
Supervisory District: 3
Project Manager: Brandi Cummings

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

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
Supervisory District: 3
Project Manager: Brandi Cummings

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

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
Supervisory District: 5
Project Manager: Brandi Cummings

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

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
Supervisory District: 5
Project Manager: Holly Phipps

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

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

Supervisorial District: 1

Project Manager: Jo Manson

Assessor Parcel Number: 017-261-015, -021

Date Accepted: March 8, 2016

Recommendation: Approval

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

Supervisorial District: 2

Project Manager: Cody Scheel

Assessor Parcel Number: 074-454-013

Date Accepted: March 3, 2016

Recommendation: Approval

ESTIMATED TIME OF ADJOURNMENT: 10:00 a.m.

Next Scheduled Meeting: May 20, 2016, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

NICOLE RETANA, SECRETARY
COUNTY PLANNING DEPARTMENT HEARINGS

PUBLIC RECORDS ACT

Supplemental correspondence and other materials for open session agenda items that are distributed to the Planning Department staff within 72 hours preceding the Planning Department Hearing meeting are available for public viewing in the Planning and Building Department located at 976 Osos Street, Room 200. With respect to documents submitted by members of the public to the Planning Department staff during a meeting, the law requires only that those documents be copied by the Clerk after the meeting for members of the public who desire copies. However, as a courtesy to others, it is requested that members of the public bring at least 4 extra copies of documents that they intend to submit to the Planning Department staff during a meeting so that those extra copies can be immediately distributed to all members of the Planning Department staff and other members of the public who desire copies.

DEPARTMENT OF PLANNING AND BUILDING MEETING PROCEDURES

Planning Department Hearings are conducted under the authority of the Hearing Officer. Each item scheduled for public hearing at a Planning Department Hearing will be announced by the Hearing Officer and the hearing will be conducted as follows:

1. The Planning Department staff will present the staff report and recommendation on the matter being heard.
2. The Hearing Officer will open the public hearing and will first ask the project applicant (if any) to present any points they feel the Planning Department Hearings should understand about their proposal.
3. The Hearing Officer will ask other interested persons to present any testimony they wish to give about the proposal being considered.
4. The Hearing Officer will offer the project applicant an opportunity for rebuttal of any testimony against the proposal or to clarify information previously presented.

RULES FOR PRESENTING TESTIMONY

All persons who wish to present testimony to the Planning Department Hearings in a public hearing must observe the following rules:

1. When beginning to speak, first identify yourself and place of residence. This is required for the public record. Planning Department Hearings are tape recorded.
2. All remarks must be addressed to the Hearing Officer. Conversation or debate between a speaker and a member of the audience is not permitted.
3. Please keep your remarks as brief as possible. When a number of speakers wish to testify on the same project, the Hearing Officer may limit the time for testimony to 3 minutes for individuals and 8 minutes for persons representing a group. Focus your testimony on the most important facts you wish to be considered. Avoid duplicating testimony provided by others.
4. Whenever possible, written testimony should be presented as well as oral. Written testimony can be submitted for Planning Department Hearings consideration in advance of the actual hearing date.

APPEALS

If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the Board of Supervisors up to 14 days after the date of action, in writing, to the Planning Department. If legitimate coastal resource issues related to our local Coastal Program are raised in the appeal, there will be no fee. If an appeal is filed for an inland project, or for a coastal project with no legitimate coastal issues, there will be a fee set by the current fee schedule. If a fee is required, it must accompany the appeal form. The appeal will not be considered complete if a fee is required but not paid. There must be an original form and original signature, a FAX is not accepted.

Planning Department Hearings decisions may also be appealable to the California Coastal Commission pursuant to Coastal Act Section 30603 and the County Coastal Zone Land Use Ordinance 23.01.043. Exhaustion of appeals at the county is required prior to appealing the matter to the California Coastal Commission. The appeal to the Board of Supervisors must be made to the Planning Commission Secretary, Department of Planning and Building, and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations contain specific time limits to appeal, criteria, and procedures that must be followed to appeal this action. The regulations provide the California Coastal Commission 10 working days following the expiration of the County appeal period to appeal the decision. This means that no construction permits can be issued until both the County appeal period and the additional Coastal Commission appeal period have expired without an appeal being filed.

Contact the Coastal Commission's Santa Cruz Office at (831) 427-4863 for further information on appeal procedures.

HEARING IMPAIRED: There are devices available for the hearing impaired upon request.

ON THE INTERNET

This agenda may be found on the internet at: <http://www.sloplanning.org> under Quicklinks, Meeting Agendas. For further information, please call (805) 788-2947.