

**Monday, February 01, 2016**

The following action minutes are listed as they were acted upon by the Subdivision Review Board 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.

**ROLL CALL:**

**PRESENT:** Leslie Terry, Glenn Marshall, Melissa Guise, and Ellen Carroll.

**ABSENT:** None

Chairperson Ellen Carroll opens meeting.

**PUBLIC COMMENT PERIOD**

- Members of the public wishing to address the Board 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.

No one coming forward.

**CONSENT AGENDA**

- A request for a first time extension by **BUCKLEY PACIFIC, LLC** for Tentative Parcel Map (CO13-0026) to subdivide an existing six acre parcel into four parcels of 1.3, 1.3, 1.6 and 1.9 acres each for the purpose of sale and/or development. The project will result in site disturbance as the parcels are developed. The proposed project is within the Commercial Service land use category and is located at 795 Buckley Road, approximately 0.40 miles west of Highway 227, approximately one mile south of the city limits of San Luis Obispo. The site is in the San Luis Obispo Sub-area of the San Luis Obispo planning area. The Subdivision Review Board adopted a Mitigated Negative Declaration when the parcel map was approved on December 2, 2013.

**County File Number: SUB2012-00043**  
 Supervisorial District: 3  
**Project Manager: Stephanie Fuhs**

Assessor Parcel Number: 076-063-003  
 Date Accepted: N/A  
**Recommendation: Approval**

**Consent item 2, request for a 1st Time Extension by BUCKLEY PACIFIC, LLC. is approved via voice vote by the County Subdivision Review Board and available on file at the office of the Planning and Building Department.**

**Motion by:** Leslie Terry  
**Second by:** Glenn Marshall

<b>BOARD MEMBERS</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>	<b>RECUSE</b>
Marshall, Glenn	X			
Carroll, Ellen	X			
Terry, Leslie	X			
Guise, Melissa	X			

3. A request for a second time extension by **LYNN BYRD and MARK DANIELS** for a Vesting Tentative Parcel map to allow subdivision of two approximately ten acre parcels into four parcels of five acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 0.70 acres, and the division will create one on-site road. The project is in the Residential Rural land use category and is located on the northwest and northeast corners of Zenon Way and Halcyon Road at 512 Zenon Way and 1975 Viejo Road, northeast of the village of Palo Mesa, in the South County (Inland) planning area. A mitigated Negative Declaration was approved by the Subdivision Review Board on October 3, 2005.

**County File Number: SUB2004-00046**  
 Supervisorial District: 4  
**Project Manager: Jo Manson**

APN(s): 075-232-016 and 091-063-002  
 Date Accepted: N/A  
**Recommendation: Approval**

**Consent item 3, request for a 2nd Time Extension by LYNN BYRD is approved via voice vote by the County Subdivision Review Board and available on file at the office of the Planning and Building Department.**

**Motion by:** Leslie Terry  
**Second by:** Glenn Marshall

BOARD MEMBERS	AYES	NOES	ABSTAIN	RECUSE
Marshall, Glenn	X			
Carroll, Ellen	X			
Terry, Leslie	X			
Guise, Melissa	X			

4. A request for a first time extension by **RICHARD and MAUREEN CICCHITELLI** for Tentative Parcel Map (CO12-0080) to subdivide an existing 25,530 square foot parcel into two parcels of 13,589 and 11,941 square feet each for the purpose of sale and/or development. The project includes a road exception request for portions of Grell Lane back to Elm Street (the nearest County maintained road).The proposed project is within the Residential Single Family land use category and is located at 2710 Grell Lane, approximately 500 feet west of the Grell Lane/South Elm Street intersection in the community of Oceano. The site is in the San Luis Bay Sub-area of the South County planning area. The Subdivision Review Board considered and relied on the Mitigated Negative Declaration that was prepared for Parcel Map SUB2005-00176 that was adopted by the Subdivision Review Board on March 6, 2006.

**County File Number: SUB2012-00031**  
 Supervisorial District: 4  
**Project Manager: Stephanie Fuhs**

Assessor Parcel Number: 062-303-084  
 Date Accepted: N/A  
**Recommendation: Approval**

**Consent item 4, request for a 1st Time Extension by RICHARD AND MAUREEN CICCHITELLI is approved via voice vote by the County Subdivision Review Board and available on file at the office of the Planning and Building Department.**

**Motion by:** Leslie Terry  
**Second by:** Glenn Marshall

BOARD MEMBERS	AYES	NOES	ABSTAIN	RECUSE
Marshall, Glenn	X			
Carroll, Ellen	X			

Terry, Leslie	X			
Guise, Melissa	X			

5. A request for a first time extension by **MID-STATE PROPERTIES, LLC** for a Vesting Tentative Parcel Map (CO 06-0016), Development Plan and Coastal Development Permit to subdivide an existing 9,657 square foot parcel and create a planned development consisting of three parcels of 2619, 3613 and 3425 square feet for the purpose of constructing three single-family residences consisting of approximately 1780, 2127, and 1966 square feet, including garages. The existing residence would be demolished. The project includes off-site road improvements to Mendel Drive, Air Park Drive, and Railroad Street, and a vacation of 10 feet of Air Park Drive and 3 feet of Mendel Drive along the property frontage. The project will result in the disturbance of the entire parcel (9,657 square feet). The proposed project is within the Residential Multiple Family land use category and is located on the northwest corner of Railroad Street and Air Park Drive, approximately 500 feet south of Pershing Drive, in the community of Oceano. The site is in the San Luis Bay (Coastal) planning area. A mitigated Negative Declaration was approved by the Subdivision Review Board on December 4, 2006.

**County File Number: SUB2005-00176**  
 Supervisorial District: 4  
**Project Manager: Jo Manson**

Assessor Parcel Number: 061-041-016  
 Date Accepted: N/A  
**Recommendation: Approval**

**Consent item 5, request for a 1st Time Extension by MID-STATE PROPERTIES, LLC. is approved via voice vote by the County Subdivision Review Board and available on file at the office of the Planning and Building Department.**

**Motion by:** Leslie Terry  
**Second by:** Glenn Marshall

<b>BOARD MEMBERS</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>	<b>RECUSE</b>
Marshall, Glenn	X			
Carroll, Ellen	X			
Terry, Leslie	X			
Guise, Melissa	X			

**HEARINGS**

6. Hearing to consider a request by **CANDACE & PHIL GULDEMAN** for a Vesting Tentative Parcel Map (CO12-0002) to subdivide an existing 5.27 acre parcel into three parcels ranging in size from 1.02 to 3.0 acres for the purpose of sale and/or development. The proposal involves a modification to the design standards of Section 21.03.010 of the Real Property Division Ordinance (RPDO) for proposed Parcel 3 regarding the average depth to width ratio of a parcel. Proposed Parcel 3 will have a depth to width ratio of 5.8 to 1; however, due to the parcel being on the edge of the Nipomo Mesa, approximately 600 feet of the parcel will be placed in open space to protect the bluff edge which limits the developable area to a ratio of 2.5 to 1. The proposal also includes an adjustment to Section 21.03.010 of the RPDO pertaining to undergrounding of utilities along Mesa View Drive (Highway 1). The project includes off-site road improvements for access from Mesa View Drive (Highway 1) to the proposed parcels. The project will result in the disturbance of approximately 1,500 square feet for on and off-site road improvements with up to two acres for future residential development on the 5.25 acre parcel. The proposed project is within the Residential Suburban land use category. The site is currently developed with one single family residence on proposed Parcel 3. The proposed project is within the Residential Suburban land use category. The project is located at 524 Mesa View Drive, approximately 460 feet northeast of Halcyon Road, approximately two miles south of the community of Oceano on the Nipomo Mesa. The project is in the South County Inland subarea of the South County

planning area. This project was continued from the November 2, 2015 and December 7, 2015 Subdivision Review Board meetings. Also to be considered is the approval of the environmental document. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 1, 2015 for this project. Mitigation measures are proposed to address Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural Resources, Noise, Public Services and Utilities, Recreation, Transportation and Circulation and Water, and are included as conditions of approval. (Continued from November 2, 2015 and December 7, 2015)

**County File Number: SUB2011-00028**  
Supervisory District: 4  
**Project Manager: Stephanie Fuhs**

Assessor Parcel Number: 075-191-029  
Date Accepted: October 1, 2014  
**Recommendation: Approval**

Stephanie Fuhs, Project Manager: presents staff report via power point.

Phil Guldeman, Applicant: discusses the request for a second adjustment regarding underground utilities on parcel 3.

Dennis Schmidt, Agent: supports the recommendation and states is available for questions.

Glenn Marshall: questions the shared access on Corte ee Mayo with Mr. Schmidt responding.

Chairperson Carroll: requests clarification regarding the second waiver with Stephanie Fuhs responding.

Phil Guldeman, Applicant: questions if there is something that can be in writing regarding the adjustment.

Glenn Marshall: discusses the second waiver for utilities and states is in full support of a Title 21 adjustment as opposed to partially and suggests modifying the Findings.

Stephanie Fuhs, Project Manager: reads suggested revisions to Findings N, O and P, and removal of Condition 13.

Glenn Marshall: discusses additional revisions, Findings N, O, and P; and Condition 2 ; 2b; and change 3d to 4 and renumber as needed. Also, states a numbering issue on Condition 29.

**The Subdivision Review Board adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Document Number: 2016-002\_SRB granting Vesting Tentative Parcel Map (SUB2011-00028/CO12-0002) to CANDACE & PHIL GULDEMAN based on the Revised Findings A through P. in Exhibit A and subject to the Revised Conditions 1 through 32 in Exhibit B; Revised Finding N to read " There are special circumstances or conditions affecting the subdivision because the existing power transmission lines run along Mesa View Drive (Highway 1). These are high voltage primary transmission lines so undergrounding may not be economically feasible and could disrupt PG&E's infrastructure for electrical power delivery system., Revised Finding O to read " The granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision because the existing high voltage primary power transmission lines have been serving electricity to the area for decades without any adverse effect on the residents. , Revised Finding P to read "The granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in**

**the neighborhood of the subdivision because no other undergrounding has occurred and the adjacent properties are already developed and would be exempt from the undergrounding requirement,. Also, Modified Condition 2 with the removal of "for Corte de Mayo"; Modified Condition 2b with the removal of "Corte de Mayo"; Changing Condition 3d to Condition 4, with renumbering as needed; Deletion of Condition 13 with renumbering as needed and revised the numbering issue on Condition 29. Adopted.**

**Motion by:** Glenn Marshall  
**Second by:** Leslie Terry

<b>BOARD MEMBERS</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>	<b>RECUSE</b>
Marshall, Glenn	X			
Carroll, Ellen	X			
Terry, Leslie	X			
Guise, Melissa	X			

Additional Speaker -John Mullaney, neighbor: states he is the resident on Corte de Mayo and discusses a letter he submitted to staff.

Chairperson Carroll: questions the procedures with County Counsel. States we will be reopening the meeting to allow for public comment.

John Mullaney, Neighbor: discusses issue of traffic with the proposed project.

Stephanie Fuhs, Project Manager: responds to Mr. Mullaney's concerns.

Glenn Marshall: responds to traffic concerns by Mr. Mullaney.

Dennis Schmidt, Agent: questions the procedure and if this additional comment period is part of the hearing with Chairperson Carroll responding..

Ben Dore, County Counsel: reviews the hearing procedure.

Dennis Schmidt, Agent: clarifies the hearing procedure with Mr. Dore responding.

Chairperson Carroll: opens public comment. With no one coming forward. Closes public comment.

Glenn Marshall: states based on the additional testimony presented he does not see a reason to modify his original motion and moves on the previous motion.

**Thereafter, on motion of Glenn Marshall, seconded by Leslie Terry, on the following vote:**

**AYES:** Glenn Marshall, Leslie Terry, Melissa Guise, Ellen Carroll.  
**NOES:** None.  
**ABSENT:**

**The Subdivision Review Board adopts the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. and approves Document Number: 2016-002\_SRB granting Vesting Tentative Parcel Map (SUB2011-00028/CO12-0002) to CANDACE & PHIL GULDEMAN based on the Revised Findings A through P. in Exhibit A and subject to the Revised Conditions 1 through 32 in Exhibit B; Revised Finding N to read " There are special circumstances or conditions affecting the subdivision because the existing power transmission lines run along Mesa View Drive (Highway 1). These are high voltage primary transmission lines so**

undergrounding may not be economically feasible and could disrupt PG&E's infrastructure for electrical power delivery system., Revised Finding O to read " The granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision because the existing high voltage primary power transmission lines have been serving electricity to the area for decades without any adverse effect on the residents. , Revised Finding P to read "The granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision because no other undergrounding has occurred and the adjacent properties are already developed and would be exempt from the undergrounding requirement,. Also, Modified Condition 2 with the removal of "for Corte de Mayo"; Modified Condition 2b with the removal of "Corte de Mayo"; Changing Condition 3d to Condition 4, with renumbering as needed; Deletion of Condition 13 with renumbering as needed and revised the numbering issue on Condition 29. Adopted.

### **PLANNING STAFF UPDATES**

7. This is the time staff provides updates to the Review Authority for items not on the agenda.

Nicole Retana, Clerk: questions Chairperson Carroll if she would like to introduce our new member on the Subdivision Review Board.

Chairperson Carroll: Introduces Melissa Guise with the APCD as a new member to the Subdivision Review Board.

### **ADJOURNMENT**

**Next Scheduled Meeting: March 7, 2016**, in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

**Nicole Retana, Secretary  
Subdivision Review Board**

**Minutes will approved at the April 4, 2016 Subdivision Review Board meeting.**