

Friday, March 11, 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.

PLANNING STAFF UPDATES

2. This is the time set for Planning Staff updates.
Don Campbell: explains the Order of the Day and requests the Public Comment testimony be limited to one or two minutes.

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

3. Continued hearing to consider a request by the Phillips 66 Company for a Development Plan/Coastal Development Permit to allow the modification of the existing rail spur currently on the southwest side of the Santa Maria Refinery in order to allow for the import/unloading of crude oil at the refinery via train. The rail spur project includes a 6,915-foot long rail spur, an unloading facility, onsite pipelines, replacement of coke rail loading tracks, the construction of five parallel tracks with the capacity to hold a 5,190-foot-long unit train consisting of 80 tank cars (60 feet each), two buffer cars (60 feet each), and three locomotives (90 feet each), and accessory improvements. The site is in the South County Coastal Planning Area, in the Industrial Land Use Category, and is located at 2555 Willow Road, approximately 3 miles west of the Nipomo Urban Reserve Line and approximately 3,300 feet from the nearest residence. Also being considered is the FEIR. CONTINUED FROM 2/4, 2/5, and 2/25.

County File Number: DRC2012-00095

Assessor Parcel Numbers: 092-401-011, 092-401-013, 092-401-005, & 092-411-005

Supervisorial District: 4

Date Accepted: July 12, 2013

Project Manager: Ryan Hostetter

Recommendation: Denial

Ellen Carroll, staff: provides public information on meeting logistics and Order of the Day.

Don Campbell: opens Public Comment. Marium Shaw, Gary Kirkland, Jeff Edwards, Dave Kirk, Chuck Williams, Christa Chaney, Mica Jimenez, Jamie Fernandez, Monica Fernandez, Susan Hoffman, Lourdes Fausto, Gabriella Lava, Gina Limbato, Maria Cuevas, Ani Soltero, Victor Castellano, Angelica Areves, Eva Hoderia, Noel Genieno, Jacquelyn Mendoza, Margarita Montes, Julia De La Rosa, Dennis Zoblonski, Gabriella Lava, Hector Olivos, Antonio Solis, Jose Montune, Jose Montes, Juanna Guzman, Julia Montes, Maria Santonino, Noria Rosales, Paul Sullivan, Carmen Pena, Carmen Margolejo, Martha Sandoval, Ryan Lower, Genavie Osuno, Rosa Valentine, Amalia Sanchez, Adriane Hall, Jessica Silva, Robert Waring, Maria Garcia, Veronica Gonzalez, Lalissia Olivos, Arianna Rodriguez, Maria Trujillio, Miriam Gabal, Maria Morales, Margarita Meza, Nilia Moreno, Caroline Botwin, Moricio Moreno, Suzanna Chavez, Claudia Lopez, Kevin McCarthy, Michael Shaw, Sandra DuBow, Gary Frank, Seth Steiner, Nicki Nester, Betty Sleath, Gail Herlberg, Francisco Lamelli, Linda Dell, Andrea Seastrand, David Kahn, Javier Macias, Yuri Alvarez, Cynthia Brown, Sandra Merrill, Ron Tolliver, Coquice Tolliver-Burris, Summer Tolano, Larry Versol, Sabrina Silva, James Dassel, Laurie Wallace, Ed Elcencio, Maria Rios, Regina Smith-O'dea-dea, Brenna Butler-Garcia, Rick Grenz, Cynthia Alvarez, Mike Davis, Kevin O'Gorman, Leslie Bennet, Natalie Fosom, Kent Fosom, Laurie Weiz, Dr. Daniel Weiz, Carol Strong, Becky Bouchamp, Carol Pillsbury, Mark Nelson.

Jim Anderson, Phillips 66: shows a Power Point presentation on points of clarification.

Ellen Carroll, staff: explains how the Commission deliberations will occur during this meeting item.

Ryan Hostetter, Project Manager: introduces team based on their expertise.

Whitney McDonald, County Counsel: explains the Preemption process with a Power Point presentation.

Commissioners: discuss Preemption with Ms. McDonald.

Commissioners: would like slide from counsel depicting case law to reference with Ms. McDonald concurring.

Jim Irving: would like staff to provide what regulations do exist regarding methods of training, packing etc.

Ryan Hostetter, Project Manager: presents the biological topic of the proposal via a Power Point presentation.

Commissioners: question Biologist about the Power Point presentation John Clakston, SWCA: addresses commissioner's questions.

Commissioners: point out other issues which they would like to discuss in future meetings.

Thereafter, on **Motion by** Jim Irving, **Second by** Eric Meyer, and on the following vote, the commission continues this item to April 15, 2016.

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** Jim Irving, **Second by** James Harrison, and on the following vote, the Commission accepts all testimony and correspondence entered into the record.

Motion by: Jim Irving
Second by: James Harrison

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

Thereafter, on **Motion by** Ken Topping, **Second by** Eric Meyer, and on the following vote, the Commission adjournsto the next regularly scheduled meeting on March 24, 2016.

Motion by: Ken Topping
Second by: Eric Meyer

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

ADJOURNMENT: 4:35 PM

Respectfully submitted,
 Ramona Hedges, Secretary
 San Luis Obispo County Planning Commission
Minutes approved at the 8/11/16 Planning Commission meeting.