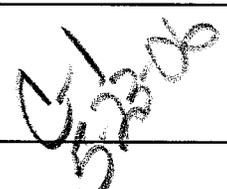


**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building		(2) MEETING DATE May 23, 2006		(3) CONTACT/PHONE Nick Forester, Planner (805) 781-1163	
(4) SUBJECT A continued hearing to consider an appeal by Donald Carnine of the Subdivision Review Board disapproval of a request by Donald Carnine for a Tentative Parcel Map CO 05-0090 using the Transfer of Development Credits program to subdivide an existing 40 acre parcel into two parcels of 20 acres each. The proposed project is within the Agriculture land use category and is located at 4242 Las Tablas-Willow Creek road, approximately 3.5 miles west of the community of Templeton. The site is in the Adelaida planning area. (SUPERVISORIAL DISTRICT 1)					
(5) SUMMARY OF REQUEST On November 7, 2005, the request for a Tentative Parcel Map using the Transfer of Development Credits program to subdivide an existing 40 acre parcel into two parcels of 20 acres was denied by the Subdivision Review Board. On November 7, 2005, the Planning Department received an appeal of this decision by the Donald Carnine. The appeal of this matter was heard at the January 24, 2006 San Luis Obispo County Board of Supervisors (BOS) hearing. At that hearing the BOS directed staff to come back with findings and conditions of approval for this project and continued the item to the April 4, 2006 BOS hearing. At that hearing it was determined that the notice for the Negative Declaration proposed for the project was inadequate and the BOS continued the item to the May 23, 2006 BOS hearing.					
(6) RECOMMENDED ACTION Continue the appeal to the September 12, 2006 Board of Supervisors hearing.					
(7) FUNDING SOURCE(S) Appeal Fee		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> N/A					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Public Works, Environmental Health, Parks Division, CDF, Ag Commissioner, Air Pollution Control District					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) <input checked="" type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input type="checkbox"/> All			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		(15) Maddy Act Appointments Signed-off by Clerk of the Board
(16) AGENDA PLACEMENT <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Hearing (Time Est. 15 minutes) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(17) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input checked="" type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) _____			(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes		(22) Agenda Item History <input type="checkbox"/> N/A Date: 4-4-06
(23) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: right; margin-top: 20px;"> OK <i>Leslie Barr</i>  </div>					



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

TO: BOARD OF SUPERVISORS

FROM: NICK FORESTER, CURRENT PLANNING

VIA: WARREN HOAG, DIVISION MANAGER, CURRENT PLANNING *WH*

DATE: May 23, 2006

SUBJECT: A continued hearing to consider an appeal by Donald Carnine of the Subdivision Review Board disapproval of a request by Donald Carnine for a Tentative Parcel Map CO 05-0090 using the Transfer of Development Credits program to subdivide an existing 40 acre parcel into two parcels of 20 acres each. The proposed project is within the Agriculture land use category and is located at 4242 Las Tablas-Willow Creek road, approximately 3.5 miles west of the community of Templeton. The site is in the Adelaida planning area. (SUPERVISORIAL DISTRICT 1)

RECOMMENDATION

Continue the appeal to the September 12, 2006 Board of Supervisors hearing.

DISCUSSION

On November 7, 2005, the request for a Tentative Parcel Map using the Transfer of Development Credits program to subdivide an existing 40 acre parcel into two parcels of 20 acres was denied by the Subdivision Review Board. On November 7, 2005, the Planning Department received an appeal of this decision by the Donald Carnine. The appeal of this matter was heard at the January 24, 2006 San Luis Obispo County Board of Supervisors (BOS) hearing. At that hearing the BOS directed staff to come back with findings and conditions of approval for this project and continued the item to the April 4, 2006 BOS hearing. At that hearing it was determined that the notice for the Negative Declaration proposed for the project was inadequate and the BOS continued the item to the May 23, 2006 BOS hearing. The applicant is revising the parcel map to minimize the potential environmental impacts associated with the project and thus the applicant and planning staff request that the item be continued to the September 12, 2006 BOS hearing to allow time for the revisions to be completed.

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OTHER AGENCY INVOLVEMENT/IMPACT

Public Works, Environmental Health, Parks Division and CDF - reviewed the project and recommend approval.

Ag Commissioner- reviewed the project and indicated in their referral that the project could have a potential significant impact to agricultural resources.

Air Pollution Control District- reviewed the project and indicated in their referral that the project is inconsistent with the Clean Air Plan.

FINANCIAL CONSIDERATIONS

The appeal was processed using the appeal fee paid by the appellant.

RESULTS

Approval of this continuance will continue the item to the September 12, 2006 BOS hearing for action.

ATTACHMENTS:

None.

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