

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

(1) DEPARTMENT Planning and Building	(2) MEETING DATE August 8, 2006	(3) CONTACT/PHONE Martha Neder, 781-4576
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(4) SUBJECT
Hearing to consider an appeal by the applicant, Bill Freeman, of the Planning Commission's decision of June 22, 2006, to deny Conditional Use Permit DRC2005-00168 that would waive Land Use Ordinance standards that prohibit an outdoor used car lot within a central business district. The proposed project is within the Commercial Retail land use category and is located at 1921 and 1941 Cienega Street, in the central business district of the community of Oceano. Supervisorial District No. 4

(5) SUMMARY OF REQUEST
The applicant has appealed the Planning Commission's decision to not approve a Conditional Use Permit to waive Land Use Ordinance standards that prohibit an outdoor used car lot within a central business district. The used car lot would result in the disturbance of approximately 9,375 square feet of an 18,125 square foot parcel. The proposed project is within the Commercial Retail land use category and is located at 1921 and 1941 Cienega Street, in the community of Oceano. The site is in the San Luis Bay planning area.

(6) RECOMMENDED ACTION
Adopt the resolution to deny the appeal and affirm the Planning Commission's decision to disapprove the Conditional Use Permit DRC2005-00168 based on the Findings listed in Exhibit "A".

(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 checked="" type="checkbox"/> N/A
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(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST):
County Public Works, Oceano CSD, RWQCB, Cal Trans, Oceano/Halcyon Advisory Council, Airport Land Use Committee, Building Division

(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? No Yes, How Many? _____
 Permanent _____ Limited Term _____ Contract _____ Temporary Help _____

(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input checked="" type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input type="checkbox"/> All	(14) LOCATION MAP <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A	(15) Maddy Act Appointments Signed-off by Clerk of the Board N/A
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(16) AGENDA PLACEMENT <input type="checkbox"/> Consent <input checked="" type="checkbox"/> Hearing (Time Est. 45 minutes) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)	(17) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A
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(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
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(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) _____	(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	(22) Agenda Item History <input checked="" type="checkbox"/> N/A Date _____
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(23) ADMINISTRATIVE OFFICE REVIEW

Ok Leslie B 8-8-06
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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

TO: BOARD OF SUPERVISORS

FROM: MARTHA NEDER, CURRENT PLANNING

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

DATE: AUGUST 8, 2006

SUBJECT: HEARING TO CONSIDER AN APPEAL BY THE APPLICANT, BILL FREEMAN, OF THE PLANNING COMMISSION'S DECISION OF JUNE 22, 2006, TO DENY CONDITIONAL USE PERMIT DRC2005-00168 THAT WOULD WAIVE LAND USE ORDINANCE STANDARDS THAT PROHIBIT AN OUTDOOR USED CAR LOT WITHIN A CENTRAL BUSINESS DISTRICT. THE PROPOSED PROJECT IS WITHIN THE COMMERCIAL RETAIL LAND USE CATEGORY AND IS LOCATED AT 1921 AND 1941 CIENEGA STREET, IN THE CENTRAL BUSINESS DISTRICT OF THE COMMUNITY OF OCEANO. SUPERVISORIAL DISTRICT NO. 4

RECOMMENDATION

Adopt the resolution to deny the appeal and affirm the Planning Commission's decision to disapprove the Conditional Use Permit DRC2005-00168 based on the Findings listed in Exhibit "A".

DISCUSSION

On June 22, 2006, the Planning Commission, on a vote of 5 – 0, denied Bill Freeman's application for Conditional Use Permit DRC2005-00168, a request to waive Land Use Ordinance standards that prohibit an outdoor used car lot within a central business district.

On June 29, 2006, the Planning Department then received an appeal of this decision by the applicant, Bill Freeman. The following is a summary of issues raised in the appeal and a brief response from staff.

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APPEAL ISSUES

Issue 1 – Approval of project is for the community's better interests and growth.

Staff Response: Land Use Ordinance Section 22.30.110 contains standards for auto and vehicle dealerships.

22.30.110 A. Limitation on Use states *"In a central business district, vehicle dealerships are allowed provided all vehicles for sale are stored, displayed, and serviced entirely within a building."*

The subject property is located within the Commercial Retail land use category, between areas within the Residential Multi-family and Commercial Service land use categories. The site provides a buffer area between the commercial service uses, predominantly automotive services, and residential multi-family development. Allowing a used car dealership similar to ones across the street effectively removes the buffer area and extends commercial service land uses so that they are between and adjacent to retail and residential uses. Ideally, there would be a larger transition area from the commercial retail central business district and the commercial service areas. However, because those areas are located so close together in this area, every effort needs to be made to prevent the commercial service areas from creeping into the commercial retail central business district.

In their consideration of the project, the Planning Commission compared this area to the central business district of Santa Margarita which, like Oceano, is bisected by a highway. As pedestrian friendly development, shops, and restaurants locate in the central business district, the traffic has slowed and the area is developing into a more pedestrian-scaled downtown shopping area typical of traditional downtowns. In regard to the subject project, the Planning Commission felt that while similar businesses are located across the street in the Commercial Service land use category, locating the outdoor used car lot in the Commercial Retail central business district would perpetuate the existing conditions rather than move toward community goals of achieving the human scale and cohesiveness of a typical downtown.

Appeal Issue 2 – Planning Commission's decision is based on a near defunct plan (Oceano Specific Plan) which is not reasonable for the subject property.

Staff Response: The Oceano Specific Plan was adopted by the Board of Supervisors as part of the General Plan on April 2, 2002. It is the most recently adopted Specific Plan in the county, adopted after several years of community involvement, town-hall meetings, and public hearings. The Specific Plan provides an overall framework and vision for translating community values and expectations into specific strategies for enhancing the community's quality of life. The Specific Plan identifies this area's lack of human scale and cohesiveness of a typical downtown as obstacles/barriers to success.

Oceano has two commercial retail areas: Downtown and Pier Avenue. The proposed project is located in the Downtown area. The Oceano Specific Plan identifies this areas lack of human scale and cohesiveness of a typical downtown as obstacles/barriers to success.

The Oceano Specific Plan contains a program for the future development of this area consistent with the Downtown Conceptual Plan that is set forth in an exhibit in the Specific Plan. The goal of the plan is to provide a pleasant environment for pedestrians, pedestrian areas that are active in the evening as well as during the day and a place that is welcoming to visitors and that emphasizes those features of the community that distinguish it from other places.

The Specific Plan also provides guidelines related to the orientation and design of buildings in the downtown area. The organization and orientation of buildings in this area are crucial in ensuring that streets are welcoming and friendly to pedestrians. Active shopping streets are vital to the success of this area. In general, the guidelines call for the placement of buildings on the front property line with lighting that compliments the overall site and building design and creates a sense of welcoming for the pedestrian. The design of all landscapes should be of professional quality and be a major component of any parking area. Expansive paved areas are to be avoided in favor of smaller multiple lots separated landscaping and buildings. Chain link fencing is not a preferred fencing material and screening between a commercial service and a residential use should be solid masonry. Signage should be carefully designed to enhance the unique quality of downtown.

The project proposes to remodel an existing old structure located approximately 70 feet from the front property line. The existing six-foot high chain link fence along the north, east, and west property lines would remain and there would be a six-foot high chain link fence separating the front and back half of the property. There are two access gates located on the northern property line, adjacent to the multi-family residences that access the property from the rear alley. Landscaping is proposed on the front property line and approximately 80 feet along the east and the west property lines. No landscaping is proposed in the interior of the site. Four parking stalls are proposed adjacent to the front building. A 50-foot by 30-foot area is shown as a proposed building within five years. However, no design information is given. No car display layout details are provided.

STAFF COMMENTS

Prior to the applicant submitting a Conditional Use Permit, the applicant met with staff on several occasions and staff consistently explained that a used car lot within the Central Business District was not an allowable use. Staff informed the applicant that the department would not be able to support the project at this location because of the ordinance standard. Staff informed the applicant that the Planning Commission had the authority to waive or modify ordinance standards by means of a Conditional Use Permit application. The Planning Commission must find the following in order to modify the standard.

The standards of Chapter 22.30 may be waived or modified through Conditional Use Permit approval. Waiver of the modification of standards shall only be granted where the Planning Commission first makes findings that:

1. *Set forth the necessity for modification or waiver of standards by identifying the specific conditions of the site and/or vicinity which make the standard unnecessary or ineffective;*
2. *Identify the specific standards of Chapter 22.30 being waived or modified;*

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3. *The project, including the proposed modifications to the standards of Chapter 22.30, will satisfy all mandatory findings required for Conditional Use Permit approval.*

The Planning Commission did not determine these findings could be made and ultimately made a unanimous decision to not support the request. A project that complies with the requirements of the Land Use Ordinance could be supported at this location. The placement of buildings directly along a sidewalk is one of the key components of creating an area that encourages a pedestrian shopping experience. This arrangement generates large volumes of pedestrian traffic and interesting windows and storefront displays. An indoor auto dealership would provide the opportunity for the placement of a building near the sidewalk consistent with this characteristic.

OTHER AGENCY INVOLVEMENT/IMPACT

Oceano/Halcyon Advisory Council – The previous advisory council voted to support the project based on projections of fully paved (asphalt) lot, new building to be erected or the existing building completely remodeled, drainage plan, and curb, gutter, and sidewalk. The current advisory council decided no further action by the Advisory Council was necessary

Building Division – A building permit is needed to change the use of the existing structure. Site plan and building plans need to be prepared by a California Registered Architect or Engineer. Need to address all building code, energy, and accessibility issues. Also need bathroom facilities.

Public Works – Recommends conditions. Possible sight distance problems of driveway approach. CalTrans encroachment permit required.

OCSD – Will serve letter attached. Fire plan exception.

RWQCB – No comments received.

Cal Trans – No comments received.

Airport Land Use Committee – No comments received.

FINANCIAL CONSIDERATIONS

The applicant paid the applicable appeal fee.

RESULTS

Denying the appeal and upholding the Planning Commission decision to not allow Conditional Use Permit DRC2005-00168 would not allow an outdoor used car lot to be located on the project site.

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ATTACHMENTS

1. Resolution
2. Appeal letter
3. Draft minutes of the Planning Commission meeting
4. Correspondence received after the June 22, 2005 Planning Commission hearing
5. June 22, 2005 Planning Commission Staff Report

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IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION AFFIRMING THE DECISION OF THE
PLANNING COMMISSION AND DISAPPROVING
THE APPLICATION OF BILL FREEMAN
FOR CONDITIONAL USE PERMIT DRC2005-00168

The following resolution is now offered and read:

WHEREAS, on June 22, 2006, the Planning Commission of the County of San Luis Obispo (hereinafter referred to as the "Planning Commission") duly considered and disapproved the application of Bill Freeman for Conditional Use Permit DRC2005-00168; and

WHEREAS, Bill Freeman has appealed the Planning Commission's decision to the Board of Supervisors of the County of San Luis Obispo (hereinafter referred to as the "Board of Supervisors") pursuant to the applicable provisions of Title 22 of the San Luis Obispo County Code; and

WHEREAS, a public hearing was duly noticed and conducted by the Board of Supervisors on August 8, 2006, and a determination and decision was made on August 8, 2006; and

WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said appeal; and

WHEREAS, the Board of Supervisors has duly considered the appeal and finds that the appeal should be denied and the decision of the Planning Commission should be affirmed and that the application should be disapproved based upon the findings set forth below.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.
2. That the Board of Supervisors makes all of the findings of fact and determinations set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.

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3. That this project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves.

4. That the appeal filed by Bill Freeman is hereby denied and the decision of the Planning Commission is affirmed that the application of Bill Freeman for Conditional Use Permit DRC2005-00168 is hereby disapproved based upon the findings of fact and determinations set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairperson of the Board of Supervisors

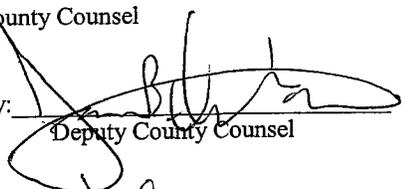
ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: 
Deputy County Counsel

Dated: July 12, 2006

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STATE OF CALIFORNIA,)
)
County of San Luis Obispo) ss

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 2006.

County Clerk and Ex-Officio Clerk of the Board of Supervisors

(SEAL)

By: _____
Deputy Clerk

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FINDINGS - EXHIBIT A
Conditional Use Permit DRC2005-00168

Conditional Use Permit

A. The proposed project is not consistent with the San Luis Obispo County General Plan because:

1. The project is not consistent with the purpose and character statements in Framework for Planning, because the project:
 - a. does not involve the placement of buildings to enhance pedestrian use
 - b. does not serve to provide a centralized locations for stores, offices, and service establishments offering commodities and services scaled to meet neighborhood and community general shopping needs; and
 - c. disrupts the development of an area for a concentration of business and public facilities to encourage pedestrian circulation by locating a used car lot between a restaurant and medical service office.
2. The project is not consistent with the Oceano Specific Plan because it does not provide the placement of buildings on the front property line with lighting that compliments the overall site and building design and creates a sense of welcoming for the pedestrian. The design of landscapes are not of professional quality and a major component of any parking area as no landscaping is proposed on the interior of the site. Expansive paved areas are not avoided in favor of smaller multiple lots separated landscaping and buildings. Chain link fencing is proposed to remain and screening between the use and a residential area is not solid masonry.

B. The proposed project or use will be inconsistent with the character of the immediate neighborhood and contrary to its orderly development because the subject property is located within the Commercial Retail land use category, between areas within the Residential Multi-family and Commercial Service land use categories. The commercial retail/central business district area provides a buffer area between the commercial service uses, predominantly automotive services, and residential multi-family development. Allowing a used car dealership similar to ones across the street in the Commercial Service land use category effectively removes the buffer area and extends commercial service land uses so that they are between and adjacent to retail and residential uses.

Use Standard Modification

C. There are no conditions of the site and/or vicinity which make the standard which requires vehicle dealerships within central business districts to have all vehicles for sale stored, displayed, and serviced entirely within a building unnecessary or ineffective because the site is located between a restaurant and medical office and adjacent to multi-family residences. Locating all vehicles for sale stored, displayed and serviced entirely within a building is necessary to prevent incompatibilities with the adjacent uses and to create an area which encourages pedestrian activity consistent with the Oceano Specific Plan and the purpose and character statements of central business districts in the Framework for Planning of the Land Use Element.

D. The project, including the proposed modifications to the standards of Chapter 22.30 will not satisfy all mandatory findings required for Conditional Use Permit approval as described above.

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Environmental Determination

- E. That this project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves.

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Attachment 2

Appeal Letter

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Inland Appeal Application

San Luis Obispo County Department of Planning and Building

JUN 29 2006

(M. Hedges)

PROJECT INFORMATION

Type of permit being appealed: Planning & Bldg

- Plot Plan Site Plan Minor Use Permit Development Plan Variance
 Land Division Lot Line Adjustment Sending Site Determination Other _____

File Number: DRC 2005-00168

The decision was made by:

- Planning Director Building Official TDC Review Committee Administrative Hearing Officer
 Subdivision Review Board Planning Commission Other _____

Date the application was acted on 06/22/2006

The decision is appealed to:

- Board of Construction Appeals Board of Handicapped Access Planning Commission Board of Supervisors

BASIS FOR APPEAL

Appeal Reasons: Please state your reasons for the appeal. In the case of a Construction Code Appeal, note specific code name and sections disputed (*attach additional sheets if necessary*). Please Note: An appeal should be filed by an aggrieved person or the applicant at each stage in the process if they are still unsatisfied by the last action.

SEEKING APPEAL AND APPROVAL UNDER EXCEPTION "D" - EXCEPTION TO SPECIAL USE STANDARDS FOR THE COMMUNITY BETTER INTERESTS AND GROWTH. PLANNING COMMISSION DECISION BASED ON A NEAR DEFUNCT PLAN - OCEANO SPECIFIC PLAN. PLAN NOT REASONABLE FOR SUBJECT PROPERTY.

Specific Conditions. The specific conditions that I wish to appeal that relate to the above referenced grounds for appeal are:

Condition Number	Reason for appeal (<i>attach additional sheets if necessary</i>)
<u>22.30.010</u>	<u>D EXCEPTION TO SPECIAL USE STANDARDS</u>
<u>22.30-110</u>	<u>EXCEPTION TO WAIVE AND APPLY 22.30.530 A = SALE LOT</u>

APPELLANT INFORMATION

Print name: WILLIAM (BILL) FREEMAN

Address: 11638 LEAH WAY, PASO ROBLES, CA. 93446 Phone Number (daytime): (805) 441-5016

We have completed this form accurately and declare all statements made here are true.

Signature: William M Freeman
OUT OF TOWN AND NOT AVAILABLE
7/23/06 - 7/30/06

Date: 6/29/06
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OFFICE USE ONLY		
Date Received: <u>6/29/06</u>	By: <u>M. Hedges</u>	Revised 7/31/01/ep
Amount Paid: <u>604.00</u>	Receipt No. (if applicable): _____	

Attachment 3

*Draft minutes of the
Planning Commission meeting*

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DRAFT

2. This being the time set for hearing to consider a request by **BILL FREEMAN** for a Conditional Use Permit to allow an outdoor used car lot within a central business district. The project will result in the disturbance of approximately 9,375 square feet of an 18,125 square foot parcel. The proposed project is within the Commercial Retail land use category and is located at 1921 and 1941 Cienega Street, in the community of Oceano. This project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves. The site is in the San Luis Bay planning area. **County File No: DRC2005-00168.**

Martha Neder, staff: Presents staff report, and Findings for denial.

Chairman Mehlschau: Feels this location is not conducive to public shopping and discusses community opinion of project.

Commissioner Roos: Requests clarification on community's specific plan with staff responding.

Commissioner Gibson: Discusses zoning/development in area and the Oceano Specific Plan.

Martha Neder, staff: Addresses development/zoning in area, modifications that can be made if the Planning Commission can make findings and posted speed limit

Bill Freeman, applicant: Discusses development in Oceano, history of his work, landscaping that will be used, fencing, law enforcement recommendations against solid fencing, and his good character.

Commissioner Roos: Asks if Mr. Freeman is working at a car lot with Mr. Freeman responding he works at the Jerry Reneau Chrysler/Dodge dealership in Paso Robles as a manager, states the traffic condition for this proposed project is very busy and would personally not walk down the street.

Bill Bookout: Owns Oceano Nursery and is in support of project.

Donald Peterman: Discusses minimal impacts to traffic from this project and is in support of project.

Commissioner Gibson: Discusses the Oceano Specific Plan certification by the Coastal Commission.

Kami Griffin, staff: Clarifies Coastal zone locations and this property not being located in the coastal zone. Discusses the actions the Planning Commission would have to make to make findings.

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Commissioner Rappa: Discusses speed limit on street of proposed project and indoor restrictions

Commissioner Roos: Discusses commercial retail zoning for this project and current zoning.

Commissioner Gibson: Discusses the Oceano Specific Plan, Oceano residents' opinions on how their central business district should appear, and would like the Oceano Specific Plan adhered to.

Chairman Mehlschau: Discusses businesses surrounding proposed project and the lack of pedestrian shopping. States he is open to time limitations placed on the length this particular type of business can be at this location.

Commissioner Roos: States we need to study the conflicting opinions of the Oceano Specific Plan, and business owners opinions. States he will adhere to the specifications of the Oceano Specific Plan.

DRAFT

Commissioner Christie: Adds perspective regarding planning and development of the area.

Thereafter on motion by Commissioner Rappa, seconded by Commissioner Gibson, and on the following roll call vote:

AYES: Commissioners Rappa, Gibson, Christie, Roos, and Chairman Mehlschau.

NOES: None

The commission denies the request for a Conditional Use Permit based on the Findings in Exhibit A.

Commissioner Roos: Speaks to the motion and his reluctance to support it, however will support it due to community opinion and adherence to the Oceano Specific Plan, with Commissioner Gibson in agreement.

- 3. This being the time set for hearing to consider a request by the **COUNTY OF SAN LUIS OBISPO** to amend Sections 22.30.440 and 22.22.080 of the Land Use Ordinance (Title 22) of the County Code and amend Sections 23.08.164(f&g) and 23.04.028(d) of the Coastal Zone Land Use Ordinance (Title 23) of the County Code to: 1) modify the County's standards for mobile home park closure, subdivision and conversion to other uses; and 2) modify the County's standards to convert existing residential development into a condominium, planned development or similar residential unit ownership. This ordinance amendment affects all planning areas and land use categories of the county that are outside of the jurisdictions of the incorporated cities. Also to be

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Attachment 4

Correspondence

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Ellie Porter/Planning/COSLO
07/18/2006 07:54 AM

To Martha Neder/Planning/COSLO@Wings
cc
bcc
Subject Fw: Freeman Project #2005-00168

Martha, for your file.

Ellie Porter
Planning Commission Secretary
(805) 781-5611

----- Forwarded by Ellie Porter/Planning/COSLO on 07/18/2006 07:53 AM -----



Mark Wampler
<markwwampler@sbcglobal.net>
07/17/2006 05:51 PM

To eporter@co.slo.ca.us
cc
Subject Freeman Project #2005-00168

Dear Ellie,

I'm responding to a letter that was sent to you by Chairperson Elita Wheeler dated June 19, 2006 regarding Mr. Freeman's proposed car lot along Highway 1 in Oceano, PMT 2005-00168.

Ms. Wheeler referred to "several errors" contained in a letter I sent as chairman at the time, to Supervisor Achadjian approving the project according to the council's recommendation, dated March 2, 2006.

What Ms Wheeler failed to mention is that the council approved the concept of the car lot in its infant stage according to the information we had at the time. As you may be aware, advisory councils are often handed project referrals in draft stages at best and are not given the opportunity to weigh in on the final product. Such is the case here. I sent Mr. Achadjian the projections of Mr. Freeman's concept of the car lot all of which the council had previously approved.

The upper portion of the parcel is not within Mr. Freeman's scope of business, thus the unused area of the lot would not be asphalted. The portion of Mr. Freeman's area to be used for his business would be paved.

I apologize for the confusion. We do hope for Mr. Freeman's success in this new venture.

Sincerely,

Mark Wampler

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PLANNING COMMISSION

EXHIBIT: _____
OCEANO ADVISORY COUNCIL

MONDAY

JUNE 19, 2006

DATE: _____

OCEANO
DO NOT REMOVE FROM FILE

The special meeting was called to order at 6:04 p.m. by Chair Elita Wheeler. There was a general discussion of various means to coordinate with State Parks for the betterment of the Community. Mitch Cooney is tasked with the responsibility of writing to State Parks indicating a desire to enter into a dialogue to discuss means to alleviate the following: Traffic congestion on Pier Avenue; the need for adequate parking to alleviate in-town parking congestion; the inability to leave businesses on the North side of Pier Avenue traveling East; the need to establish an air-up station; any area of interest and/or concern that State Parks may have.

Roll Call

1. Present: Elita Wheeler, Co-Housing; Tom Ramler, Oceano Airport; Larry Vierheilg, California Native Plant Society; Bill Bookout, Oceano Community Services District; Mitch Cooney, Oceano Kiwanis Club; Linda Austin, Depot Association Alternate; Glenda Guiton, Member at Large Alternate

Absent: Will Deschenes, Member at Large; Barbara Mann, Oceano Improvement Association; Gina Davis, Depot Association

6:30 p.m. the regular meeting was called to order by Chairperson Elita Wheeler

2. Flag Salute
The flag salute was lead by Tom Ramler
3. Public Comment
(None)
4. Review and Approval of Minutes
a. May 15, 2006. The Minutes are approved as presented with Tom Ramler abstaining.

ADDED ITEM: Upon the Motion of Tom Ramler, seconded by Larry Vierheilg, and unanimously carried to make a finding that the issue of the Used Car Lot on Cienaga was made known after the agenda was published and to delay action on the item would preclude a timely action by the Council. The matter of a letter to the Planning Commission on behalf of Bill Freeman (Used Car Lot in Oceano) is added as item 6.a.

5. Reports
Mitch Cooney gave a report on the Fire Department; he stated that the number of calls has increased over last year, that the Fire Department budget is in balance and secures funding for FY 2006-2007. Sgt. C.J. Bell, Sheriff's Department, stated that there was nothing major to report; the Sheriff's Department is gearing-up for the 4th of July; the transient homeless

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OCEANO ADVISORY COUNCIL

MONDAY

JUNE 19, 2006

OCEANO

population influx is being monitored and that a member of the South Station was honored by the Nipomo Rotary Club. Linda Austin gave a report on the last Airport Land Use Commission meeting. Glenda Guiton reported on the Arroyo Grande Creek Proposition 218 election: she reported that 647 ballots out of 1300 were returned with a 'yes' vote of \$281,300 and a 'no' vote of \$30,494. The Board of Supervisors still is required to vote on the relinquishment of control to a lead agency. Also, Ms. Guiton reported, none of the *new* money collected under Proposition 218 will be used to fund Risk Management (Insurance). There is \$401.18 in the Treasury: **Will Deschanes is tasked with the responsibility to send a letter to the County requesting a replenishment of funds.**

6. New Business

- a. Letter to County Planning concerning a Used Car Lot on Cienaga. Bill Freeman presented his position and requested a letter to the County Planning Department clarifying the Oceano Advisory Council's position on his planned development (a used car lot) on Cienaga. Elita Wheeler presented a draft of a proposed letter. **Thereafter, upon the motion of Tom Ramler, seconded by Linda Austin and approved, with Bill Bookout recusing himself, the draft letter prepared by Elita Wheeler is to be forwarded to the Planning Department:** Elita Wheeler is to e-mail the letter to the Planning Department. A copy of the letter is attached as reference.
- b. Priority List for utilization of Oceano School Grounds. Elita Wheeler presented the item. It was determined by the Council that the County should copy the park located in the City of Pismo Beach at Wadsworth and Longview adding a restroom and ensuring that there was a maintained lawn area. The concept of maintenance of the proposed site utilizing volunteer labor was discussed and deemed to be impractical since the effort, although well intentioned, would soon not fulfill the daily maintenance needs. It was suggested that the County maintain the park or allocate a budget that would allow for a contract maintenance crew to perform this task.
- c. Oceano Advisory Council Bylaws. The draft changes were discussed. There needs to be a change in Article III, Section 1 to replace 'Oceano/Halcyon' with 'Oceano' and membership on the Council needs to be further defined. Mitch Cooney is tasked with developing new language for the Bylaws for discussion at the July 17, 2006, meeting.

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OCEANO ADVISORY COUNCIL

MONDAY

JUNE 19, 2006

OCEANO

7. Old Business
(None)

8. Informational Items
The items presented on the agenda were considered.

Chairperson Wheeler adjourned the meeting at 7:49 p.m.

FRANCIS M. COONEY
RECORDING SECRETARY

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PLANNING COM

EXHIBIT: _____

DATE: _____

DO NOT REMOVE FROM FILE

Oceano Advisory Council
P.O. Box 517
Oceano, CA 93475

June 19, 2006

Case # 2005-00168

Hearing Date: June 22, 2006

San Luis Obispo County Planning Commission
% Ellie at eporter@co.slo.ca.us

The Oceano Advisory Council voted unanimously, on January 16, 2006, that we support Bill Freeman's proposal for a used car lot in Oceano, as shown on plans presented to us.

The business will improve the appearance of the part of Oceano where it will be located. It will provide a service to residents because many Oceano residents purchase used cars rather than new ones. In addition, people who stop at the lot to look at cars are probably more likely than other visitors on Highway 1 to patronize another Oceano business. We understand that Mr. Freeman has considerable experience operating a used car lot, and, thus, this proposed business has an excellent chance of being successful.

A letter submitted to you through Supervisor Achadjian's office, dated March 2, 2006, and signed by this Council's former chair, Mark Wampler, contained several errors. For one, the plan we support does not include a fully paved lot. Instead, the front part is paved and the back part is gravel, which will allow absorption of rainwater and reduce runoff and its ensuing drainage problems. Also, existing buildings will be repaired and painted but will have no major remodeling except for addition of a disabled-access restroom. The roofs are in good condition and do not need to be replaced. We understand that an approved plan for drainage, curbs, gutters, and sidewalks will be required without a request for it on our part.

We understand and greatly appreciate the need for the Planning Commission to assure the quality of proposed development. At the same time, we are hopeful that Mr. Freeman's plan or a similar version of it will be approved to allow improvement in the appearance and utility of Oceano's downtown.

Very truly yours,

Elita Wheeler

Elita Wheeler, Chair

cc: Katcho Achadjian
Martha Neder
Bill Robeson
Bill Freeman

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Attachment 5

June 22, 2005

Planning Commission Staff Report

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2-1
COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

PLANNING COMMISSION

*Promoting the wise use of land
 Helping build great communities*

MEETING DATE June 22, 2006	CONTACT/PHONE Martha Neder, AICP 781-4576	APPLICANT Bill Freeman	FILE NO. DRC2005-00168
SUBJECT Request by Bill Freeman for a Conditional Use Permit to waive Land Use Ordinance standards that prohibit an outdoor used car lot within a central business district. The used car lot will result in the disturbance of approximately 9,375 square feet of an 18,125 square foot parcel. The proposed project is within the Commercial Retail land use category and is located at 1921 and 1941 Cienega Street, in the community of Oceano. The site is in the San Luis Bay planning area.			
RECOMMENDED ACTION Deny Conditional Use Permit DRC2005-00168 based on the findings listed in Exhibit A			
ENVIRONMENTAL DETERMINATION That this project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves.			
LAND USE CATEGORY Commercial Retail	COMBINING DESIGNATION Central Business District, Airport Review, Flood Hazard	ASSESSOR PARCEL NUMBER 062-114-007 & 016	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Oceano Specific Plan; Curb, Gutter, Sidewalk; Airport Review;			
EXISTING USES: Miscellaneous storage			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North: Residential Multi-family / multi-family residences East: Commercial Retail / medical office</i> <i>South: Commercial Service / trailer sales West: Commercial Retail / restaurant</i>			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: County Public Works, Oceano CSD, RWQCB, Cal Trans, Oceano/Halcyon Advisory Council, Airport Land Use Committee, Building Division			
TOPOGRAPHY: Level		VEGETATION: Grasses	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community system Fire Protection: Oceano Community Services District		ACCEPTANCE DATE: Not accepted for processing	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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PROJECT DESCRIPTION:

The proposed project is an outdoor used car lot within a central business district in the Commercial Retail land use category. The used car lot is proposed to be located between an existing restaurant to the west and a medical office and grocery store to the east. There are residential multi-family units across the alley to the north. Vehicle dealers and auto body shops are located across Cienega Street to the south in the Commercial Service land use category.

BACKGROUND:

Land Use Ordinance Section 22.30.110 contains standards for auto and vehicle dealerships.

22.30.110 A. Limitation on Use states "In a central business district, vehicle dealerships are allowed provided all vehicles for sale are stored, displayed, and serviced entirely within a building."

The applicant met with staff on several occasions prior to submitting the application and consistently explained that a used car lot within the central business district was not an allowable use. Staff informed the applicant that the department would not be able to support the project at this location because of the ordinance standard. Staff informed the applicant that the Planning Commission had the authority to waive or modify ordinance standards by means of a Conditional Use Permit application. The Planning Commission must find the following in order to modify the standard.

The standards of Chapter 22.30 may be waived or modified through Conditional Use Permit approval. Waiver of the modification of standards shall only be granted where the Planning Commission first makes findings that:

1. *Set forth the necessity for modification or waiver of standards by identifying the specific conditions of the site and/or vicinity which make the standard unnecessary or ineffective;*
2. *Identify the specific standards of Chapter 22.30 being waived or modified;*
3. *The project, including the proposed modifications to the standards of Chapter 22.30 will satisfy all mandatory findings required for Conditional Use Permit approval.*

The applicant then applied for a waiver to the limitation on use standard. Staff suggested that a request to modify this requirement would only be supported if the outdoor use area is clearly incidental (small) in comparison to the indoor activities and the design of the building and site layout is consistent with the purpose and character of central business districts and the requirements of the Oceano Specific Plan. The applicant submitted a revised landscaping plan, indicating that he felt the proposal meets county requirements as an outdoor car sales lot and requested an exception to the standard which requires an indoor auto dealership.

After reviewing the additional information submitted by the applicant, staff has determined that there are not specific conditions of the site and/or vicinity which make the standard unnecessary or ineffective and that the project, including the proposed modification, will not satisfy all mandatory findings required for Conditional Use Permit approval.

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ISSUES OF CONCERN:

Orderly Development. The subject property is located within the Commercial Retail land use category, between areas within the Residential Multi-family and Commercial Service land use categories. The site provides a buffer area between the commercial service uses, predominantly automotive services, and residential multi-family development. Allowing a used car dealership similar to ones across the street effectively removes the buffer area and extends commercial service land uses so that they are between and adjacent to retail and residential uses. Ideally, there would be a larger transition area from the commercial retail central business district and the commercial service areas. However, because those areas are located so close together in this area, every effort needs to be made to prevent the commercial service areas from creeping into the commercial retail central business district. A hard edge should be maintained. Therefore, the proposed project does not provide for orderly development consistent with the surrounding area.

Central Business District. Framework for Planning describes the purpose and intended character of land use categories. The purpose of central business district areas are to provide centralized locations for stores, offices, and service establishments offering commodities and services scaled to meet neighborhood and community general shopping needs; provide areas for a concentration of business and public facilities to encourage pedestrian circulation; and allow community scale shopping centers if designed for pedestrian shopping.

The placement of buildings directly along a sidewalk is one of the key components of creating an area that encourages a pedestrian shopping experience. This arrangement generates large volumes of pedestrian traffic and interesting windows and storefront displays. An indoor auto dealership would provide the opportunity for the placement of a building near the sidewalk consistent with this characteristic.

Another key component of creating a pedestrian-scaled area is a mix of shopping and service establishments which also serve to encourage walking and window shopping and to provide merchandise likely to be purchased in a multiple-stop shopping trip where patrons "park once" and visit several establishments on foot. The outdoor used car lot is proposed to be located between a restaurant and medical office, breaking up the continuity of uses and preventing a concentration of business to encourage pedestrian circulation. Experts on creating successful downtown shopping areas emphasize the importance of a continuous line of stores, shops, eating places, and other similar retail activities.

Oceano Specific Plan. The Oceano Specific Plan, certified in April 2004, provides an overall framework and vision for translating community values and expectations into specific strategies for enhancing the community's quality of life. Oceano has two commercial retail areas: Downtown and Pier Avenue. The proposed project is located in the Downtown area. The Oceano Specific Plan identifies this areas lack of human scale and cohesiveness of a typical downtown as obstacles/barriers to success.

The Oceano Specific Plan contains a program for the future development of this area consistent with the Downtown Conceptual Plan (see Exhibit D: Downtown Conceptual Plan). The goal of the plan is to provide a pleasant environment for pedestrians, pedestrian areas that are active in the evening as well as during the day and a place that is welcoming to visitors and that emphasizes those features of the community that distinguish it from other places.

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The specific plan also provides guidelines related to the orientation and design of buildings in the downtown area. The organization and orientation of buildings in this area are crucial in ensuring that streets are welcoming and friendly to pedestrians. Active shopping streets are vital to the success of this area. In general, the guidelines call for the placement of buildings on the front property line with lighting that compliments the overall site and building design and creates a sense of welcoming for the pedestrian. The design of all landscapes should be of professional quality and be a major component of any parking area. Expansive paved areas are to be avoided in favor of smaller multiple lots separated landscaping and buildings. Chain link fencing is not a preferred fencing material and screening between a commercial service and a residential use should be solid masonry. Signing should be carefully designed to enhance the unique quality of downtown.

The project proposes to remodel an existing old structure located approximately 70 feet from the front property line. The existing six-foot high chain link fence along the north, east, and west property lines would remain and there would be a six-foot high chain link fence separating the front and back half of the property. There are two access gates located on the northern property line, adjacent to the multi-family residences that access the property from the rear alley. Landscaping is proposed on the front property line and approximately 80 feet along the east and the west property lines. No landscaping is proposed in the interior of the site. Four parking stalls are proposed adjacent to the front building. A 50-foot by 30-foot area is shown as a proposed building within five years. However, no design information is given. No car display layout details are provided.

Based on the information provided, the project is not consistent with the Oceano Specific Plan and staff recommends that the Planning Commission deny the application for waiver of standards.

ADVISORY COUNCIL COMMENTS:

Oceano Advisory Council – The previous advisory council voted to support the project based on projections of fully paved (asphalt) lot, new building to be erected or the existing building completely remodeled, drainage plan, and curb, gutter, and sidewalk. The current advisory council decided no further action by the Advisory Council was necessary

AGENCY REVIEW:

Building Division – A building permit is needed to change the use of the existing structure. Site plan and building plans need to be prepared by a California Registered Architect or Engineer. Need to address all building code, energy, and accessibility issues. Also need bathroom facilities.

Public Works – Recommends conditions. Possible sight distance problems of driveway approach. CalTrans encroachment permit required.

OCSD – Will serve letter attached. Fire plan exception

LEGAL LOT STATUS:

The lots were legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Martha Neder and reviewed by Kami Griffin

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FINDINGS - EXHIBIT A
Conditional Use Permit DRC2005-00168

Conditional Use Permit

A. The proposed project is not consistent with the San Luis Obispo County General Plan because:

1. The project is not consistent with the purpose and character statements in Framework for Planning, because the project:
 - a. does not involve the placement of buildings to enhance pedestrian use
 - b. does not serve to provide a centralized locations for stores, offices, and service establishments offering commodities and services scaled to meet neighborhood and community general shopping needs; and
 - c. disrupts the development of an area for a concentration of business and public facilities to encourage pedestrian circulation by locating a used car lot between a restaurant and medical service office.
2. The project is not consistent with the Oceano Specific Plan because it does not provide the placement of buildings on the front property line with lighting that compliments the overall site and building design and creates a sense of welcoming for the pedestrian. The design of landscapes are not of professional quality and a major component of any parking area as no landscaping is proposed on the interior of the site. Expansive paved areas are not avoided in favor of smaller multiple lots separated landscaping and buildings. Chain link fencing is proposed to remain and screening between the use and a residential area is not solid masonry.

B. The proposed project or use will be inconsistent with the character of the immediate neighborhood and contrary to its orderly development because the subject property is located within the Commercial Retail land use category, between areas within the Residential Multi-family and Commercial Service land use categories. The commercial retail/central business district area provides a buffer area between the commercial service uses, predominantly automotive services, and residential multi-family development. Allowing a used car dealership similar to ones across the street in the Commercial Service land use category effectively removes the buffer area and extends commercial service land uses so that they are between and adjacent to retail and residential uses.

Use Standard Modification

- C. There are no conditions of the site and/or vicinity which make the standard which requires vehicle dealerships within central business districts to have all vehicles for sale stored, displayed, and serviced entirely within a building unnecessary or ineffective because the site is located between a restaurant and medical office and adjacent to multi-family residences. Locating all vehicles for sale stored, displayed and serviced entirely within a building is necessary to prevent incompatibilities with the adjacent uses and to create an area which encourages pedestrian activity consistent with the Oceano Specific Plan and the purpose and character statements of central business districts in the Framework for Planning of the Land Use Element.
- D. The project, including the proposed modifications to the standards of Chapter 22.30 will not satisfy all mandatory findings required for Conditional Use Permit approval as described above.

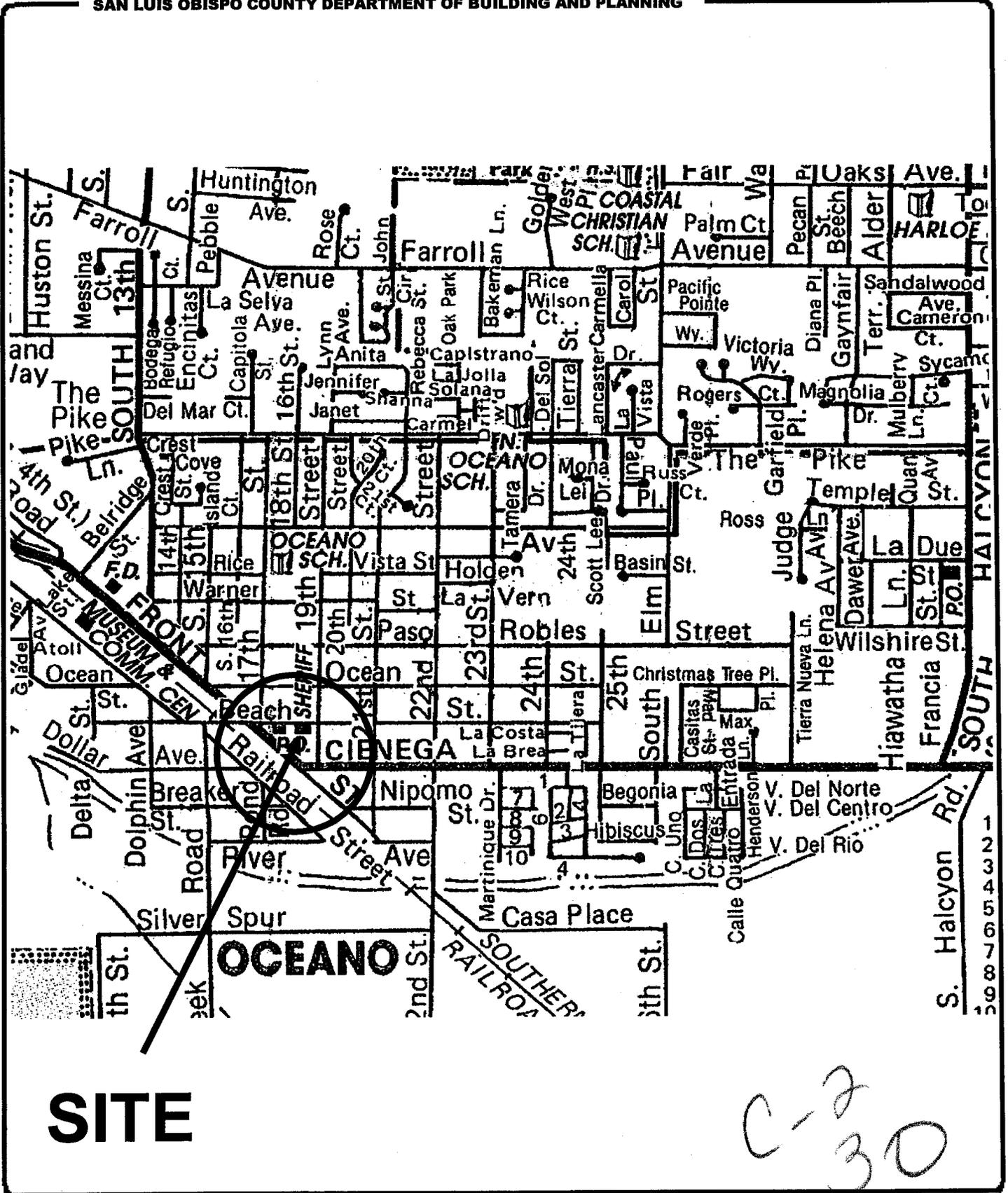
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Environmental Determination

- E. That this project is found to be statutorily exempt from the California Environmental Quality Act under the provisions of Public Resources Code section 21080(b)(5), which provides that CEQA does not apply to projects which a public agency rejects or disapproves.

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SITE

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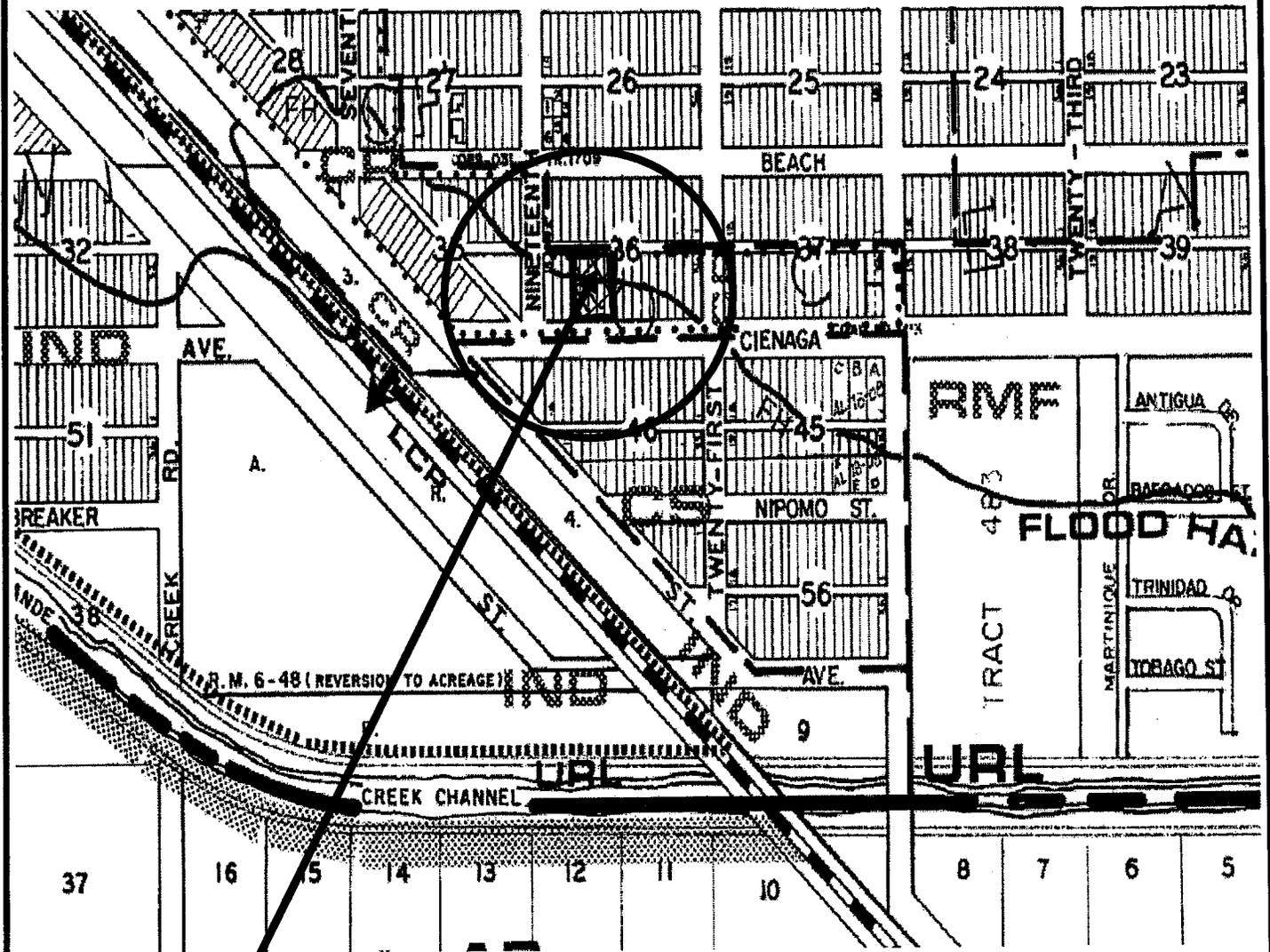
PROJECT

Conditional Use Permit
Bookout DRC2005-00168



EXHIBIT

Vicinity



SITE

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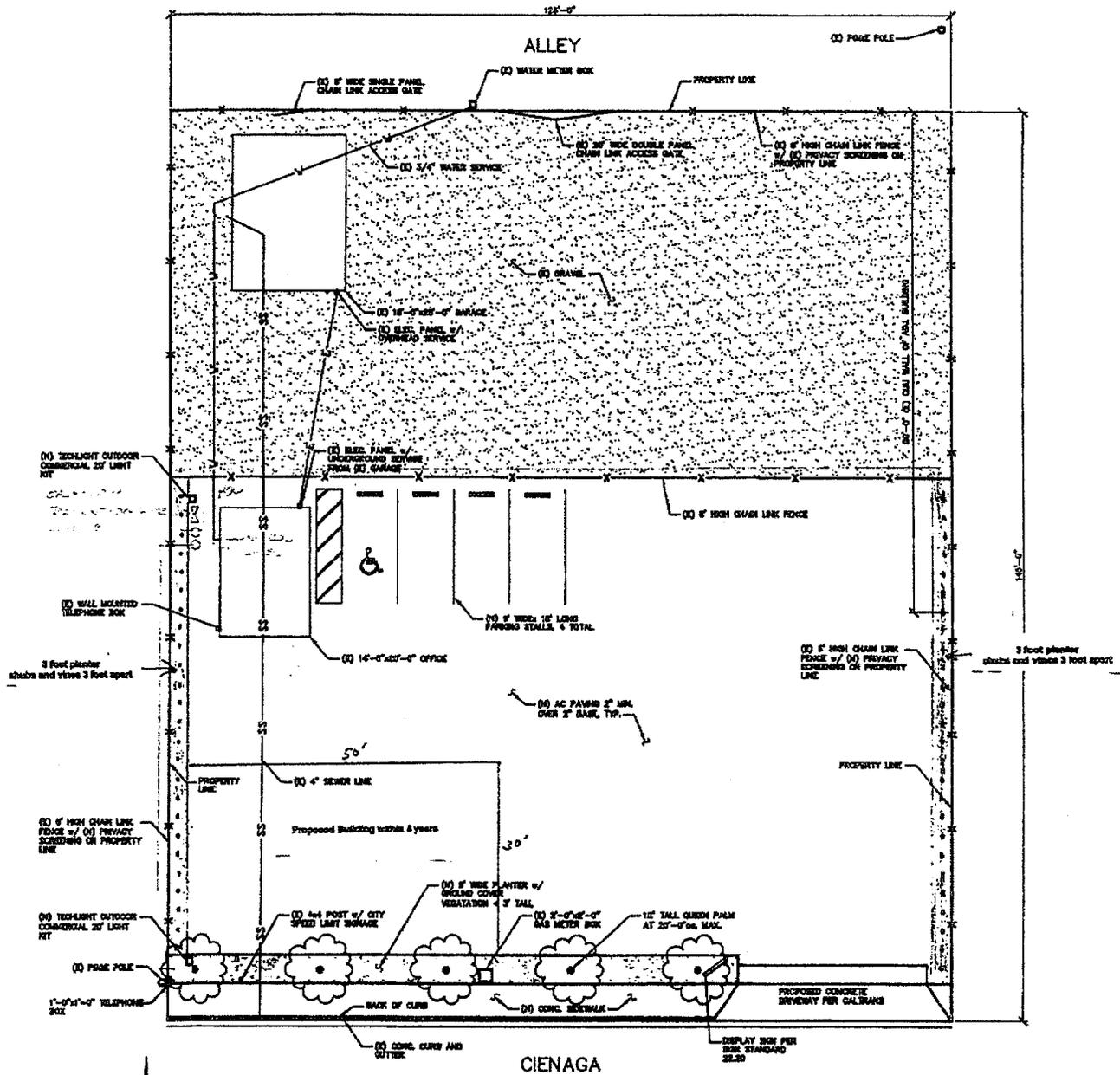
PROJECT

Conditional Use Permit
Bookout DRC2005-00168



EXHIBIT

Land Use Category



SITE EXHIBIT
SCALE 3/32"=1'-0"

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PROJECT

Conditional Use Permit
Bookout DRC2005-00168



EXHIBIT

Site Plan



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 3-3-06

TO: Building Division

FROM: - South County Team - North County Team - Coastal Team

PROJECT DESCRIPTION: File Number: DRC2005-0168 Applicant: Bookout
CUP → Waive use standards for used car sales
lot off Cieneega St. in Oceano. APN: 062-114-016 & 007
17,500 sq ft.
Return this letter with your comments attached no later than: 3-18-06

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Site plan & Building plans need to be prepared by a California Registered Architect or Engineer. Need to address all Building Code/energy & accessibility issues Also need Bathroom facilities - see Stephen Hinds.

Date 3/14/06

Name d. matts

Phone 781-5709

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>

for existing structures - use change

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NEED A Building Permit

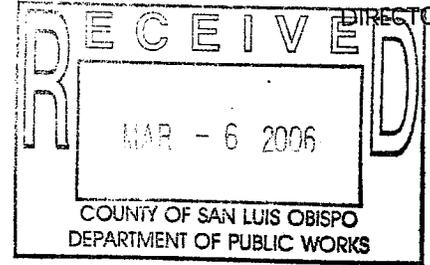
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Martha Neder 10



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR



THIS IS A NEW PROJECT REFERRAL

DATE: 3-3-06

From TO: PW
TO

FROM: - South County Team - North County Team - Coastal Team

PROJECT DESCRIPTION: File Number: DRC2005-0168 Applicant: Bookout
CUP -> waive use standards for used car sales
lot off Cienea St. in Oceano. APN: 062-114-016 & 007.
17,500 sq ft.
Return this letter with your comments attached no later than: 3-18-06

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Conditions attached. Street trees? possible sight distance
problems of driveway approach. Caltrans Encroachment
Permit required.

Date: 3-9-6 Name: [Signature] Phone: 5271

EXHIBIT B

CONDITIONS OF APPROVAL FOR CUP DRC2005-00168 by Bookout / _____

Access and Improvements

- Roads and/or streets to be constructed to the following standards:
 - a. HWY 1 Cienega constructed to a A-2 (Urban) section.

Improvement Plans

- Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
- The applicant shall enter into an agreement with the county for the cost of checking the map, file improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

- Submit complete drainage calculations to the Department of Public Works for review and approval.
- If calculations so indicate drainage must be ***retained/detained*** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Landscape Plans

- ***If a drainage basin*** is required, then submit detailed landscaping plans in compliance with Chapter 22.16/Section 23.04.180 et seq. to the Department of Planning and Building for review and approval prior to filing of the final parcel or tract map. Said plans to include location, species, size, and method of maintenance

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of all proposed plant materials. All proposed plant materials shall be of a drought tolerant variety and be sized to provide a mature appearance within three years of installation. Plan to include:

- a. Drainage basin fencing. (**ONLY USE IF THE DRAINAGE BASIN HAS A DEPTH OF 2 FEET OR GREATER AS MEASURED FROM THE TOP OF THE RIM TO THE LOWEST PORTION OF THE BASIN**)
- b. Drainage basin perimeter landscape screening. (**ONLY USE FOR FENCED BASINS**)
- c. Landscaping for erosion control.

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Case # DRC 2005-00168

SLO CNTY
PLANNING/BUILDING
SERVICES

Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 92026 (805) 481-6730 FAX (805) 481-6886

2006 MAR -6 AM 11:09

March 1, 2006

Mr. William Freeman
1638 Leah Way
Paso Robles, California 93446

**SUBJECT: APN 062-114-016 & 007; OCSD PROJECT #6366;
OWNER/PROJECT:FREEMAN/ USED CAR LOT**

Dear Mr. Freeman:

Oceano Community Services District will serve the used car lot proposed for APN 062-114-016 & 007; subject to the following conditions:

1. Obtain valid OCSD and SSLOCSO permits. There are no fees due.
2. Show onsite water and sewer services and cleanouts on plot plan.
3. Offsite improvements for water, sewer, street lighting, and/or fire protection may be required and will be determined when engineered plans are submitted for District review.
4. A fire safety plan exception of content letter has been issued.
5. If any of the District facilities are required to be moved, raised, or in any way altered or changed because of required conditions of the District or any other agency having jurisdiction over the proposed development, the owner, developer, contractor, or agent responsible shall bring such facilities up to a minimum District standard of design and access.
6. If District facilities (such as water and/or sewer lines) extend into or across the subject property, you will be required to prepare and submit appropriate easement documents and/or encroachment permits for acceptance by the District's Board of Directors and recording with the County Clerk-Recorder.

Curbs, gutters and sidewalks will be required pursuant to County Ordinance 22.05.106 at owner's expense. This will serve letter will expire March 1, 2007 and is nontransferable. The District reserves the right to review service at the time permits are issued. If you have any questions, please contact the office at (805) 481-6730.

Yours truly,

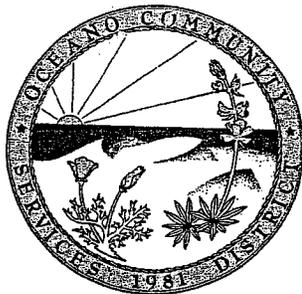
OCEANO COMMUNITY SERVICES DISTRICT

Francis M. Cooney, General Manager
FMC/PTD/jc
Attachment

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Case # DPCA 205-00168



Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

(805) 481-6730

FAX (805) 481-6836

March 1, 2006

San Luis Obispo County
Planning & Building Department
Rm 317, County Government Center
San Luis Obispo, CA 93408

Attention: Sue Kowal

**SUBJECT: FIRE SAFETY PLAN APN 062-114-016 & 007; OCSD PROJECT #6366
NAME/PROJECT: FREEMAN/USED CAR LOT**

Dear Ms. Kowal:

After reviewing information concerning the above building permit application, OCSD has determined that this project falls under the EXCEPTION OF CONTENT REQUIREMENT (Section 22.05.082, a (3)). As a result, the District will not require the builder to submit a fire safety plan.

If you have any questions, or require further information, please feel free to call.

Yours truly,

OCEANO COMMUNITY SERVICES DISTRICT

Philip T. Davis

Philip T. Davis, Utility Operations Supervisor
For Francis M. Cooney, General Manager

FMC/PTD/jc

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Case # DRC 2005-00168

SLO CNTY
PLANNING/BUILDING
DEPT

2006 MAR -

Oceano Advisory Council

P.O. Box 517 Oceano, CA 93475-0517 oceanoadvisory@sbcglobal.net

*Supervisor Katcho Achadjian
1055 Monterey, Rm. D430
San Luis Obispo, CA 93408*

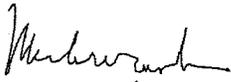
Re: Bill Freeman/ Used Car lot

March 2, 2006

Dear Katcho,

It has been the consensus of the Council to support Mr. Freeman's project to construct a used car dealership at 1921 and 1941 Cienaga, Oceano. Based on Mr. Freeman's projections of a fully paved (asphalt) lot, it is also required that a new building(s) be erected or the existing building be completely remodeled to include new exterior siding or stucco, exterior doors and new roof. In addition, an approved drainage plan with curbs, gutters and sidewalks will be required.

Sincerely,



Mark Wampler, Chairman

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