

Thursday, December 9, 1999

Minutes of the Regular Session of the County Planning Commission held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA, at 8:45 a.m.

PRESENT: COMMISSIONERS WAYNE COOPER, DIANE HULL, DOREEN LIBERTO-BLANCK, CLIFF SMITH, CHAIRMAN PAT VEESART

ABSENT: NONE

STAFF

PRESENT: Bryce Tingle, Assistant Planning Director
Mike Drazo, Development Review Section
Jay Johnson, Development Review Section
Ted Bench, Development Review Section
Bill Roalman, Development Review Section

OTHERS

PRESENT: Jae Crawford, County Counsel
Richard Marshall, County Engineering

The meeting is called to order by Chairman Veasart.

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 December 9, 1999, together with the maps and staff reports attached thereto and incorporated therein by reference.

1. Commissioner Hull thanks Chairman Veasart for his work on the commission, states she has deep respect for him. Commissioner Liberto-Blanck states she also appreciates Chairman Veasart's work on the commission.
2. Planning Staff updates. Mike Drazo comments on fiber optics program starting in this county. A steering committee was formed a few months ago to work with companies coming through this county dealing with fiber optics. There are 56 companies dealing with telecommunications in the county now, such as: ATT, MCI, Williams Communications, Level 3, etc. The county is concerned with this going through the county and not stopping here, so they started this committee to see how they can tie into the systems. Commissioner Liberto-Blanck asks about integrated transportation system and asks Mr. Drazo to keep them informed about it. Pat Beck comments on winery ordinance changes, and states they met as follow up with Ag Commissioner's Office, and will now meet with Winery Task Force. They all felt the ordinance should not go forward at this time. Reminder that there will be a meeting regarding Strategic Planning meeting tomorrow in the a.m. with staff and in the p.m. with interested persons and the Commission if they wish to attend.
3. CONSENT AGENDA: (RECOMMEND APPROVAL) Commissioner Hull comments on item a, thought this was handled before during another hearing on the same property. Staff states no. Commissioner Hull would like to see property that has multiple projects on it all handled at the same time to save processing time. Commissioner Smith comments on item 2c1, Plum Orchard Road, and asks if a vote for non conformance stops the process. Leonard Mansell answers no, it will still go to the County Engineer for processing, and if the applicant wants a hearing at the Board level he can go forward with it. Thereafter, on motion of Commissioner Cooper.

seconded by Commissioner Smith, and unanimously carried, the Consent Agenda is approved as followed:

- a. General Plan Conformity Report for the abandonment of a strip of Right of Way on the south side of Airpark Drive, approximately 100 feet east of the intersection of Palace Avenue, in the community of Oceano. (FIND IN CONFORMANCE)
 - b. General Plan Conformity Report for the abandonment of a portion of San Miguel Road in rural San Luis Obispo County. (FIND IN CONFORMANCE)
 - c. General Plan Conformity Report for the abandonment of a portion of Plum Orchard Lane, located approximately 1800 feet south of its intersection of Santa Rita Road, outside the Urban Reserve Line of the community of Templeton. (FIND IN NON CONFORMANCE)
 - d. EMERGENCY PERMIT #P990307E
Applicant: Cellular One
APN: 079-241-006
Location: end of Longview Street just outside city of Pismo Beach
Issued: November 12, 1999
Filing Date: November 10, 1999
Description: Installation of two panel antennas, one digital relay dish and one 6' x 5' pre fabricated building on existing cellular site tower. Cellular One provides service for the emergency call boxes throughout the county. Due to increased cellular use in County (both by residents and people traveling through County), cellular service has reached capacity. There is concern that emergency use of call boxes will be adversely affected during processing time of development plan D990354D. Hence emergency permit is being granted. (INFORMATION ONLY)
4. This being the time set for continued hearing to consider the proposal by ROBERT SMITH for a Development Plan to allow modification of the designated building site and grade driveway and house pad on slopes exceeding 30%. A portion of the proposed driveway has been graded without the benefit of a permit, in the Rural Residential Land Use Category. The property is located in the county on Lot 25, Tract 1516, on the southeastern side of upper Los Berros, APN: 090-010-034, 037, and 051, in the South County Planning Area. County File Number: D970063D. Commissioner Hull questions why this is continued and if something else could have been put on in its place. Mike Drazz states no, nothing was held off, there is a full agenda today. Bill Roalman, staff, states Mr. Smith has a botanist that came up with a different conclusion than the staff botanist. The report was sent to Mr. Smith for his review and staff is waiting for Mr. Smith to get back to staff with his comments. Thereafter, on motion of Commissioner Smith, seconded by Commissioner Liberto-Blanck, and unanimously carried, this item is continued to January 27, 2000, at 8:45 a.m.
 5. This being the time set for hearing the proposal by DENNIS SCHNEIDER for a Minor Use Permit and Variance to allow construction of a single family residence and a 1.25 mile access road in the Agriculture Land Use Category. The property is located in the county on the west side of Highway 1, approximately one mile north of Villa Creek Road, north of the community of Cayucos, APN: 046-082-008, in the Estero Planning Area. County File Number: D980279V/ D980010P. On motion of Commissioner Liberto-Blanck, seconded by Commissioner Hull, and unanimously carried, this item is continued to January 27, 2000, at 8:45 a.m.
 6. This being the time set for continued hearing to consider proposal by GEORGE WIDMARK for

a Tentative Tract Map to allow subdivision of a 162.65 acre parcel into 54 parcels ranging in size from 0.5 acres to 4.0 acres; two open space parcels of approximately 20 acres each, with building envelopes; and two open space parcels of approximately five acres each, without building envelopes, for sale and/or development of each proposed parcel. Twenty-four of the 56 buildable lots would result from the applicant obtaining Transferred Development Credits, in the Residential Rural Land Use Category. The property is located in the county at 951 Eucalyptus Road, immediately southeast of the intersection of Eucalyptus Road and Indiana Way, approximately 0.4 miles west of the Nipomo URL, APN: 092-161-001, in the South County Planning Area. County File Number: TR 2262/S970128U. Jay Johnson, staff, presents this matter, hands out suggested condition changes. Bryce Tingle comments on water capacity study for the Nipomo Mesa that will go to the Commission and the Board of Supervisors. Staff is reviewing this material trying to figure out implications of the ground water basin study and how to react to that. Commissioner Smith asks about paving Indiana Way. Jay Johnson states it is required by the Real Division Ordinance. Terry Orton, agent for Mr. Widmark, states they decided to go with 32 lots, felt some commissioners didn't like the TDC's used on this site. Homeowners Association is for trail maintenance and other improvements, matter of road improvements discussed. Richard Marshall states the road must be at County standards for them to take it into the county maintained system, or else their crews cannot maintain them. Matter opened to the floor. Alton Aulton would like an EIR prepared, this will have an effect on the environment. It could have impact on their water supply, they do not want the road paved. Marvin Maggio asks at what width the road will be paved, is it a soft shoulder, where will the retention basin be, will there be fencing along Indiana. Sol Mayesh, Indiana Way, asks for a full EIR, need to look at cumulative impact of the water, wildlife, traffic, etc. does not want development on the open space parcel. Bonnie Mayesh speaks about subsidence of her parcel due to ground water withdrawal, one of the roads into this subdivision will be right in front of where she loads her horses. She wants to work with developmentally disabled children in the county with the horses, and this road at this location would create a dangerous place for them. Albert Locher, Indiana Way, concerned about traffic on this road. Nora Janac states there are many benefits from the trees, such as they are a buffer from crop smells, they filter the air, place for Monarch butterflies and other wildlife to winter over; she wants an EIR to answer all their questions. Jessie Hill hands out letter regarding DWR report of June 99 - Water Resources of the Arroyo Grande Nipomo Mesa area. Mary Caldwell, Nipomo Community Pathways, feels the present plan does meet their needs, bluff trail should be set aside as a scenic ride, would be great. Lowell Davis asks if the open space parcel could have green houses on it. Terry Orton, agent, comments on subsidence issue, will work with Richard Marshall for road improvements, their density is same as people surrounding them and appropriate for the area. Jan Dileo, County Parks, states they will maintain trails. Richard Marshall suggests new condition for road improvements. Commissioner Liberto-Blanck comments on open space, would not like to see large block walls here, asks Richard if they can bond for road improvements, Richard Marshall states they can, however there is the need now for people who will live there for roads, drainage facilities, utilities, so they are not recommending bonding. Bryce Tingle suggests making Indiana Way a cul de sac and taking access off of existing county roads and also at the north point of map so they will have 2 accesses. Commissioner Liberto-Blanck comments on cul de sac with access and all weather road at Indiana Way, and cul de sac at new road. CDF needs discussed, they do not like breakaway gates. Open space should be open space with no crop production, trail should be along the bluff. Commissioner Smith states fencing is no real concern with him, but he does not want a solid wall, open space could support Ag uses but does not want greenhouses or that kind of thing, trails support cul de sac idea and also alternate accesses to the east. Commissioner Cooper agrees with Commissioner Smith, does not need trails across driveways, feels no problem if open space parcel is used for Ag, no problem with cul de sac idea and eliminate access to Indiana Way, fencing should be left to individual lot owners.

Commissioner Hull agrees with Commissioners Smith and Cooper, open space could be kept for some Ag uses. Chairman Veasart states he has problem with this proposal because of water use, the open space should be left as natural as possible, concerned with buffer between houses and crops. Bryce Tingle states the last 5 lots could be served by an easement and cul de sac could be in front of them, eliminate pavement at this location if they want. Thereafter, on motion of Commissioner Hull, seconded by Commissioner Cooper, with Chairman Veasart voting no, RESOLUTION NO. 99-100 granting a Development Plan to GEORGE WIDMARK for the above referenced project, based on Findings A through H, and Conditions 1 through 23, as amended by staff handout and further amended condition 21 add words "does not include greenhouses" and delete "in addition to those uses authorized in the standard open space agreement"; and 21d add "and wildlife habitat"; and RESOLUTION NO. 99-101 granting a Tentative Tract Map to GEORGE WIDMARK for the above referenced project, based on Findings A through I, and Conditions 1 through 25, amended as follows: 1a add: "and consistent with Monarch Butterfly Habitat study. Road A and Bluff Ridge Lane will terminate in County Standard cul de sac and be consistent with Real Property Division Ordinance, and will have an all weather extension to Indiana Way as approved by CDF"; 1b "A road from the project to Eucalyptus Road and a road from the project to either Calle Cielo . Scenic Way to the east be constructed to an A-1 Rural section with a 50 foot dedicated right of way" deleted c and d, and add new c to read: "Emergency access be provided from the cul de sac to Indiana Way in consultation with CDF"; 12 and 18c to read: "All public improvements shall be completed prior to occupancy of any structure", adopted.

7 This being the time set for hearing the proposal by GUEN H. GONG for a Tentative Tract Map to allow subdivision of a 4.54 acre parcel into 13 parcels ranging in size from 10,049 square feet to 15,516 square feet in the Residential Single Family Land Use Category. The property is located in the county on the east side of Tefft Street, approximately 300 feet south of Orchard Road, in the community of Nipomo, APN: 092-123-001, in the South County Planning Area. County File Number: TR 2347/S980303T. Bill Roalman, staff, comments on road improvements. Jack Boysen, agent, recommends approval. Laurie Tamura, Urban Planning Concepts, recommends approval. Thereafter, on motion of Commissioner Hull, seconded by Commissioner Cooper, and unanimously carried, RESOLUTION NO. 99-102 granting a Tentative Tract Map to GUEN H. GONG for the above referenced matter, based on Findings A through M, and Conditions 1 through 34, with corrections as follows: condition 17 add at end "all public improvements shall be completed prior to occupancy is being granted..."; conditions 19, 20 and 21 begins "Prior to recordation of the final map...", and conditions 24, 25, 26 to begin "Prior to construction of tract map improvements....", and condition 28 begin "If archaeological resources or human remains are accidentally discovered during grading or construction associated with tract map improvements...", adopted.

8. This being the time set for hearing the proposal by MID STATE PROPERTIES for a Tentative Tract Map to allow subdivision of a 1.01 acre parcel into 5 lots ranging in size from 6,000 square feet to 11,000 square feet in the Residential Single Family Land Use Category. The property is located in the county on the south side of Juniper Street, approximately 250 feet east of the intersection of Pomeroy Road and Juniper Street, in the community of Nipomo, APN: 092-134-056, in the South County Planning Area. County File Number: TRACT 2346/S990033T. Bill Roalman, staff, presents this matter. Terry Orton, agent, appears on this matter, explains project. Thereafter, on motion of Commissioner Hull, seconded by Commissioner Smith, and unanimously carried, to amend the description that property line on lot 4 border be adjusted by 25 foot easement be removed, and approval of the negative declaration in accordance with CEQA guidelines, and RESOLUTION NO. 99-103 granting a Tentative Tract Map for the above referenced matter, based on Findings A through P, and Conditions 1 through 24, as

amended: condition 14 add "all public improvements shall be completed prior to any construction...", and delete condition 23, and modify condition 24h to read: "All existing and future structures on lots 1-5 shall meet minimum setback standards, with the exception of the existing garage at the northwest corner of lot 5 which can be maintained at the existing 16 foot setback (as legal nonconforming use)", and add 24i "all public improvements shall be completed prior to any construction", adopted.

9. This being the time set for hearing the proposal by CYPRESS RIDGE LIMITED PARTNERSHIP for a Development Plan and Tentative Tract Map to substitute road improvements, as outlined in the August 6, 1999, Higgins Traffic Study, in place of traffic signalization of the Halcyon Road/Highway 1 northern intersection as originally required in the Cypress Ridge Tract Map Conditions of Approval, and to modify the Cypress Ridge Development Plan project description to allow either Rural Water Company or Cal Cities Water Company to operate the 386 residential parcels Cypress Ridge water distribution system, in the Residential Suburban Land Use Category. The property is located in the county approximately one mile east of Highway 1 within the Palo Mesa Village. The site is bordered by Halcyon Road to the north, El Campo Road to the northwest, and Woodlands Hills Road to the southeast. County File Number: TRACT 1933/D890413D. Jay Johnson, staff, presents this matter. Brad Brechwald, John Wallace & Associates, is here to answer any questions. John Snyder states he likes the project, feels there is enough water for the project, conditions should be amended to reflect conditions of current EIR, or allow them to have their own mutual water company. Robert Christiansen states his concern with traffic circulation and lack of water on the mesa. Dennis Sullivan, applicant, states this project will contribute \$1.5 million in road fees. Thereafter, on motion of Commissioner Hull seconded by Commissioner Cooper, and unanimously carried, RESOLUTION NO. 99-104 granting a reconsideration to CYPRESS RIDGE LIMITED PARTNERSHIP for Development Plan D890413D and TR 1933 for the above referenced project, based on Findings A through E, and use original conditions of approval of this Development Plan, and RESOLUTION NO. 99-105 granting a reconsideration to for CYPRESS RIDGE LIMITED PARTNERSHIP for Tentative Tract Map 1933 for the above referenced project, based on Findings A through H, and Conditions 1 through 33, condition 2 corrected to read: "the applicant shall make the following road improvements: a. right-turn channelization to the northern intersection of Halcyon Road and Highway One per the Highway One/Halcyon Road - North Intersection Design Study prepared by Higgins Associates, dated August 6, 1999" and b. "Install traffic signals at the southern intersection of Halcyon Road and Highway One. (or provide an equivalent traffic mitigation acceptable by the County Engineer and Caltrans) (any alternate mitigation shall be based on a subsequent Environmental Determination) and condition 34 added "Time for filing a final map, Section 21.06.010 of the Real Property Division Ordinance, shall be based on the original approval date of March 18, 1997", adopted.

10. This being the time set for hearing the proposal by BURT POLIN/JEFF EDWARDS for a Minor Use Permit and Variance to allow grading on slopes in excess of 20%; and a residence of approximately 3,450 square feet with an attached garage, access driveway, septic system, utility extensions; and eucalyptus tree removal on the 9,153 square foot residential parcel and adjacent State Park property, in the Residential Suburban Land Use Category. The property is located in the county on the south side of Pecho Valley Road at State Park Entrance, in the community of Los Osos, APN: 074-024-031, in the Estero Planning Area. County File Number: D980277V/D990107P. Terry Wahler, staff, presents this matter, states that some trees will have to be removed. Commissioners ask about morro manzanita in this area. Jeff Edwards, agent, states they have successfully replanted this area with morro manzanita, this was approved by Los Osos Advisory Council. Asks for one change in condition 1c. Chairman Veasart comments on taking

cuttings from local bushes and oaks. Jeff Edwards states the oaks are local genetics. Commissioner Hull asks about area in driveway. Jeff Edwards states it is 100 feet. Mike Hodge, EDA, spoke with South Bay Fire, and their solution to protecting this building is to grade a turnout off Pecho Valley Road, and they can get to within 150 feet from anywhere on the site. They will need a retaining wall for the turnout. Matter opened to the floor. Peter Stephens, neighbor, has about 400 eucalyptus trees on his property, plus other vegetation, supports this project, concerned with drainage every time it rains it creates a large mud flow and they have to sand bag. Asks if there will be a scenic setback required on this property because this is a scenic corridor. Chalys Stevens wants to know why applicant is going to State Park to remove trees in the park. Jeff Edwards answers questions on why they are removing trees in the State Park, will put in smaller trees and put on drip irrigation to get them established. Terry Wahler states the eucalyptus trees are choking out the morro manzanita. Matter closed. Thereafter, on motion of Commissioner Liberto-Blanck, seconded by Commissioner Hull, and unanimously carried, RESOLUTION NO. 99-106 granting a Variance to BURT POLIN for the above referenced matter, based on Findings A through F, and RESOLUTION NO. 99-107 granting a Minor Use Permit to BURT POLIN for the above referenced matter, based on Findings A through J, and Conditions 1 through 13, amended as follows: 1 add words "and pygmy oak trees" after "morro manzanita", 1c change 16% to 20%; adopted.

11. This being the time set for hearing the proposal by NME/TWIN CITIES HOSPITAL for a Development Plan to allow addition of a 1,700 square foot nursing station onto the hospital building, and to authorize the continued use of five modular units with parking lots on the adjoining lot west of the hospital, the modulars to be used for office and meeting spaces, in the Public Facility, Office-Professional, Commercial Retail Land Use Categories. The property is located in the county at 1100 Las Tables Road, Twin Cities Hospital, and the adjacent lot to the west, APN: 40-289-03 and 05, in the Salinas River Planning Area. County File Number: D980350D. Ted Bench, staff, presents this matter. Jeff Lead, EDA, explains project. Jim Bechel, DBP architects for hospital, shows landscaped plans, if Las Tables Road is only to be 3 lanes the original landscape plans would be used. Commissioner Smith asks what does approval by regional transit authority mean. Ted Bench states staff will be sure the design works for buses to get in and out. Commissioner Smith asks about installing sodium parking lot lights. Ted Bench states this is a suggestion from Air Pollution Control District. Thereafter, on motion of Commissioner Smith, seconded by Commissioner Cooper, and unanimously carried, RESOLUTION NO. 99-108 granting a Development Plan to NME/TWIN CITIES HOSPITAL for the above referenced matter, based on Findings A through F, and Conditions 1 through 12, corrected as follows: 3b add at the end: "Drainage plans may be excluded if TCSD allows the project to be served by the Templeton Community service District's community drainage system"; 3c replace the name "state Architect" with "state OSHPD"; 3g replace with "A 4 foot wide asphalt sidewalk shall be constructed from the driveway entrance of the modular unit parking area (Lot U) to the existing sidewalk fronting the hospital, at a location to be approved by the Planning and Engineering Departments. The roadside landscaping in front of the modular unit lot (Lot U) shall include a screening berm with trees, and a groundcover strip, as follows: the landscaped berm shall be constructed between the sidewalk and the parking lot of the modular units, and groundcover strip shall be planted in the space between the sidewalk and the road. The landscaped berm shall incorporate the following: It shall have a height of at least 3 feet. It shall use a mix of 15 gallon and 24" boxed trees (or larger)"; 3j delete "5 install sodium parking lot lights" 3k replace with "Construct pedestrian access between the hospital and the proposed modular units. This access shall create two pedestrian access points between the modular units and the hospital, in the locations shown on the approved site plan"; 5 add word "county" in front of "building"; 6 replace with "County staff has agreed to grant a waiver of the road requirements, so the hospital does not need to construct full road improvements at this

time"; 9 start with "Prior to final inspection or any of the modular units and prior to use of the two new modular units: " adopted.

CHAIRMAN VEESART VACATES THE CHAIR, VICE CHAIRMAN HULL ASSUMES THE CHAIR.

12. This being the time set for hearing the proposal by JOE TODD for a Minor Use Permit to allow construction of a single family residence with 1497 square feet of footprint, 2308 square feet of gross structural area and 333 square feet of Transferable Development Credits. The subject property is approximately 4,077 square feet in size, in the Residential Single Family Land Use Category. The property is located in the county on the south side of Wales Road, approximately 275 feet west of St. James Road, Lodge Hill, Cambria, APN: 023-163-026, in the North Coast Planning Area. County File Number: D980201P. Karen Nall and Steve McMasters, presents this matter. Steve McMasters goes over archeological resources present on the site, they are across the entire parcel. Commissioner Smith asks about phase 1 surface study, and phase 2 subsurface evaluation, he asks about the significance of the site. Use of TDC's discussed. Staff states they can use them if they don't result in footprint disturbance. Gary Swauger, agent, explains how the building will be built to be sensitive to the site. Tarren Collins, attorney for Chumash Council, states cultural resources are nonrenewable, speaks about TDC program, and the ways to amend this ordinance to help the Chumash and owners property. Joe Todd, applicant, states he wants to work with staff to not disturb the site as best he can. Gary Swauger speaks on foundation design to minimize the disturbance. They will use hand digging crews rather than machines. Mark Vigil explains importance of artifacts found on this site. Thereafter, on motion of Commission Liberto-Blanck, seconded by Commissioner Cooper, and Commissioner Smith voting no, in the absence of Chairman Veasart, RESOLUTION NO. 99-109 granting a Minor Use Permit to JOE TODD for the above referenced matter, based on Findings A through N, and Conditions 1 through 13 changes in 5, 12 "all landscaping shall be permitted and installation approved by Planning Department during finish grading, where feasible. 12"...of fill soil shall be placed over the entire site to minimize disruption of landscaping". and 13 "...title report notification is required to property owners on architectural artifacts on-site"; adopted, and approval of the negative declaration in accordance with CEQA guidelines. Commission has further discussion on reviewing use of TDC's on sensitive sites, such as artifacts found on this site. Bryce Tingle states there are many important sites around the county that need to be addressed.

There being no further business, the meeting is adjourned.

Respectfully submitted,

DIANE R. TINGLE, SECRETARY
COUNTY PLANNING COMMISSION