A-1

January 12, 2006

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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 January 12, 2006, together with the maps and staff reports attached thereto and incorporated therein by reference.

PRESENT: Commissioners Bruce Gibson, Penny Rappa, Eugene Mehlschau, and Sarah Christie

ABSENT: None

PLEDGE OF ALLEGIANCE TO THE FLAG IS LED BY CHAIRMAN ROOS.

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON

Chairperson Roos: Calls for nomination for Chairperson for 2006.

Commissioner Rappa: Nominates Commissioner Mehlschau, with Commissioner Gibson seconding the nomination.

There being no further nominations, nominations are closed and thereafter on motion by Commissioner Rappa, seconded by Commissioner Gibson and unanimously carried, the commission nominates Commissioner Mehlschau to serve as the Chairperson of the Planning Commission for 2006.

(CHAIRPERSON ROOS TURNS THE "GAVEL" OVER TO COMMISSIONER MEHLSCHAU)

Chairperson Mehlschau: Calls for nominations for Vice Chairperson for 2006.

Commissioner Roos: Nominates Commissioner Rappa, with Commissioner Gibson seconding the nomination.

There being no further nominations, nominations are closed and thereafter on motion by Commissioner Roos, seconded by Commissioner Gibson, and unanimously carried, the commission nominates Commissioner Rappa to serve as the Vice Chairperson of the Planning Commission for 2006.

PUBLIC COMMENT

Eric Greening: Comments on items for the Planning Commissioner's retreat. Suggests Smart Growth Principals be reviewed at the retreat, one at a time. Cultural Resources/Biological Resources advisory committees suggested being established.

Commissioner Christie: Requests reasoning for committees being established with Mr. Greening responding.

PLANNING STAFF UPDATES

Warren Hoag, staff: Introduces the new Planning Commission Secretary, Eleanor Porter. Acknowledges Ramona Hedges as Pro Tem Planning Commission Secretary during the hiring interim. Discusses split Planning Commission clerking duties between Ms. Porter and Ms. Hedges. Discusses retreat on 1/13/06 at Dairy Creek Golf Course.

Commissioner Roos: Requests clarification on who is primary PC Secretary with staff responding, as Ms. Porter is the primary contact.

Warren Hoag, staff: Discusses Board of Supervisor's (BOS) consideration of the McGregory MUP and tentatively directed staff to prepare an E.I.R. This project will come before the Board of Supervisors on 3/21/06. Discusses appeals heard this week at the Board of Supervisors.

Mat Janssen, staff: Discusses the Dimaggio appeal, which went to the Board of Supervisors.

John Euphrat, staff: Discusses Nipomo water discussions the Board of Supervisors acted on at this weeks Board of Supervisors meeting.

Commissioner Christie: Would like this item discussed.

Commissioner Gibson: Discusses the Stotz conformity report and requests clarification on retention of easements.

Warren Hoag, staff: Suggests chair pull Item A for discussion so the rest of the Consent agenda can be approved.

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

AYES: Commissioners Roos, Rappa, Christie, Gibson, and Chairperson Mehlschau
NOES: None
ABSENT: None

Consent Agenda Items B, C, and D are approved as recommended by County Planning staff and as amended by the Planning Commission.
Consent Agenda Items B, C, and D, as amended, are on file in the office of the County Planning and Building Department and are available for public inspection.

1. This being the time set for hearing to consider a request by **PACIFIC GAS AND ELECTRIC** for a Coastal Development Permit/Conditional Use Permit (CDP/CUP) to allow the replacement of eight (8) existing steam generators and construction of a temporary staging area to consist of the following buildings: 1) a 10,000 square foot replacement steam generator storage building; 2) 10,000 to 15,000 square foot temporary warehouse space and 20,000 to 25,000 square feet of laydown area, 3) 5,000 square foot training facility, 4) 5,000 square foot fabrication facility, 5) office space of approximately 10,000 square feet, 6) approximately 10,000 square foot temporary containment access facility, 7) decontamination facilities, 8) additional parking. Project

elements 1-8 will be removed from the site once the steam generator project has concluded (by 2014); and 9) storage of the old steam generators in a proposed 18,000 square foot reinforced concrete building until plant decommissioning in 2025 or later. The project will result in no new disturbance on the site. The proposed project is within the Public Facilities land use category and is located at the Diablo Canyon Nuclear Power Plant approximately seven miles north of the community of Avila Beach and seven miles south of the community of Los Osos. The site is in the San Luis Bay (Coastal and Inland) planning area. **County File Number: DRC2004-00165, 00166.** Assessor Parcel Number: 076-011-018. Supervisorial District: 3. Date Accepted: March 21, 2005.

(COMMISSIONER RAPPA IS NOW ABSENT).

Commissioners Roos, Christie, Gibson, and Chairperson Mehlschau: State they toured site, and had discussions with various personnel.

James Caruso, staff: Presents staff report and recommendations.

Commissioner Christie: Would like standards of review procedures on how to review an E.I.R., which has already been certified by the Public Utilities Commission.

Tim McNulty, County Counsel: Clarifies this PC acts as the responsible agency in decision making for this process. Litigation procedures discussed.

Commissioners, County Counsel: Discuss E.I.R. review, consideration and determination process and litigation regarding adequacy of environmental determinations. Clarification given regarding application of policies. Requests clarification on what the Planning Commission will be approving today with County Counsel responding and clarifying PC's position on conclusions. Options to consider regarding addressing Planning Commissioner's concerns discussed. Discussion regarding requirements for a supplemental E.I.R. ensues. Jurisdictional limits of county government discussed.

Commissioner Roos: Requests clarification on increased property values from the assumed approval of this project.

James Caruso, staff: Addresses Commissioners Roos' question regarding property value.

Commissioner Roos: Requests clarification regarding requirement of permits from other agencies with staff responding. Requests clarification on lighting provisions condition with staff clarifying the context of current lighting conditions at the project. Grading discussed.

Commissioners and staff: Discuss offloading, CEQA findings and mitigations, California Public Utilities Commission (CPUC) monitoring plans for conditions, mitigation monitoring plan responsibility assignments, consistency with local LUR and LUCZO, and accessibility through Diablo gate policy discussed.

Commissioners and staff: Discuss coastal access and conditioning of such.

Donna Jacobs, Vice President of Nuclear Services for Diablo Canyon Power Plant: Uses Power Point Presentation to cover each of the applications. Introduces members of their team; Bob Exner

(Project Manager), Bob Schieblehut, attorney for project. Address concerns regarding the path for bringing in materials for project construction via the intake cove. Jurisdictional boundaries clarified. Gives summary of E.I.R. conclusions. Site location consideration and determinations clarified. Handouts are given for reference and taken into the record. Easements and access to lighthouse facility addressed.

Bob Exner: Discusses dispositions and recommendations of site location recommended by Bechtel. States the coastal zone was not taken into consideration into determination of site. Discusses nature of materials being stored in building, and design of building as pertaining to protection from any terrorist's attacks. Docimeter monitoring discussed.

Commissioner Christie and Bob Exner: Discuss proposed site location, and temporary facilities. Parking challenges discussed for employees during construction.

Lloyd Cluff, Director of Sciences for P.G. & E.: Discusses geotechnical and geological aspects of the E.I.R., field trips with CCC, and county geologist.

Commissioner Christie and Bob Exner: Discussion ensues regarding re-licensing of steam generators, design life of units, and actions of NRC determination. Information requested on water withdrawal from the creek and reverse osmosis system discussed.

Commissioner Christie and Donna Jacobs: Discuss conditions of access, funding, and requirements.

Bob Schieblehut, attorney for project, and Commissioner Christie: Discuss proposed enhancements, NRC jurisdictional safety issues, clarifies project being proposed.

Commissioner Gibson and Mr. Schieblehut: Discusses jurisdictional boundaries and determination of county jurisdictional boundaries. Security of building regarding terrorism.

Commissioner Roos, and Donna Jacobs: Discuss Condition 5 a. regarding a "no fly" zone with Ms. Jacobs stating currently a "no fly" zone does not exist over Diablo Canyon. Discussion regarding FAA conditioning for a "no fly" zone ensues.

Commissioner Roos: Discusses MOU between P.G. & E. and CDF.

Commissioner Gibson: Discusses licensing renewal, and requests clarification on future maintenance of steam generators with Ms. Jacobs responding.

Bob Schieblehut: Discusses E.I.R.'s conclusion regarding no foreseeable re-licensing. Clarifies reasoning for two E.I.R.'s.

Rob Lewin, CDF: Discusses fire protection at the Diablo Canyon Power Plant provided by CDF, joint MOU between CDF and P. G. & E. and agreed upon recommended condition revisions. Revisions given. States he will have to confer further with P. G. & E. to come to an agreement for the other conditions they cannot currently come to an agreement on.

Chairman Mehlschau: Requests clarification regarding agreement with CDF on staff's recommendations with Chief Lewin responding positively.

Donna Jacobs Vice President of Nuclear Services for Diablo Canyon Power Plant Discusses reasoning for delay to come to an agreement with CDF today and needs more information.

Commissioners, Rob Lewin, CDF, Donna Jacobs: Discusses condition language, reasoning for not having come to a solution, and nature of funding for condition.

Donna Jacobs, Vice President of Nuclear Services for Diablo Canyon Power Plant: Discusses P. G. & E.'s fire department.

Bob Waltos, Manager of Emergency Services at Diablo Canyon Power Plant: Discuss personnel, fire department, and operations of fire department

Rob Lewin, CDF and Commissioner Gibson: Discusses standards set for level of training of fire department personnel at Diablo.

Commissioners Discuss fully fire protection standards, and P. G. & E. conforming to national fire standards.

Steven McGrath, Facilities Manager for Port San Luis Harbor District: Discusses coastal access conditions of approval and concerns of such. District is satisfied with condition as amended by staff. Discusses current access protocol for Diablo Canyon.

Commissioner Christie and Mr. McGrath: Discuss moving the entrance gate for public access to the lighthouse, security, and a lot line adjustment. States
her concerns regarding level of improvements and funding scale, creation of an endowment for the harbor district for long term maintenance of road and restoration of lighthouse.

Carolyn Moffit, Commissioner of Port San Luis Harbor District: Would like to see this issue determined at the present time.

Karla Bitner: Representing Avila Valley Advisory Counsel (AVAC). In support of project.

Commissioner Christie, Commissioner Gibson, and Ms. Bitner: Request clarification from Ms. Bitner regarding $300,000 for pathway, and asks Ms. Bitner how much money she feels it would take to build the pathway with Ms. Bitner responding it would take at least one million dollars.

Commissioner Gibson: Discusses AVAC discussions regarding egress for emergency access.

Morgan Rafferty, SLO Mothers for Peace: Not in support of project. Would like conditions added as she reads them into the record.

Patricia Wilmore: Representing the SLO Chamber of Commerce. In support of project.

Bob Vessley, Chairman of the Port San Luis Lighthouse Keepers: Discusses access road to lighthouse. Supports adjustments suggested above such as lot line adjustments, and easements.

Susan Devine: Board member of Port San Luis Lighthouse Keepers. In support of project. Would like the gate moved so that access to the lighthouse is no longer controlled by P. G. & E.

Allen Hopkins: Resident of SLO. In support of project.

Tommie Josephson: In support of project. Discusses lighthouse access.

Terry Hopkins: Resident of SLO. In support of project and the Lighthouse Keepers.

Bob Anderson: In support of project and the Lighthouse Keepers.

Andrew Miriam: Board member of the Lighthouse Keepers. In support of project.

Chairman Mehlschau: Reads Irene Daily's comment sheet which states she is in support of project.

Jane Swanson: Does not support project and objects to P. G. & E.'s analogy.

Henriette Groot: Discusses marine environmental impact caused by P. G. & E.'s intake of ocean water, and is not in support of project.

Paula Dell: In disagreement with analogies made this morning by P.G. & E. in reference to replacing steam generators.

Eric Greening: Discusses challenges with E.I.R., location of building. Requests continuance of this item.

Andrew Christie: Chapter coordinator for Sierra Club. Not in support of project.

David Weisman: President of the Alliance for Nuclear Responsibility. Discusses PUC determination made on this date and conflicting statements made by P. G. & E. this morning. Not in support of project.

Rochelle Becker: Executive Director of the Alliance for Nuclear Responsibilities. Discusses "no fly" zone. Requests continuance of project.

Commissioner Christie and Ms. Becker: Discuss a cost benefit analysis workshop having been conducted in August of 2005 and P. G. & E.'s feasibility study for re-licensing.

Al Barrow: Represents the Coalition for Low Income Housing, and Citizens for an Affordable and Safe Environment. States information in staff report is inadequate and incomplete and disagrees with P. G. & E.'s analogy of steam generator replacement. Requests the Planning Commission continue this item.

Chairman Mehlschau and Commissioners: Fully discuss placement and timeline of Malouin project.

Richard Marshall, Public Works: Asks for decision regarding placement and timeline of the Deblauw item with the Deblauw's responding that they are willing to stay and have their item heard today.

Donna Jacobs, Vice President of Nuclear Services for Diablo Canyon Power Plant: States annual visits to the lighthouse consist of approximately 1400-1600 people per year. Apologizes for analogy comments.

Commissioner Gibson: Suggests timeline adherence for this item. Discusses his concerns for understanding certain mitigations, impacts, and consequences for Diablo Power Plant. Discusses public comment regarding a deficient E.I.R. and specifically disagrees with the E. I. R.'s conclusion that re-licensing of Diablo Canyon Power Plant is not reasonably foreseeable.

Tim McNulty, County Counsel and Commissioners: Clarifies the 'responsible agency's' role in determination process and presents three different alternatives for the Planning Commissioners to consider regarding their determination of this item. Discussion takes place regarding E.I.R. and Findings in order to reach a conclusion for a determination. Supplemental E.I.R. discussed, item's denial and/or continuance discussed.

Commissioner Roos: Discusses with commissioners his disagreement on the path being taken toward this determination.

Commissioner Christie: Addresses her concerns with the county not taking issue with E.I.R. at meeting with the PUC and places the SLO County Planning Director at fault. Would like to investigate the potential of denying the project based on incorrect and inadequate information in the E.I.R. and relevant information based on CEQA.

Commissioner Gibson: Discusses jurisdictional boundaries, implications of steam generator replacement, going outside of CEQA and suggests we require a supplemental E.I.R.

MOTION: by Commissioner Christie, to deny project, is discussed and fails for lack of a second vote.

Tim McNulty, County Counsel and Commissioners: Discusses process regarding making findings adopted by the lead agency. Discusses process by which a supplemental E.I.R. can be supported.

Commissioner Gibson: Begins addressing CEQA conditions on Page 1-53.

Commissioner Christie: Would like to see a mitigation measure addressing long-term impacts to hydrology of the creek, and require that all fresh water on site come from the existing desalination plant.

Commissioners: Discuss 2-2 votes as a denial.

Tim McNulty, County Counsel: States a 2-2 vote means "no action", not denial. In order to make the project appeal-able to the Board of Supervisors it needs to be denied.

Commissioner Gibson: Continues to address CEQA conditions, specifically "Impact G-3" Ground shaking.

Geologist for P. G. & E.: Discusses site information, and engineering specifications.

Commissioner Gibson: Discusses Page 1-72.

Rob Lewin, CDF: Concurs with the Finding as it is.

Commissioners: Begin examining Findings in Exhibit C.

Commissioners: Begin examining Exhibit D, Coastal Development Permit, Conditions of approval.

Bob Schieblehut, attorney representing P. G. & E.: States his answer to the question of the date as being December 6, 2005. Confirms the permit applications are in the administrative records. Would like the proposed change to state precisely what P. G. & E. believes captures the application before the commission and the approval, if granted. States this means that the CDP permit addresses those elements of the overall project that require county approval.

Commissioner Christie: States she would like a condition added stating P. G. & E. should buy lease from leaseholder, Lucadia Corporation.

Tim McNulty and Commissioners: Discuss eminent domain, and secondary access over adjacent property.

Commissioners: Continue examining Exhibit D, Page 1-111. Revised conditions from Mr. Caruso's handout this morning is discussed.

Commissioner Christie: Suggests a Lot Line Adjustment be processed and the gate moved so that the access road can be more accessible to the public.

Commissioner Gibson: Discusses a modification to condition 14e on Page 1-112.

Bob Schieblehut: States P. G. & E is in agreement with Commissioner Gibson's language change for condition.

Commissioner Christie: Would like condition added for an offer to dedicate.

Bob Schieblehut: States the CCC's actions did not dictate that P. G. & E. offer to dedicate.

Commissioner Christie: Discusses a change in contribution on Page 1-112, d. from $300,000 to $1,300,000.00.

Commissioners: Fully discuss endowments and contributions for coastal access.

Commissioners: Discuss a straw vote and decide unanimously to go with the original staff report as modified.

Steve McGrath, Port San Luis Harbor District: Discusses funds to complete construction of the Port San Luis Lighthouse road.

Commissioner Christie: Would like to add a category for biological resources. Discusses a conservation easement over the property.

Commissioners: Examine Exhibit E, Conditional Use Permit, and Conditions of Approval.

Staff and Commissioners: Discuss mitigation findings, which will be used as conditions using language as "in the county of San Luis Obispo" wherever appropriate.

Commissioners: Examine Page 1-118

Bob Exner: Discusses re-compaction of soil.

Bill Page, Senior Engineering Geologist for P. G. & E.: Clarifies mixing and re-compacting of soil and excess of soil, location of where stockpile will be. States stockpiles are temporary.

Bob Schieblehut: Discusses concern regarding excess of soils and states P. G. & E. will transport any excess soil off-site.

Commissioner Gibson: Would like to add a condition that provides monitoring which is filed with the county that shows no escaped radiation.
Commissioner Gibson: Last condition suggested regarding secondary emergency access egress from Avila.

Robert Lewin, CDF: States CDF has been working on a secondary access through the San Luis Bay Golf course.

Warren Hoag, staff: Reads paragraph regarding evacuation routes.

Bob Exner: Discusses scheduling deadlines and concerns of P. G. & E. regarding permitting.

Thereafter on motion by Commissioner Roos, seconded by Chairman Mehlschau, to approve this project fails on the following roll call vote:

AYES:	**Chairman Mehlschau, Commissioner Christie**
NOES:	**Commissioner Roos, Commissioner Gibson**
ABSENT:	**Commissioner Rappa**

Commissioner Gibson: States he will not be supporting motion due to issues such as secondary access and the potential for further environmental work on reactor tops in the already proposed building, which he states, was not part of the original project description.

Commissioner Christie: States she is not supporting motion due to the possibility that the Planning and Building Department is not requiring enough mitigation for impacts to public access, and biological resources. However, she voted in the affirmative due to believing that this item needs to be dealt with at the Planning Commission level.

Thereafter on motion by Commissioner Christie, seconded by Commissioner Gibson, to continue this item so that staff may look at additional emergency access, potential of a lot line adjustment over the access road to the lighthouse, obtain additional money for the construction of the bike path, research the question of the reactor heads, research the potential to acquire the Sullivan leases, eliminate the creek diversion and water withdrawals from the creek, and correctly transfer the mitigations into conditions, fails on the following role call vote:

AYES: **Commissioner Christie, and Commissioner Gibson**
NOES: **Commissioner Roos, and Chairman Mehlschau**
ABSENT: **Commissioner Rappa**

MOTION: by Commissioner Roos, to approve project, is discussed and fails for lack of a second.

Thereafter on motion by Commissioner Christie, seconded by Commissioner Gibson, to continue this item so that staff may look at additional emergency access, obtain additional money for the construction of the bike path, research the question of the reactor heads, research the potential to acquire the Sullivan leases, eliminate the creek diversion and water withdrawals from the creek, and the correctly transfer the mitigations into conditions, fails on the following role call vote:

AYES: **Commissioner Christie, and Commissioner Gibson**
NOES: **Commissioner Roos, and Chairman Mehlschau**
ABSENT: **Commissioner Rappa**

Thereafter on motion by Commissioner Roos, seconded by Chairman Mehlschau to deny project due to its incompatibility with the local coastal plan, fails on the following roll call vote:

AYES: **Commissioner Roos, and Chairman Mehlschau**
NOES: **Commissioner Gibson, and Commissioner Christie**
ABSENT: **Commissioner Rappa**

Thereafter on motion by Commissioner Christie, seconded by Commissioner Gibson to continue this project to March 9, 2006 so that staff can come back with additional information regarding the potential for emergency egress, the question of the lot line adjustment along the lighthouse road, to add some acknowledgment into the staff report and some analysis of the replacement and storage of the reactor heads, fails on the following roll call vote:

AYES: **Commissioner Christie, Commissioner Gibson**
NOES: **Commissioner Roos, and Chairman Mehlschau**
ABSENT: **Commissioner Rappa**

MOTION: by Commissioner Roos, to approve only the inland portion of the project, fails for lack of a second.

Commissioner Gibson: Requests clarification regarding a potential denial of the project and whether the commission can state for the record those issues which could not be resolved.

Tim McNulty, County Counsel: States the commission could, and states the minutes of the meeting would include direction regarding certain aspects of particular interest, and would also direct the minutes be forwarded to the Board of Supervisors. Discusses voting inclinations for or against motions and states these inclinations should be spelled out for the purpose of moving the project forward.

Kami Griffin, staff: Suggests the commission could also direct that in addition to the minutes, the contents of this item's particular minutes can be brought forward in a memo before the Board of Supervisors if the project is appealed.

Commissioner Roos: States he believes submitting a letter from the Planning Commission chairman to the Board of Supervisors regarding the various challenges during this item's voting process would be more effective.

Commissioners and staff: Discuss future Planning Commission dates to possibly continue this item to. The determined upon date is to explore all other alternatives for later dates that this item can be heard on.

Commissioner Gibson: States he is in agreement to denying the project due to the impasse between commissioners and would like a memorandum submitted from the PC chairman to the Board of Supervisors summarizing the issues that were un-resolvable and stating the reasoning for the commissioners' impasse in voting. Discusses a requirement that the minutes be forwarded to the Board of Supervisors, under the assumption that this project gets appealed.

Thereafter on motion by Commissioner Christie, seconded by Commissioner Gibson, to continue this item to January 26, 2006 to explore alternatives for later dates, or a special meeting date, to discuss this item, fails on the following roll call vote:
AYES: Commissioner Christie, Commissioner Gibson
NOES: Commissioner Roos, and Chairman Mehlschau
ABSENT: Commissioner Rappa

Thereafter on motion by Commissioner Roos, seconded by Commissioner Gibson, and carried on the following roll call vote:
AYES: Commissioner Roos, Commissioner Gibson, and Chairman Mehlschau
NOES: None
ABSENT: Commissioner Rappa
ABSTENTIONS: Commissioner Christie

to deny this project based on inadequate coastal access provisions, and the lack of secondary emergency egress from Avila Beach

2. Hearing to consider a request by **JIM AND MARIJANE MALOUIN** for a Development Plan / Coastal Development Permit to allow for the construction of a one-story single family residence (approximately 3,500 square feet), a one-story barn (approximately 1,800 square feet), an approximately 4,500 foot long residential driveway, and associated grading activities. The project will result in the disturbance of approximately 4.95 acres a 120-acre parcel. The proposed project is within the Agriculture land use category and is located on Highway 1 approximately 4,335 feet (0.82 miles) south of Harmony Valley Road and the community of Harmony. The site is in the North

Coast planning area. **County File No: DRC2004-00066.** Assessor Parcel Number: 046-061-010, -011. Supervisorial District: 2. Date Accepted: November 8, 2004.

Murry Wilson, staff: Presents staff report, shows overhead of the project, presents biological report in handout and recommends approval. Addresses Commissioner Christie's prior concerns and states this item was referred to the North Coast Advisory group and the referral response was "no comment".

Commissioners and staff: Discuss location of berm, and landscaping.

Motion: by Commissioner Christie, to continue this project, is discussed and fails for lack of a second vote.

Commissioner Gibson: Requests staff check docket for extra time to continue item to.

Warren Hoag, staff: Suggests February 23, 2006

Marijane Malouin: Discusses limited grading window time restrictions and states her disappointment with any further postponements.

Continuance dates fully discussed and thereafter on motion by Commissioner Gibson, seconded by Commissioner Christie and unanimously carried, in the absence of Commissioner Rappa, to continue this item to the January 26, 2006 Planning Commission meeting.

3. Hearing to consider a request by **RICHARD DEBLAUW** for a Vesting Tentative Tract Map (Tract 2734) to subdivide an existing 6.89 acre parcel into six parcels ranging from 1.06 to 1.26 acres each for the purpose of sale and/or development. The project will result in the disturbance of approximately 61,675 square feet of a 6.89 acre parcel. The division will create one on-site road, an on-site retention basin and a noise mitigation berm. The proposed project is within the Residential Suburban land use category and is located on Pomeroy Road immediately north of the intersection of Hunter Ridge Road in the community of Nipomo. The site is in the South County (inland) planning area. **County File No: SUB2004-00279.** . Assessor Parcel Number: 091-292-001. 4. Date Accepted: August 1, 2005.

Commissioners: Discuss continuance dates and agree to hear item.

Murry Wilson, staff: Presents staff report

Commissioner Christie: States she did not see any mention of this item going to the Nipomo Advisory Counsel, with staff referring Commissioner Christie to Page 3-3.

Commissioner Gibson: Requests clarification to take water from NCSD, with staff responding in the positive. Discusses planning area standards for Nipomo, sewer or septic condition discussed.

Richard Deblauw, applicant: Thanks the commission for hearing his project at this late hour.

Thereafter on motion by Commissioner Gibson, seconded by Commissioner Christie, and carried, in the absence of Commissioner Rappa, the commission adopts the Negative

Declaration in accordance with CEQA guidelines, and approves Vesting Tentative Tract Map 2734 to RICHARD DEBLAU, and RESOLUTION NUMBER 2006-002, for the above referenced project, based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B, with modifications as mentioned in memorandum from staff, and changing the word 'sewer' to 'septic' in Condition 36, adopted.

There being no further business and on motion by Commissioner Roos, seconded by Commissioner Gibson and carried, in the absence of Commissioner Rappa to adjourn this meeting to January 13, 2006, is approved.

Thereafter on motion by Commissioner Roos, seconded by Commission Gibson, and carried, in the absence of Commissioner Rappa, to take in all correspondence for the record,.

Respectfully submitted,

Ramona Hedges

Secretary Pro Tem, Planning Commission