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and/or development. The proposed project is within the Residential Single-family land use category and is located on the south side of Gough Avenue for Lot 1 and Lot 2 and north side Lincoln Street for Lot 3, approximately 1,000 feet west of Old County Road intersection, in the Community of Templeton. This project is exempt under CEQA. **County File No: SUB2005-00175.** Assessor Parcel Number: 041-131-046 and 005. Supervisorial District: 1. Date Accepted: March 1, 2006.

Holly Phipps, staff: presents project. Staff is recommending approval of this project.

John McCarthy, McCarthy Engineering: states there was an issue with staff regarding an oak tree and road improvements on Lincoln Street. Indicates those issues have been taken care of. Mr. McCarthy states he is present for any questions the Board may have.

Richard Marshall: states Mr. McCarthy has submitted photos to staff for review due to the concerns with the oak tree and road improvements. Addresses sidewalk improvements that show plenty of space away from the tree. The photos are distributed and reviewed.

Richard Marshall: asks staff if the project is still good for categorical exemption.

Mr. Nall: responds, stating "yes".

Thereafter, on motion by Mr. Marshall, seconded by Mr. Nall, and unanimously carried,

AYES:	**Mr. Marshall, Mr. Nall, Mr. Lichtenfels, Ms. Arlin-Genet, and Chairman Euphrat.**
NOES:	**None**
ABSENT:	**None**

the Subdivision Review Board recognizes the class 15 categorical exemption and approves Document Number 2006-029 granting a Tentative Parcel Map CO 06-0011 to the Thomas Erskine Trust based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B.

6. Hearing to consider a request by **ALAN & CHRIS VOLBRECHT** for a Tentative Parcel Map (CO 05-0122) to subdivide an existing 2.5 acre parcel into two parcels of 1.4 and 1.1 acres, for the purpose of sale and/or development and designate the project as a TDC Reciever site. No secondary dwellings would be allowed on the resulting parcels. The proposed project is within the Residential Suburban land use category and is located on the south side of Santa Margarita Road (at 9134 Santa Margarita Road), south of the City of Atascadero. The site is in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. **County File Number: SUB 2004-00355.** Assessor Parcel Number: 059-431-039. Supervisorial District: 5. Date Accepted: September 13, 2005.

Elizabeth Kavanaugh, staff: presents project. Indicates this project is a south Atascadero subdivision using the TDC program. The site is located on Santa Margarita Road and is categorized Residential Suburban. She indicates the applicant is offering an open space along a visual corridor of weeping willow trees that has grown along a drainage basin as a public

benefit for this map. Discusses existing parcels surrounding the area, and similarity of sizes. States this map meets all the Title 19 and Subdivision Standards and the negative declaration found no impacts beyond those that may be mitigated through public facilities. States 1/3 of the parcels in the area are below the 2.5 acre minimum parcel size of the Salinas River Area Plan. Staff recommends approval.

Alan Volbrecht, applicant: states this is another request in partnership with one of his daughters to assist in enabling her to move back into the area. Indicates the area is serviced by the Atascadero Mutual Water District and a will serve letter exists for the proposed project dated March 16, 2005. A septic system for the existing residence was upgraded in the spring of 2005. Percolation testing and preliminary septic system design for the proposed new parcel was completed by a civil engineer in 2005. Reviews tentative site map. Discusses TDC Program definitions. Refers to page 21 of the Land Use Ordinance regarding receiver sites and reads a portion for the record. Describes the area make-up surrounding the proposed new parcel. Reviews current, existing urban services of the parcel. States the project request meets all criteria of a TDC receiving site and all other criteria. Addresses neighborhood compatibility, and sizes of neighboring parcels. Reviews various photos of the proposed parcel, indicating the uniqueness of the parcels in that they seem much larger than they really are. Cites impacts to the environment. Addresses arguments in favor of approval of this project, and possible effects if not approved. Discusses urban reserve line and comparison to location of proposed project in relation to the City of Atascadero. Cites distance comparison from the city's commercial center, stating fully 20% of the northerly portion of the City of Atascadero is further from the commercial center than the proposed parcel site. Discusses TDC applications and current moratorium. Mr. Volbrecht is asking for approval of this project.

Chris Volbrecht, co-applicant: indicates she and her husband are in partnership with her daughter's and their families on this project to enable them to return to the area after having moved away. States she was unaware of the magnitude of dealing with the TDC program. She refers to staff's recommendation for a negative declaration and approval of this project. Mrs. Volbrecht quotes a portion of the countywide general goals for growth. She indicates the proposed parcel area is not Rural and that it has public utilities installed, paved streets, and the only line of public transportation in north county. She adds there is already a developing commercial center, and discusses the make-up of the community. Mrs. Volbrecht states using the TDC program in this area allows increased density within a logical area for increased density, adding that density needs to be used in an area where it makes sense. She urges the board to uphold the county land use programs and approve this project.

Eric Greening: indicates the TDC site raises issues to cumulative impacts in the mandatory findings of significance. States there is plenty he could say in relation to public utilities and facilities, but states he wants to focus on transportation and circulation issues here, even though the negative declaration assumes this project's impacts are insignificant. He discusses the moratorium. States each new TDC site erodes the 2-1/2 acre parcel size, making it harder to find adjacent subdivisions incompatible with the area. Mr. Greening cites the Santa Barbara Road interchange and traffic study that recommended denying left turns from San Antonio onto Santa Barbara as a needed mitigation for an Atascadero project, which would have denied freeway access, although this recommendation was not implemented due to the protest that ensued when south Atascadero residents learned that an Atascadero project was being mitigated at their expense. He adds that since there has been no project study report on interchange improvements here, he feels such a project is decades away. Mr. Greening discusses costs of these types of projects and time frames involved for their completion. He indicates the SLOCOG Board has made it clear that from now on, no such project will be

approved using total agency money, and that it will require a substantial local match. He questions where the County or the City will find the match. He addresses the negative declaration, stating it cannot be approved with these questions outstanding.

Della Barrett, Atascadero resident: speaks against the project out of consistency. Discusses TDC program approval and the moratorium. She addresses the visual impacts of the proposed site division, along with the area plan versus the TDC program acreage requirements. States others are opposed to the proposed subdivision and she has brought letters from those who could not attend for the record. Requests denial of this project.

Mr. Marshall: requests clarification from Ms. Barrett that she is the Della Barrett referred to in Advisory Council Minutes, as a copy of minutes given to him from the Advisory Council did not list individuals' last names.

Ms. Barrett: indicates she is the individual listed in the minutes from SMAC and is not speaking as a member of SMAC, but is simply present as a concerned party.

Tina Salter, Atascadero resident: states she is here to request denial of this project. Cites concerns with small sizes of the lots. Ms. Salter presents statements from 53 other residents against the project.

Delores Simons, Atascadero resident: requests denial of the proposed project. States she is against the smaller parcels. She indicates she is against the TDC Program, and discusses her concerns with the program. Ms. Simons addresses the environmental determination. States concerns with urban sprawl. Ms. Simons requests denial of this project.

Dana Delmar, daughter of the Volbrechts: cites her reasons for requesting approval of this project. She indicates she and her sister are trying to return to this area and states this project is vital for her and her sister's living standard and their attempts to raise their families.

Mr. Marshall notes there are no road improvements recommended in the conditions of approval. There is discussion of conditioning this request for road improvements. Mr. Marshall suggests that this be treated comparable to other projects in similarity.

Mr. Volbrecht responds.

Mr. Lichtenfels: suggests language for a new condition #26 to read: "The septic system on parcel 1 shall be designed and installation certified by a registered engineer."

Kami Griffin: states since this wouldn't occur before final map, it really needs to be on the additional map sheet conditions, so it would have to be new Condition #20.H.

Ms. Arlin-Genet: comments on the Air Pollution Control District's (APCD) position on this proposal. She states it is very difficult when we look at a project on a parcel by parcel basis and we start talking about the need for increased density in an area. She states this is further convoluted when work force housing is a component of that as well. States we all know the region is stressed to provide affordable housing. Addresses the term "rural". Ms. Arlin-Genet indicates mobile sources contribute more than 50% of the pollution in our area. She explains the State of California has recently adopted a new ozone standard that's even more stringent than what the APCD has been working with. She adds that while the APCD is in attainment for the old standard, for the new standard APCD will not be in attainment, which means a new

update to their clean air plan and more regulations on stationary sources (businesses). She indicates this project would put more homes in the area that would increase the particulates in the air due to more traffic due to recreation, shopping, and other needs for further dependency on vehicle transportation. Addresses differences in air quality regulations that apply to different sized parcels. She explains that larger parcels in this area have the opportunity to burn green waste. States this is a significant source of particulate matter in the area which has significant health consequences, and this project will put more homes in the area causing increases in those particulates. Ms. Arlin-Genet indicates her frustration that the City of Atascadero has not weighed in here, as they are another jurisdiction that is impacted by these projects with their road fees, and she doesn't believe there are road fees assessed for the City of Atascadero. Indicates the APCD cannot support this project request for the reasons stated.

Charman Euphrat: discusses burn permitting.

Mr. Nall: asks Ms. Kavanaugh to show parcel sizes in the vicinity for review. He then questions where the 1-acre parcels originated from.

Ms. Griffin: states they are part of the Atascadero Colony and are colony lots. She indicates the colony predated our zoning by quite a bit. Ms. Griffin adds the 2.5 acre minimum was placed on at the time of the LUE/LUO adoption. States it was to mimic what was happening in the south part of the City of Atascadero, to have the smaller parcels.

Mr. Nall: addresses the Dove Creek development, which was a much larger development, which was subdivided recently within the city limits. There is discussion of the sizes of parcels involved, and of the benefits in the use of TDC's on this particular request.

Mr. Marshall: states the willow trees are not that substantial other than visual, since they are not on the endangered species list, nor is this a wetlands or something other than visual. He adds he is impressed by the fact that both opponents and proponents of this project request have encouraged us to demonstrate consistency. Mr. Marshall explains he is inclined to follow with consistency on this case as on the similar project denied last month.

Chairman Euphrat: agrees that the board must remain consistent in administering the rules and regulations of the County in considering this request. States in this case he is persuaded by the testimony, and by the average size parcel in the area being about 2.5 acres in size, for which this project is far below.

Ms. Kavanaugh: requests approval to recommend language for denial of this project since it sounds like that is the direction this Board is going.

Chairman Euphrat: states this would be appropriate.

Mr. Lichtenfels: states this is a difficult call, as the Volbrechts have labored in good faith using the existing rules to go forward. He indicates there is, however, compelling testimony for denial and he is inclined to agree.

Mr. Marshall: discusses last month's similar item was recommended for denial by the Advisory Council, and this project was recommended for approval by them. States he was greatly appreciative to SMAC for providing him with the minutes of the Advisory Council.

Mr. Nall: discusses aerial photo and parcel sizes. Believes the project is inconsistent given the parcel sizes in the immediate vicinity.

Kami Griffin, staff: states it would be nice for the Subdivision Review Board to acknowledge that if this project is appealed and potentially overturned on appeal, perhaps indicate those specific conditions that you would like to see considered (ie perhaps condition regarding outside burning and road improvements) so we would then have the technical recommendations on potential conditions if this is appealed.

Mr. Marshall: recommends the condition regarding the road be added as new condition #3 and simply say: *"Santa Margarita Road widened to complete an A-1X section fronting the property."* He suggests consideration for new language regarding burning .

Ms. Arlin-Genet: suggests the language: "That no outdoor burning shall be allowed in perpetuity." States she has mixed feelings on this as one, when one neighbor may have the authority to burn when one does not, this doesn't seem to be consistent. Upon discussion, there was consensus not to pursue a condition like this.

Thereafter, on motion by Richard Marshall, seconded by Aeron Arlin-Genet, and on the following roll call vote:

AYES: Mr. Marshall, Ms. Arlin-Genet, Mr. Lichtenfels, Mr. Nall, and Chairman Euphrat
NOES: None
ABSENT: None

The Subdivision Review Board denies Tentative Parcel Map CO 05-0122 to Alan & Chris Volbrecht, based on the Findings for Denial in Exhibit A.

7. Hearing to consider a request by **KEVIN FUSON** for a Tentative Parcel Map CO 06-003 to subdivide an existing approximately 14,000 square foot parcel into two parcels approximately 7,000 square feet each and designate the project site as a TDC Receiver Site (one credit), for the purpose of sale and/or development. The proposed project is within the Residential Single Family land use category and is located at 601 Hawley Street, on the northwest corner of Hawley Street and Cayucos Avenue in the community of Templeton. The site is in the Salinas River planning area. This project is exempt under CEQA. **County File No: SUB 2005-00186.** Assessor Parcel Number: 041-063-020. Supervisorial District: 1. Date Accepted: May 1, 2006.

Elizabeth Kavanaugh, staff, presents project. Staff is recommending approval.

Mr. Marshall cites the effects of the road exception for clarification. There is discussion of creation of the parcel division.

Mr. Nall discusses parcel sizes.

Chairman Euphrat asks for the original legal description.

Ms. Arlin-Genet questions whether there is existing housing on site.

Ms. Kavanaugh indicates there is one existing residence.

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Mr. Lichtenfels addresses community water and sewer conditions.

Kevin Fuson, applicant, indicates there is a will-serve letter in process for sewer and water. He adds he is here for any questions and is requesting approval of his project.

Chairman Euphrat discusses location of the existing residence.

Tom Taylor, realtor, states the lots were created in 1888. Indicates there was a permit issued in 1984 on the lot for a mobile home. States there were two dwellings but no water for the second lot. He adds there is now water for the second lot. There is discussion.

Mr. Marshall: states this is a good project for use of a TDC.

Thereafter on motion by Mr. Marshall, seconded by Mr. Lichtenfels, and on the following roll call vote:

AYES: Mr. Marshall, Mr. Lichtenfels, Mr. Nall, Ms. Arlin-Genet, and Chairman Euphrat
NOES: None
ABSENT: None

The Subdivision Review Board adopts the mitigated Negative Declaration in accordance with the applicable provision of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and approves Document Number 2006-030 granting Tentative parcel Map Co 06-003 to Kevin Fuson, based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B.

MR. NALL IS NOW ABSENT.

8. Hearing to consider a request by **LESLIE MALLORY & JANET MALLORY** for four Conditional Certificates of Compliance for four parcels of approximately 1.0 acre, 19,000 square feet, 17,500 square feet and 16,500 square feet each for the purpose of sale and/or development. The project includes off-site road improvements. If approved, the proposed parcels will likely develop with two single family residences. The project will result in the disturbance of approximately 20,000 square feet total which includes road improvements and future residential construction. The proposed project is within the Residential Suburban land use category and is located at 2902 Geneseo Road on the east side of Geneseo Road, south of the end of Mack Lane approximately 5 miles north of the community of Creston. The site is in the El Pomar-Estrella planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 2, 2006 for this project. Mitigation measures are proposed to address biology, geology, housing and public services and are included as conditions of approval. **County File No: SUB 2004-00045.** Assessor Parcel Number: 035-211-003. Supervisorial District: Date Accepted:

Karen Nall, staff: presents project. Reviews aerial photo of site. Presents a brief history of the property. States staff has requested the applicant to provide an exhibit that can show

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that the proposed parcels will meet seperation from Huer Huero Creek and for a proposed septic system. Discusses 25' easement south of Mack Lane, which was an old right of way which is not developed at this time. On the 17,500 square foot piece that is proposed to have an existing public water system well and a community water system will have to be created for the project.

Mr. Euphrat: requests clarification on lots 7 and 6 as to how they were created in 1953.

Ms. Nall: refers to the site map and explains the history of the parcels.

Mr. Marshall: requests clarification of the location of the 25' easement.

Ms. Nall: explains the easement runs through old Parcel 8. Discusses the minimum parcel sizes allowable, and indicates this project would meet minimum requirements. Staff is recommending a lot line adjustment to meet the 1978 ordinance, and recommends approval of this project.

Chairman Euphrat: asks Ms. Nall what the zoning was back in 1978 and what the required parcel sizes were then.

Mr. Nall: responds it was rural zoning with 10-acre minimum parcel size requirements. She refers to an excerpt from Chapter 22.85. There is discussion of the minimum lot size.

Jim Orton, County Counsel**:** states the zoning standards in the General Plan do allow for smaller parcel sizes.

Scott Stokes, engineer for applicant: thanks staff for their work. He explains the reasons for this project request. States the County had sent the applicant a letter stating he was in non-compliance with this particular lot. This request is to make it a legal lot. States his understanding that if you have a community water system on there and the well and septic are not too close together, you can go down to a small lot size and he believes this is the reason the applicant has been allowed to go under the 10-acre minimum.

Mr. Lichtenfels: asks what lots would be involved in the public water system.

Mr. Stokes: explains the 1-acre, the 19,000 square foot and the 16,000 square foot parcels would be the three lots that would have residences on them. States the 1-acre lot currently has a residence on it, and the one with the community water system would remain as a lot and would not have a residence built on it.

Mr. Lichtenfels: states he believes you need at least 5 parcels to build a community water system. There is some discussion. He asks Ms. Nall if a percolation test has been included in the staff report.

Ms. Nall: explains a percolation test was completed but was not included with the staff report.

Mr. Lichtenfels: asks for a copy of the percolation test so he may review it.

Ms. Griffin: attempts to clarify the confusion by stating that she believes the applicant had been previously told that as long as there was a potential of 5 connections, that a

community water system would be possible. States staff was relying on that information received from Environmental Health. She adds that if that is not the case, then that would substantially change staff's recommendation here.

Mr. Lichtenfels: states we almost have the potential to go with five, but if it's contingent on this project going forward now, he would not be in favor of it. He has a problem with a phantom connection out there just floating in the wind. There is further discussion on the concerns of five water connections, permitting, etc.

Chairman Euphrat: agrees with Mr. Lichtenfels' concerns and requests clarification of ownership. He indicates he is yet to be convinced there should be four parcels. He asks how old the current residence is on the property.

Mr. Stokes: responds, indicating the 1950's. He states they are trying to legalize the parcel.

Chairman Euphrat: indicates he would be happy to entertain some type of proposal to legalize the parcel as one parcel, which is what he believes this should be.

Mr. Lichtenfels: states his concerns with this project going forward. He suggests possibly continuing this project for further information.

Chairman Euphrat: requests clarification on actual ownership of the parcel.

Ms. Nall: states there is one assessor parcel number now currently owned by several people. States she has met with Laurie Salo in the Public Health Department, and her concern was that there could not be a community septic system on that site. Staff was given the direction that a community water system was a go if there were five or more connections available.

Chairman Euphrat: states there is obviously some confusion, and has a problem with four parcels in an area where there should be one.

There is discussion regarding additional conditioning of the project or continuing to another date.

Ms. Arlin-Genet: discusses the Board's options of either postponing a decision to allow more time for discussion or contemplate denial of the project making it appealable.

Mr. Marshall: indicates the Board has virtually no room for considering denial on conditional certificates by law. He states they can discuss condition language. He adds the Board could condition for all the parcels to be merged or adjusted with other property, or some way enlarged to a minimum size that the Board establishes. States he does not believe there has ever been a denial for a conditional certificate.

County Counsel: agrees with Mr. Marshall. He states one option is that state law says when you consider conditional certs, you look at the conditions that *could have been* imposed when the applicant acquired interest in the property and then you may impose those conditions, although not mandatory. However, you are required to act on it. You could eliminate the community water system condition and require the whole parcel be enlarged and/or combined. You may also continue the item for further discussion with Environmental Health.

Mr. Marshall: states he feels that to consider a community water system, this board needs to have further information to make a decision. Cites his concern about the four parcels vs. five, and legalizing a parcel that can never be built on. Mr. Marshall states we should either pursue a water system and come up with five connections or establish a minimum area requirement.

Mr. Euphrat: indicates he would be willing to support a merger to create one parcel. He asks Ms. Nall if she would be willing to continue the project. Ms. Nall says no.

Thereafter, on motion by Richard Marshall, seconded by Aeron Arlin-Genet, and on the following roll call vote:

AYES: Mr. Lichtenfels, Ms. Mr. Marshall, Mr. Nall, Mr. Arlin-Genet, and Chairman Euphrat
NOES: None
ABSENT: None

the Subdivision Review Board continues this item to August 7, 2006 to give the applicant the opportunity to work with staff.

9. Hearing to consider a request by **NORMAN EGGEN** for a Vesting Tentative Parcel Map (CO-02-0188) to subdivide an existing 10.14 acre parcel into four parcels consisting of three parcels of approximately 2.5 acres each and one parcel of 2.62 acres for the purpose of sale and/or development. The project includes off-site road improvements to Walnut and Poplar Avenues. The proposed project is within the Residential Suburban land use category and is located at the southern corner of the intersection of Walnut Avenue and Poplar Avenue in the community of Garden Farms. The site is in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the item, in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq. Mitigation measures are proposed to address agricultural and biological resources, public services, recreation and transportation. **County File No: S010396P.** Assessor Parcel Number: 070-121-006. Supervisorial District: 5. Date Accepted: October 15, 2005.

MR. NALL IS NOW PRESENT.

Nick Forester, staff, presents project. Reviews vicinity map indicating general location of project in Garden Farms, and aerial maps. Discusses vegetation on the site, and the garage which will have to be brought into conformance or removed. States the applicant proposes to use a mixture of water services. Indicates there is a water meter on site that is no longer in service. States Environmental Health and CDF are uncomfortable and unsupportive of a mixed water service arrangement, primarily because if CDF should drive up to fight a fire late at night there is too much confusion. They would much prefer that the project site either be all on community water, shared well, or all on an individual well. The project has been conditioned to give the applicant the option. Suggests adopting the Negative Declaration, and approval of the project. Staff suggests modifications for road improvements to satisfy trail requirements by the Parks Department.

Mr. Marshall: asks for clarification.

Mr. Forester: responds, indicating Condition #4 already addresses this matter and to disregard his last comment.

Terry Orton, Westland Engineering: states it has been a difficult process regarding water issues. He cites the use of a well for a water source. Addresses parcel sizes. Mr. Orton discusses the A-1(x) conditioning. Reviews an overhead, indicating locations of the utility power poles. He indicates the pole currently located in the center of the site will have to be removed. Discusses ownership of the well on the property, which is currently owned by an oil company. Indicates the electrical line serving that well is also owned by the oil company, and he is communicating with the oil company regarding removal. He discusses the practicality of removal of the power pole. If removal of the pole is required, he is not sure how things will proceed.

Chairman Euphrat: discusses possible use of underground power lines.

Terry Orton: explains he does not know if he has the authority to install underground power lines. There is discussion. Mr. Orton indicates he hopes to bond for removal and reconfiguration of the power poles.

Mr. Lichtenfels: asks what the purpose of the well is.

Terry Orton: responds he's not sure, but he doesn't believe it is domestic.

Mr. Marshall: asks about input from Parks regarding the trail location.

Mr. Forester: refers to Condition #4 that addresses trails.

There is discussion of modifying Condition #4 to include "*or necessity*" before of the trails along Poplar Avenue and Walnut Avenue in the first sentence; and to include language in Condition #2 regarding an A-1(X) to read: "*if trails are required by the Parks Department.*"; and, possibly adding language to Condition #10 regarding the utility poles being left in place.

Ms. Griffin: suggests possible language to Condition 2.a to include a tag sentence to read: *"if trails are required by the Parks Department."*

Mr. Forester: states he believes the changes read into the record by Ms. Griffin fairly adequately addresses the concerns previously stated.

Ms. Griffin: suggests additional language to Condition #10 is replayed as follows: *"unless any portion is demonstrated to not be within the applicant's legal ability to underground."*

Thereafter, on motion by Richard Marshall, seconded by John Nall, and on the following roll call vote:

AYES:	**Mr. Marshall, Mr. Nall, Mr. Lichtenfels, Ms. Arlin-Genet, and Chairman Euphrat**
NOES:	**None**
ABSENT:	**None**

the subdivision Review Board adopts the mitigated Negative Declaration in accordance with the applicable provision of the California Environmental Quality

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Act, Public Resources Code Section 21000, et seq., and approves Document Number 2006-031 granting Vesting Tentative Parcel Map CO 02-0188 to Norman Eggen, based on the Findings in Exhibit A, and subject to the Conditions in Exhibit B with Condition #2 amended to read: "Walnut and Poplar Avenues widened to complete an A-1(S) section fronting the property *"as required by the Parks Department."*; **Condition #4 amended to read:** "Prior to approval of the project's Final Map or improvement plans (whichever occurs first), the Parks Division shall review and approve the proposed location *or necessity* of the trails along Poplar Avenue and Walnut Avenue. If the applicant cannot provide the required trail corridors within the road right of way, the applicant shall provide a trail easement or in fee dedication (as necessary) for the required trail corridor with the final map.; and, **Condition #10 amended to read:** "Electric and telephone lines shall be installed underground, *unless it can be demonstrated that any portion is not within the applicant's legal ability to underground."*

Hearing to consider a request by **ALBERT M. FISHER** for a Vesting Tentative Parcel Map (CO05-0331) and a Conditional Use Permit to subdivide an existing 8,420 square-foot parcel into three parcels and construct three residences as a planned development. The proposed residential parcels are approximately 1,378 square feet, 1,382 square feet, and 1,653 square feet each with an exterior commonly-held parcel. The proposed residences are two-story, include an attached two car garage, and have approximately 1,197 square feet of living space each. The proposal includes private yard area for each unit, and a landscaped area along the street frontage and the common driveway. The project is proposed as affordable housing. The proposed project would result in disturbance of 8,420 square feet. The project site is located at 1661 Paso Robles Street (north side), approximately 50 feet west of Seventeenth Street, in the community of Oceano. The site is in the San Luis Bay (Inland) planning area. project is exempt under CEQA. **County File Number: SUB2005-00137**. Assessor Parcel Number: 062-081-006. Supervisorial District: 4. Date Accepted: April 7, 2006.

Michael Conger, staff: presents project. Refers to a floor plan for review. Discusses elevation variances. States staff is recommending approval of this project.

Jim Orton, County Counsel: questions common parcel status and ownership.

Michael Conger: responds the parcel will be owned in common.

Mr. Orton, County Counsel: recommends the term "held-in-common" versus owned-in-common; states otherwise, a homeowners' association would have to be created. Counsel recommends a modification to the conditions to address this.

There is discussion of modifying conditions to identify the parcel as a separate parcel.

Kami Griffin: addresses on-going maintenance of the commonly held parcel. Questions whether additional conditions are necessary.

Chairman Euphrat: asks about a fencing plan.

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Mr. Conger explains the applicant has furnished plans fencing the west side of the property.

Mr. Lichtenfels: moves for approval with changes to Condition 1.a to describes the 4th common parcel and give it a number.

Mr. Conger: requests the language be modified in both Condition 1a in Exhibit c and Condition 1 in Exhibit D.

a. **Thereafter, on motion by Mr. Lichtenfels, seconded by Mr. Nall, and unanimously carried, the Subdivision Review Board recognizes the class 15 categorical exemption and approves Document Number 2006-033 granting a Vesting Tentative Parcel Map CO 06-0011 to Albert M. Fisher based on the Findings in Exhibits A and B, and subject to the Conditions in Exhibits C and D, with changes to Condition 1.a, Exhibit C to read:** "The subdivision of an existing 8,420 square-foot parcel into three parcels of approximately 1,378 square feet, 1,382 square feet, and 1,653 square feet each, and a *fourth* commonly held external parcel, in accordance with the attached exhibits."; **Condition 1, Exhibit D to read:** "Vesting Tentative Parcel Map (CO 05-0331) and Conditional Use Permit to subdivide an existing 8,420 square-foot parcel into three parcels *and a commonly held fourth parcel*, and construct three residences as a planned development. The proposed residential parcels are approximately 1,378 square feet, 1,382 square feet, and 1,653 square feet each with an exterior commonly-held parcel. The proposal includes private yard area for each unit, and a landscaped area along the street frontage and the common driveway. The project is proposed as affordable housing. The proposed project would result in disturbance of 8,420 square feet.

ADJOURN

There being no further business to discuss, Chairman Euphrat accepts and receives all correspondence from today's meeting and adjourns today's meeting to the July 10, 2006 Subdivision Review Board.

There being no further business, the meeting is adjourned.

Respectfully submitted
Mary Velarde, Secretary Pro-Tem
County Subdivision Review Board