

**TEMPLETON AREA ADVISORY GROUP (TAAG)  
LAND USE PROJECT RECOMMENDATIONS  
SLO COUNTY SUBDIVISION REVIEW BOARD HEARING  
JULY 10, 2023 AGENDA ITEM #4  
BLUE ROCK VENTURES Vesting Tentative Parcel Map (CO21-0039 /  
N-SUB2023-00024) and Conditional Use Permit**

**To the SLO County Subdivision Review Board (SRB)**

The Templeton Area Advisory Group (TAAG) has reviewed the above noted subdivision of a 6.53 acre parcel located in the Templeton area of Bennett Way and Turkey Ranch Road of Templeton. This Subdivision Review Board (SRB) hearing is to consider a request by Blue Rock Ventures for vesting a tentative Parcel Map (CO21-0039 /N-SUB2023-00024) and Conditional Use Permit to allow a cluster subdivision that would allow a 6.53 acre Remainder Parcel (from Tract 3025) to be subdivided into three (3) 10,000-square foot parcels, one (1) 3.34-acre open space parcel that will include a 6,000-square-foot building envelope and one (1) 2.5 acre remainder parcel. TAAG's reviews of this project consisted of publicly noticed TAAG Project Review Committee meetings held during 2021 and 2023 and TAAG's publicly noticed June 1, 2023 Special Board meeting and TAAG's regular publicly noticed June 15, 2023 Board meeting. Please note that as a result of TAAG's considerable effort to review this project fairly, TAAG determined that the original proposed project, scheduled for a June 5, 2023 Subdivision Review Board, was not in compliance with SLO County Ordinance Section 22.22.140 – Cluster Division. This Planning Department error that understated the 4-acre minimum area of this project required Planning Department revisions and rescheduling to the July 10<sup>th</sup> hearing date.

**As a result of TAAG's reviews of this project, TAAG recommends that the Commission DENY APPROVAL of this project's proposed tentative map subdivision and proposed Condition Use Permit as proposed in the July 10<sup>th</sup> hearing documents. These recommendations were approved by TAAG Board votes during both TAAG's June 1, 2023 and June 15, 2023 Board meetings.**

**Three issues were considered by the TAAG Board that supports the basis for RECOMMENDING DENIAL of this project as currently proposed.**

- 1. The County failed to conduct an environmental determination of this current proposed 6.53 acre project required by the California Environmental Quality Act (CEQA).**

This 6.53 acre parcel project was subdivided during 2017 from an original 23.53 acre parcel. The County maintains that a 2017 Mitigated Negative Determination issued for the subdivided 17-acre parcel located to the north and separated by Toad Creek from the 6.53 acre parcel being considered by the SRB on Monday July 10<sup>th</sup> is still adequate:

**“Negative Declaration prepared and issued under ED16-0037 for the previously reviewed project SUB2015-00066 Track Map , Tract 3025 and Development Plan is still adequate. No potential environmental impacts that were not previously addressed are anticipated, therefore, no new environmental determination is necessary.”**

**This 2017 (129 page) MND is attached here and is part of the SRB's July 10, 2023 hearing record.**  
[153779 \(ca.gov\)](#)

This adopted 2017 MND fails to consider the following environmental impacts of the current 6.53 acre subdivided parcel application as compared to the separate 17 acre parcel considered during 2017.

- Page 2 of the 2017 MND indicates that the 17-acre parcel will include 22 lots consisting of 21 residential parcels of 10,000 to 15,000 square feet each and one non-buildable open space parcel of 9.42 acres. The 21 residential lots will be for sale and/or development. Access to the residential lots would be via a private street extending south from Templeton Hills Road terminating in 2 cul-de-sacs. This 2017 project does not connect to the current 6.53 acre parcel. THIS MND IS NOT CONSISTENT AND FAILS TO ASSESS THE ENVIRONMENTAL IMPACTS OF THE 6.53 ACRE PARCEL OR THE PROPOSED 4.53 ACRE PARCEL THAT WILL CONSIST OF THREE (3) 10,000 AND ONE (1) 6,000 SQUARE FEET LOTS. NO OTHER ENVIRONMENTAL ISSUES ARE CONSIDERED OR MENTIONED IN THE 2017 MND REGARDING THE CURRENT PROPOSED 6.53 ACRE PARCEL SUBDIVISION OR ITS IMPACTS ON ITS SURROUNDING ENVIRONMENT AND/OR WITH PROHIBITED DRAINAGE TO TOAD CREEK.
- The proposed Conditions of Approval (COA's) #19 Drainage & Flood Control recognizes that NO STORMWATER DRAINAGE IS ALLOWED TO TOAD CREEK FROM THE PROJECT SITE. This COA requires to "Submit complete drainage calculations and drainage system design prepared by a licensed civil engineer to the Department of Public Works for review and approval. **Drainage must be detained on the property because Toad Creek and its tributaries are not capable of carrying additional runoff.** All project related drainage shall be designed and constructed in accordance with the recommendations of the Templeton Drainage and Flood Control Study and county Public Improvement Standards."

No detailed project stormwater design plans have been submitted for public or SRB reviews. Toad Creek flooding has caused considerable damage to downstream public and private property. The County's failure to conduct detailed studies and reviews of this project's Stormwater drainage design plans, required current stormwater control plans, its erosion and sediment control plan, and its stormwater control and stormwater system plans prior to approval of this project violates CEQA. In this case, the county has already determined that drainage to Toad Creek is a significant environmental impact issue that requires a full review prior to approval. **CEQA REQUIRES THAT SUCH MEASURES BE CONDUCTED BY THE RESPONSIBLE AGENCY (THE COUNTY) AS SOON AS POSSIBLE DURING THE PROJECTS' REVIEW AND APPROVAL PROCESS.**

- In addition to not conducting a current environmental determination and failing to update an outdated MND not related to the current Turkey Ranch Road project site, TAAG noted that the adopted 2017 MND relies on a May 22, 2013 (ten-year old) Biological Report that was limited to a survey area of the apparent 2017 Templeton Hill 17-acre location. This May 2013 report can be found posted to the SLO County CSS system for this Project No. N-SUB2023-00024. The outdated 2017 MND Section 4 – Biological Resources (pages 24 -40) also makes the following comments referring to various "updates" that are not posted to the CSS or otherwise disclosed for reviews.

MND Page 24 of 128. "Setting. A biological resources survey (BRS) for the project site was completed by V.L Holland in February 2015 and revised on June 24, 2015 and based on field surveys conducted in May, 2013 and February 2015. A draft California Red Legged Frog assessment was completed by SWCA in June 2016. The following discussion and analysis of impacts is a summary of the findings and recommendations of these reports." The V. L. Holland revised June 24, 2015 report and the SWCA June 2016 report have not been disclosed for public or County SRB review.

MND pages 34-35 of 128. "Potential Impacts to California Red-legged Frog (CRLF). A biological assessment for the presence of red-legged frog was conducted in June, 2016 by SWCA Environmental Consultants. The report assesses the suitability of on- and off-site aquatic and upland habitats to support various CRLF life history stages, describes the habitats located within a 1-mile radius of the project site, and identifies known CRLF occurrences within a 5-mile radius of the project site. **This Site Assessment has been prepared in conformance with the guidance found in Section III County of San Luis Obispo, Initial Study Page 34 (1-4) and Appendix D of the USFWS Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog (USFWS 2005) and is considered**

**valid by the USFWS for 2 years.** The June 2016 SWCA report has not been made available for public or SRB review.

Failure to prepare a required current Biological Survey of the specific 6.53 acre parcel area adjacent to Toad Creek is another issue supporting TAAG's recommendation to DENY this project's Conditional Use Permit application.

- The project's Planning Consultant argues that this 6.53 acre project site is not adjacent to Toad Creek and therefore not subject to COA #19 discussed above. The 2017 MND (page 74) indicates "Closest creek? Toad Creek. Distance? On site". The 2017 MND (page 7 of 129) Tentative Map indicates that Toad Creek is located on the northerly boundary of this 6.53 acre parcel. Note in MND Section 14 (pages 74 -76) that this MND essentially only evaluates the 2017 approved 17-acre, 22 lot site.

2. **The proposed project design is not consistent with the development of existing neighboring areas. SLO County Ordinance Cluster Division Section 22.22.140 - F.3.c requires that "Development shall be designed to be consistent with the character of the immediate surrounding areas as designated in the Land Use Element." Turkey Ranch Road, where this site is located, and the surrounding area is zoned, and has been for 25 or more years, as Residential Suburban (RS). This zoning designation requires MINIMUM lot size of no less than one (1) acre each. All neighboring developed lots in the vicinity of the project comply with this zoning designation.** The project proposes three (3) 10,000 sq.ft. lots and one (1) 6,000 sq.ft. lot all immediately adjacent to each other fronting Turkey Ranch Road. Turkey Ranch Road is a short narrow dead end cul-de-sac street with four one-acre Residential Suburban lots with existing homes on adjacent one acre (1) lots, located immediately across from the project's proposed four ¼ acre (or less) each homesite lots. The immediate impact on the character of the neighborhood affects these four one-acre lots. It should also be noted that the 2017 21-lot project's 10,000 to 15,000 sq.ft. lot sizes were somewhat consistent with existing homesite sizes located on and about the Templeton Hill Road area. Such is obviously not the case for this Turkey Ranch Road one-acre minimum lot zoning requirement.

**TAAG recommends that this project of small, clustered lots be denied on the basis that they are not consistent with the character of the immediate surrounding area and are not consistent with the County's General Plan, Land Use Elements or with the Templeton Community and Design Plans that are established to maintain the rural character of the Templeton North County area.**

3. **In the event that this project's Conditional Use Permit application is approved by the SRB on July 10<sup>th</sup>, TAAG strongly recommends that a Condition of Approval be approved by the SRB that states "Notification to purchasers of each lot of the requirement that all lots within the subdivision shall be developed consistent with the applicable development standards outlined in County Code Title 22 and the Templeton Design Guidelines, including the requirement for Minor Use Permit approval prior to obtaining construction permits for development." This current proposed Findings and COA's fail to provide any required homesite design and construction guidelines. This COA provision was approved for the adjacent property's (Sara Street LLC) June 20, 2023 BOS approval.**

In addition to the above three reasons which were voted upon (and approved) by TAAG, the following comments have not been approved by the TAAG Board, due to TAAG's policy of requiring a 72-hour minimum public notice of meetings and agendas. On July 1, 2023, TAAG became aware of an adjacent development project that was approved by the SLO County BOS on June 20, 2023, known as Sara Street LLC, being listed for sale by the property owner as an undeveloped property site.

Here is the sales listing website link:

<https://www.loopnet.com/Listing/Bennett-Casper-Court-Templeton-CA/28897908/>

**This adjacent project's development of its approved County Conditional Use Permit site designs and systems such as utilities, water service, stormwater drainage, wastewater and sewage systems will become the eventual owner/developer of the project at some undetermined future date. Modifications may be proposed by the future owners/developers of this adjacent project site.**

**The Blue Rock Ventures project to be heard by the SRB on Monday, July 10, 2023 has proposed to establish a wastewater-sewage system that will connect to a system to be served by Templeton Community Wastewater-Sewage system and pipelines. The proposed project design for this system is to connect from this project's wastewater-sewer system to the adjacent project's approved Wastewater- Sewer system, which requires a Lift Station and installation of a pipeline down Bennett Way to connect with the Templeton CSD underground lines located close to Vineyard Drive, approximately 1,000 feet from the Blue Rock Ventures site.**

**This adjacent property's sale listing raises the question of whether the Blue Rock Ventures project should be required to redesign and resubmit its wastewater-sewer system to function independently, including a Lift Station, and connect directly to the TCSD system. This would significantly increase the cost of such a system, including the installation of a project site lift station, to operate. Calls to the TCSD to determine whether additional reviews of this situation are necessary, prior to approving these systems, have not been answered.**

Respectfully submitted,

Scott Shirley  
TAAG Chair  
July 5, 2023