

Land Use Committee Meeting Minutes
December 7, 2020
Zoom Virtual

Committee Members

LOCAC Members

Larry Bender – Chairperson
Lynette Tornatzky – District One
Yael Korin – District One
Sue Morgenthaler – District Four
Trish Bartel – District Four

Public Members

Robin McPeak
Paul Hershfield
Julie Tacker
Linde Owen

1. Greetings and Introductions

- a. Meeting called to order by chairperson Larry Bender at 7:02 pm
- b. Introduction to Zoom procedures for the committee and public

2. Roll Call

- a. All present

3. Approve Minutes

- a. Yael Korin made a motion to approve the minutes, was seconded by Sue Morgenthaler

4. Chairperson Announcements

- a. Zoom meetings will continue on Zoom into 2021.

5. Members Announcements

- a. None.

6. Agenda Items including Public Comment

- a. **DRC2020-00164 Loida:** Proposed Minor Use Permit to waive the fencing and screening standards per section 23.04.190.b(4) to allow for a fence over 6.6 feet. The project site is located within the Residential-Single Family land use category and is located at 1870 Fearn Ave in the community of Los Osos in the Estero Planning Area.
 - i. Ms. Loida presented photos from 2016 to present to show the damage done to her trees and shrubs from her neighbors. Ms. Loida asked the committee to approve her fence which is over 6.6 feet. Ms. Loida has added Lexan clear product to the top of her wood fence to protect her property from her neighbors.

ii. **Committee Comments**

1. Linde Owen asked if her neighbors turned her in to the County for a fence higher than allowed. Ms. Loida said yes
2. Committee members stated that they were sorry she had to deal with this and that she presented a great case and they saw no reason not to support

iii. **Public Comments**

1. Hollis Henning stated she is a neighbor and has known Ms. Loida for 5 years. Ms. Loida has transformed her property into a beautiful peaceful site. Ms. Hennings stated that approval of the fence is the most peaceful conclusion to the problem
2. Hope Merkle from Los Osos Nursery stated she has been on the property multiple times to access the damage to the trees and help her research trees that will be suited to her property. Ms. Merkle would like LUC to approve the fence height.
3. David Sprague wanted to echo what the other neighbors said and believes Ms. Loida has transformed her property into a beautiful retreat

iv. **Motion**

1. Motion by Julie Tacker to approve the fencing and screening standards and allow the fence height to stand. Seconded by Paul Hershfield, amended by Sue Morgenthaler to add this project to the consent agenda of LOCAC, Ms. Tacker and Mr. Hershfield agreed, Vote was taken, Unanimous decision

b. **DRC2020-00178 Goodwin:** Proposed Minor Use Permit to allow for the construction of a single family residence on a currently vacant lot located at 1090 Al Sereno Lane in Los Osos.

- i. No one present to discuss, place on January agenda

c. **DRC2020-00201 Byrne:** Proposed Vacation Rental of a single family residence located at 2455 Jacaranda Lane, Los Osos Ca

- i. Michael and Antoinette Byrne discussed that they want to occasionally use their 5 bedroom home as a vacation rental. They have 10 acres which they dry farm for oats. They would like to increase their farming and would use the vacation rental income to subsidize the infrastructure needed for farming. When they do rent out their home they will stay in the area. They have notified all their neighbors and the nearest vacation rental is over a mile away.

ii. **Committee Comments**

1. Paul Hershfield asked if they were aware of the vacation rental guidelines, Mr. Byrne said yes
2. Linde Owen asked if they still had plans for events at their site as stated for an earlier permit. Ms. Owens said she also had concerns of water usage. Mr. Byrne responded that they have never gone through with getting the event permit, they at one time thought they could use their home for weddings. Mr. Byrne addressed the water issue by stating that they dry farm the oats. The well is for personal use. It is 96 feet deep and that they do not have an AG well.
3. Yael Korin stated that the vacation rental could accommodate 12 people who could use lots of water.

iii. **Public Comments** - none

iv. **Motion**

1. Motion by Julie Tacker to approve the vacation rental permit and place this item on the consent agenda of LOCAC. Seconded by Trish Bartel, Unanimous decision

d. **Application for Conditional Use Permit/Development plan by Morro Shores Mobile Home Park:** to add an additional 10 new prefabricated manufactured homes at the park located 633 Ramona.

- i. Debbie Rudd (RRM Deign Group) along with Michael Milan (Management Company for Morro Shores) and Nyri Katcho Achadjian (property management) presented the plans for the addition of 10 new prefabricated homes to the Morro Shores property. All the homes will be single story on lot sizes of 41” wide and 56-66 feet in length. Four homes will be added to the west side and 6 homes to the east side of the property. In addition they will add a dog park, putting green and shade structures. They are mandated to build 3 additional parking spots and have plans for 5 parking spots, 2 of which will be handicapped. They will be adding affordable housing to the SLO County market.

ii. **Committee Comments**

1. Robin McPeak asked what the monthly rent will be on the new homes. Mr. Milan stated that the rent on the land will be approximately \$1500 a month and the homes will cost \$300,000 - \$400,000 for a 3 bedroom 2 bath prefabricated home.
2. Linde Owen asked if they could make some of them more affordable. Mr. Milan said that he wants the new homes to match the current homes.
3. Linde Owen asked about how the elimination of spray irrigation will decrease the water use providing a water

offset credit. Ms. Rudd stated that she wasn't sure about when the property stopped watering the lawn, thought it was 3-4 years ago. They want to use irrigation water for water credits, they could decrease green areas to use for water offset

4. Julie Tacker stated that everyone is pro affordable housing but the real concern is water. According to Google Earth the lawns haven't been watered for 10 years. Ms. Tacker would prefer Title 19 which means appliance retrofit since the irrigation numbers shouldn't count.
5. Linde Owen asked if each mobile home pays for water. Mr. Milan said each mobile home has their own meter for water

iii. **Public comments**

1. John Trumbauer said none of the fields are being watered can't use as a water offset
2. Patrick McGibney stated that the homes aren't affordable. New resident development built in Los Osos does not have access to water. The new Los Osos Community plan says the population is 13,000 and wants to build out to 18,000. The 2000 Census says that Los Osos census is 14,200. Mr. McGibney believes the census is closer to 16,000 now. The water basin is already stressed. Mr. McGibney believes we need to cease building.
3. Eve Gruntfist stated that she lives in Morro Shores and doesn't want more houses or the dog park. Ms. Gruntfist loves the open spaces and is worried that the Fire Department would not be able to access the narrow streets near the new homes. Ms. Gruntfist has talked to Kerry Brown of the Planning department and heard that this project doesn't have to go to the Coastal Commission because it's part of a larger property.
4. Lisa Denker says the plans look like the construction would occur at the same time on both ends of the park. The residents she has spoken to are concerned about the noise, dust and construction. The residents want to retain their quality of life. Debbie Rudd stated that the existing residents are important and they will be reaching out to them this week. The construction of homes occur offsite. Only the paving and landscaping will occur on site. The management firm is currently working with the Fire Department on access. The new homes will go on previous leach fields. .

5. Julie Tacker addressed Patrick McGibney comments and stated that new developments have 75 gallons with a 2-1 offset and that the Los Osos water usage has seen a decrease in the past 8 years.
6. Patrick McGibney stated that he felt 2-1 offsets don't really save water. Mr. McGibney feels that the population has increased over the past 8 years and there is sea water intrusion in the aquifer.
7. Nyri Achadjian said she has heard concern from the committee and the public on water. Her company is trying to find out if the irrigation usage will work towards the offset numbers. The feedback from the committee and public has been very helpful. Ms. Achadjian firm is speaking with the planning department daily.
8. Debbie Rudd asked if we could move this project forward to LOCAC for discussion and they could get their water numbers by Thursday. Mr. Bender said we could not due to the need to give the public 72 hours to review documents prior to a meeting.

iv. Committee discussion

1. Sue Morgenthaler asked the committee how to move forward on this project due to the water concerns. Could the committee meet with the Planning Department to receive clarity on the water issues?
2. Linde Owen stated she can't support the irrigation number and would like to see it removed from the application
3. Yael Korin would like to table this project until they discuss with Planning department on how to determine water numbers

v. Motion

1. Motion by Trish Bartel to table this project until the January meeting when the water numbers have been decided. Julie Tacker asked to amend the motion to add that the irrigation numbers can't not be used in the water offset, amendment approved by Ms. Bartel, seconded by Paul Hershfield and unanimous decision

7. Member and Public Comment not on the Agenda

- a. Ms. Owen stated the Board of Supervisors will be hearing the Community Plan on December 15, 2020
- b. Mr. Bender said that the revised Policies and Procedures and Bylaws are posted on the website and are going to LOCAC on 12/10/2020.

8. Adjourned

- a. Adjournment at 8:52 pm