

DRAFT

**Land Use Committee Meeting Minutes
April 5, 2021
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 7:04 pm
- b. Robin McPeak gave an introduction to Zoom procedures for the committee and public

2. Call to Order, Roll Call

- a. All present

3. Chairperson Announcements

- a. Local news announcement that California is back in a drought year.

4. Member Announcements

- a. No announcements from members.

5. Public Announcements

- a. Patrick McGibney announced that the lot on Santa Ysabel is for sale. The lot has a mature Stone Pine tree on the Pasadena side of the lot. The owners are considering cutting down the tree to help with visibility for the prospective buyers.
- b. Linde Owen added that there are currently at least 6 trees with ministerial permits to be cut down in Los Osos/Baywood.

6. Approve Minutes

- a. Paul Hershfield made a Motion to approve, Lynette Tornatzky seconded.
All approved

7. Agenda Items including Public Comment

- a. Discussion of two Coastal Commission Staff reports and how LUC might choose to handle projects for new construction while the sustainability of our water supply is at risk.
- b. Review for approval of a letter written in response to the LOSG's request for LOCAC support to be sent to the County Planning and Building Department.
 - i. Members Comments
 1. Paul Hershfield stated that something from LOCAC is in order. Letter needs to be strongly worded if possible. Would prefer to retain the moratorium until the water issue is resolved and LO has a water surplus. Wants the County to do something.
 2. Lynette Tornatzky said the fate is with Basin Management and the Coastal Commission. Since there is no date for the Coastal Commission to discuss water would prefer to wait to send letter until we know the date.
 3. Sue Morgenthaler agrees with Paul to make a statement to the County now. LUC always talks about the water issues yet still approves all the new builds. LUC purpose is to make a difference in our town. Basin Management meeting is on 4/12/21 and it would be great to send them the letter too. Would also like to address unmetered wells.
 4. Linde Owens totally agrees with sending a letter due to insecure water needs.
 5. Yael Korin supports a letter to extend the moratorium to include all properties until the water issue is figured out.
 6. Robin McPeak stated that we are an advisory group and we need to advise and pass to the County and Coastal Commission our concerns.
 7. Julie Tacker stated that the County can't pass a moratorium only the local water companies can and that Title 19 can do more. The Basin Management has plans to address the nitrates in the aquifer. Also stated that new homes use less water than old homes. LO needs to make changes with the retrofit options.
 8. Trish Bartel agrees with the need to send a letter sooner than later and to highlight the concerns of the Coastal Commission regarding LO water. Would like to get a subcommittee together to tackle this issue.
 9. Lynette Tornatzky agreed with both Julie and Trish and doesn't understand all the unmetered wells, knows a lot were grandfathered in.
 - ii. Public Comments

1. Patrick McGibney stated the letters should go to Basin Management Committee, Coastal Commission and the County. He stated that the Basin Management has a section that discusses unmetered wells which is 50% of the water used from the aquifer. He stated that he doesn't believe that the water offsets work.
 2. Cecile Surbeck supports LUC sending a letter to the local agencies, we need to start protecting our water.
 3. Discussion within the LUC members on the allowability of sending a letter to local agencies without the community having 24 hours to review.
- iii. Motion by Trish Bartel to send a letter to the County, Basin Management and Coastal Commission. Seconded by Sue Morgenthaler. Approved 7, Opposed 2
- c. DRC2021-00090 Valine - a request by Derek and Karen for a Minor Use Permit/Coastal Development Permit to construct a 2,886 SF two story residence and a 986 SF attached garage on approximately 0.6-acre parcel. The project is located in the community of Los Osos within the Estero Planning Area of the Coastal zone. Owner has lived in Los Osos for 37 years. The design includes a septic waste water treatment system. Owners have completed all required studies, have the 2:1 retrofit required. Everything the County has asked for has been completed.
- i. Member Comments
 1. Larry Bender stated that we normally approve every project in the non-moratorium area. Unfortunately, at this meeting we discuss not approving new builds.
 2. Paul Hershfield stated that this puts the applicant in a tough spot, LUC only makes recommendations.
 3. Robin McPeak stated we are an advisory committee and after looking at our water sustainability we can say no. All can be appealed.
 - ii. Public Comments - no public comments
 - iii. Motion by Paul Hershfield recommends this project not be approved due to the water issues. Motion seconded by Yael Korin
 1. Discussion by Linde Owens that the applicant has done everything in the permit process and since we are just now talking about the water moratorium we should approve with concerns about water. Sue Morgenthaler wants to include all comments on water issues to explain why we can to that decision. Linde asked to amend the motion, Paul Hershfield agreed to amend.

2. Amended Motion - In light of recent events that highlight the drought in the Central Coast, LUC will not be able to approve this project even though the applicant fulfilled all permit requirements.
 3. Second amended by Lynette Tornatzky to add and place this on the regular LOCAC agenda on April 22, 2021, seconded by Sue Morgenthaler and approved by Paul Hershfield.
- d. Introduction of a project to centralize information and make available facts that will educate on each type of project that comes before LUC.
- i. Member Comments - Members reviewed the spreadsheet that lists the type of projects that normally come to LUC and where they can get additional information. Robin McPeak and Trish Bartel answered questions. Trish Bartel will continue to update the spreadsheet. Linde asked for the spreadsheet to include commercial property information. The spreadsheet will go to LOCAC for review on 4/22/21 and will go onto the LOCAC website.

8. Adjourned

- a. Adjournment at 8:51 pm