



**Land Use Committee
July 6, 2021
7PM Zoom**

The meeting was **called to order** at 7pm and **roll call** was taken. Present were Chair Larry Bender, Acting Secretary Sue Morgenthaler, CoHost Robin McPeak, Yael Korin, Lynette Tornatzky, Paul Hershfield, Linde Owen, and Julie Tacker. Trish Bartel was excused.

Chairperson announcements:

Larry Bender commented on the 4th of July weekend, how great it was to see everyone out and about, celebrating, hearing live music etc.

Member Announcements.

It was announced that a statement from Monica Stillman from Public Works has been posted on the LOCAC website. The 30-day public comment period for the South Bay Blvd Bridge reconstruction period is from July 7- August 6,2021. Comments should be provided by close of business on August 6. Contact information can be found in this post.

There has been unpermitted vegetation removal seen on Los Olivos at one end of the street at 10th St and the other end of the street at Mountain View. It was requested that a code enforcement officer come to LOCAC and educate us on what a code violation is and what are its ramifications. We are losing habitat with violations being incurred all throughout the community. Larry Bender offered to contact the Department and ask for someone to come out and speak to us.

Yael tried to set the record straight regarding the Mountain View property, that People Self-help Housing own the land and have been asked by the county to do weed abatement because of fire risk. They have gone through the proper channels to get their permit.

Linde questioned weed abatement vs habitat destruction. An owner can get through environmental hoops merely by removing habitat. It's easier, and the penalty is cheaper.

Linde also brought up our need to be aware of Ministerial permits the county is approving, we need to know what is being approved without our knowledge. We need to talk with the county regarding how they list these, the site is very difficult to use. There should be more transparency from the county and an easier way to maneuver through the site.

Josh Blair, here for the Safina project, suggested she use the County Land Use View website, zoom onto any parcel and it will pull up every permit issued for the property.

Lynette announced that the Ad Hoc Water committee has posted 3 good letters on their webpage, letters LOCAC asked them to write. Hopefully these letters will do some good. *[These letters were written to support the request by Supervisor Gibson of the Department of Water Resources to add Los Osos to an airborne electromagnetic survey the DWR is planning. This survey could greatly help the BMC by identifying the extent of seawater intrusion, the effectiveness of recharge at the Broderson Leachfield, and the ongoing nitrate contamination.]*

There was no **Public Comment** and **Minutes** from the last meeting were approved.

Regular Agenda

DRC 2020-00232 STAMBACK Minor Use Permit request for the addition of a Guesthouse conditioned space above the existing garage and the addition of a master bedroom to the main house. 1214 Santa Ysabel in Los Osos.

The Stambacks need more space and are adding 2 bathrooms, one in a master bedroom addition and the other in a guest house above the garage. They hope to use the guest house for visiting relatives.

Mostly there was talk of water usage. Yes, adding 2 toilets but no people is not really adding water usage, and some felt they were allowed the convenience.

But it was pointed by out Larry Raio, who has designed leachfields, that water usage is not measured by new fixtures or bathrooms, it is measured by bedrooms. Stambacks are adding 2 bedrooms.

Bedrooms are defined as 150 gallon flow per bedroom. One may feel they'll always own their home, but there will ultimately be new tenants. New owners will probably use more water because a larger home has been created with more bedrooms to attract and accommodate a larger family.

The Stambacks questioned why we were balking at approval now. It was explained to them that since we first heard their request in February, for which we did recommend approval pending

the removal of their request for an ADU, we have had several presentations alerting us to the status of our water basin. We are now forced to look at new water usage in a different light: the Basin Management report for 2020 has been issued, the Coastal Commission staff is recommending denial of ADUs in Los Osos, and the California drought has gotten much worse and more widespread.

Some on the committee felt we were better off concentrating on larger projects rather than to deny these small ones.

Patrick McGibney, resident and member of Los Osos Sustainability Group, supports the statements previously made regarding water conservation. He asked the Stambacks not to take our conversation personally. All projects that add new water usage here in Los Osos are being questioned and the LOSG will appeal them all.

The County has admitted the offsets they've past and presently use are based on old metrics and do not work. They are in the process of updating the metrics used to determine water savings but are still using the old metrics. According to McGibney, from talks he has had with the County, if you are asked today to offset water by replacing 6 or 7 laundry machines, the correct number to save water should be around 15-25 replacements.

McGibney hopes that one day LUC and LOCAC will take a stand regardless of what kind of project we are reviewing.

***Lynette Tornatzky made a motion to approve this project, Paul Hershfield seconded it. In favor were 4, Lynette Tornatzky, Julie Tacker, Paul Hershfield, and Yael Korin. Against were 3, Larry Bender, Sue Morgenthaler and Robin McPeak. Linde Owen Abstained. 4-3-1**

This will go to the LOCAC Regular Agenda on July 22nd.

DRC2020-00191 SAFINA Proposed Minor Use Permit to construct a 1,899 sf two story as-built deck which is detached from the existing residence on a .35 acre parcel. 2873 Rodman Drive.

Josh Blair, agent for Kim Safina, presented the deck as having been built without permits and they're now working to conform to code so they can obtain one.

They will do what the county is asking, they will be having conversations with Cal Fire. Fire resistive heavy timbers were used in the original construction, so that should be sufficient to allay fire concerns.

Josh was unaware of any CCR restrictions in Cabrillo but was made aware of and introduced to George Hinkins from the Architectural Review Committee for Cabrillo Estates. George was

confident Cal Fire would decide to approve the deck or not based on their codes, but he was concerned about the portion of the deck that is visible from Alamo Drive. He requested the elevated portion of the deck fronting Alamo be screened underneath.

Josh and George will be talking more.

A motion was made to approve the project provided everything required by the county to bring the structure up to code is completed. Because the vote was not unanimous, it will appear on the regular agenda at the next LOCAC meeting July 22.

The vote was 6 for approval of the deck (Larry Bender, Sue Morgenthaler, Paul Hershfield, Yael Korin, Robin McPeak, and Linde Own. Against was Julie Tacker, Lynette Tornatzky abstained. 6-1-1

The meeting was Adjourned at 8:05.