



**Los Osos Community Advisory Council
Meeting
January 27, 2022
Zoom, 7pm**

1-2. The LOCAC meeting was called to order and roll call was taken. Present were Trish Bartel, Sue Morgenthaler, Lynette Tornatzky, Larry Bender, Yael Korin, Co Host Tim Carstairs, Jan Harper, Jim Stanfill, and Deborah Howe. James Bishop was excused.

3. Chairperson Announcements: Rachael Naccarati from the County Public Works Dept is working on a grant to paint the cabinets that house electrical equipment throughout the county, 6 of which are at traffic signals in Los Osos. 5 are on Los Osos Valley Rd, others are on South Bay Blvd. The hope is in 2023 to have each box painted by a different local artist.

4. Council Member Announcements: Yael Korin announced she will not be running for reelection this year; she requests to stay on both the Trees and Landscape Committee and the Land Use Committee as a public member. James Bishop has agreed to be on Trees and Landscape, perhaps he might stay and agree to be Chair.

5. County and Local Agency Reports:

- A. **Highway Patrol Report:** Captain Klingenberg reported in January Los Osos saw 2 DUI incidents with no collision involved and 9 collisions, 3 of which were DUIs, 6 of which involved minor injuries. One of the collisions was in the Ralph's parking lot. The CHP is considering good places to set up a speed trailer, he asked if there were any suggestions. It was suggested Ralphs is a good idea, people speed down Los Osos Valley Blvd past Ralphs.
- B. **County Staff Report,** Kerry Brown: Kerry announced the CA Coastal Commission will be reviewing the Los Osos Vacation Rental Ordinance and ADUs for the Coastal Zone on Friday February 11th. The staff is recommending approval of the Los Osos Vacation Rental Ordinance with only 2 modifications. First is that the 500' buffer only applies to

between vacation rentals. The other is a requirement to have water saving signs in all bathrooms and kitchens to promote water conservation for unsuspecting tourists.

As for ADUs, the staff is recommending a modification of law, prohibiting them in Los Osos and Cambria.

It was asked about the coastal appealable zone; exactly what part of Los Osos is included. The answer was the 1st public road to the bay, near a mapped coastal stream, most of Baywood is not coastal appealable, commercial area of Baywood is, as are parts of Monarch Grove, Sunset, Cabrillo and other specific areas.

Patrick McGibney asked for examples of projects not appealable, the answer was not clearly given.

Kerry corrected the identification number of 4 of the agenda project referrals to be reviewed tonight. The correct numbers are reflected below.

It was pointed out that the county's Business View Map is not working properly, also less and less information seems to be available. The county is working to try to fix the bugs but is not quite finished. Kerry is also working on running a monthly report for us that will show all permits issued. Linde asked about ministerial permits, they will be on the report generated for us. This is very much appreciated.

C. **Supervisor Report**, Supervisor Bruce Gibson: The Supervisor touched on the Coastal Commission meeting and the legal challenge in court to the Redistricting.

The Board, again meeting digitally because of the rise in COVID, took action to move the library system out of the Black Gold auspices into a new one. The breadth of accessible materials will stay the same, with money they save the hope is to customize local collections.

ARPA funds are being approved to designate \$3 Million to improve childcare for working families.

Updating the unhoused communities for us, the Supervisor said there have been a couple of hires to handle homeless services. He has been asking a County Administrative Officer when we were going to see an expansion for the homeless on both traditional housing and encampments. He was told we would see a report later this month. Yes, there is lots of talk, but to get stuff done there needs to be some hard decisions made, homeless services need to be prioritized.

A question was raised with CAPSLO now managing Kansas, if there would be any construction for buildings that could serve as meeting places for managing group and

the residents. There is talk of taking over Animal Services next door, there is a trailer there that can be used as office space.

Yael is concerned that CAPSLO has not provided any services, yet now has the Kansas contract. She feels they are not a service provider for housing. The Supervisor disagreed with her characterization. CAPSLO will work to connect them with housing services.

Progress is slow, commitment is not what it should be. There are federal dollars to spend, but there needs to be an agreement by the decision makers. There is no fire on the Board of Supervisors for this.

Deborah Howe asked about the new redistricting map, who would represent us if it takes effect. Until the end of 2022, Bruce Gibson is our supervisor. After the election in 2022, Los Osos would be in District 5. Debbie Arnold will be District 5 Supervisor until the end of 2024. None of us in this new part of District 5 will have voted for her. She lives 25 miles from the new part of District 5.

Tradition and norms dictate the supervisors. If the 2022 elections were to be held on the adopted map, the 2nd District Supervisor would have a new district- Atascadero, Santa Margarita, Lake Nacimiento and the West Side Wineries.

A huge concern is that the 2nd District Supervisor has a seat on the Basin Management Committee. It was suggested LOCAC write a letter expressing our concerns, but perhaps it would be best we approach the organization suing the Board of Supervisors over the redistricting.

The Board of Supervisors will now run our Waste Management Services, this happened with seemingly no option for public comment. Supervisor Gibson was vigorously opposed to this move. It will cost another \$1 Million a year for them to administer its own solid waste. There will be an increase in trash hauling rates and in addition to that, to fund the new law in getting organic material out of the landfills there is a greenhouse gas reduction strategy. This was avoidable, but it is what the board decided to do. Also, seemingly without public comment or representation they got rid of the Black Gold Library System and El Chorro Park got a private campground.

The Nipomo Skate Park is over budget, will the money come out of our county park budget?... \$1.5 Million was originally loaned to construct the park but it should all be paid back through grants. If there is a debt, fees will be assessed for new development as public facilities fees.

Supervisor Gibson will ask Blake to check that public comment will be working before the next meeting.

Chris Womack asked about the redistricting lawsuit... Are they asking for an injunction, a temporary restraining order? They have asked the court to stay implementation of the new map. It is not immediately known how this may affect the scheduled elections.

- D. **CSD Report**, Chris Womack: The CSD signed a resolution to adopt Districting Map C. The CSD wanted to keep at-large elections but are under law to district. They would have preferred spending their money on water infrastructure.
- E. **Chamber of Commerce Report**, Lynette Tornatzky: The winners of Light Up Los Osos will be in the next newsletter and will be posted on the website.

6. Public Comment

- A. Patrick McGibney cited the many plans for development that are coming up. His immediate concern is Guest Houses that are being approved by the county. The Coastal Staff recommends appeals that raise LCP conformance issues. These will all be denied should water services prove not to be available. Basin water is critically over drafted, the county is not taking this into consideration when approving permits. There is also the concern that retrofits are not consistent with LCP requirements as their ability to provide water savings has not been born out.
- B. Linde Owen suggested we make a strong statement regarding what we know about the condition of our water basin. Empty lots are selling, buyers are not getting the proper information they need from the county. And what about the waiting list the county has for development. Where does that fit in with all the new build going on. How about the impact of allowing this new growth?

Linde also commented on the random cutting of old growth trees, it is not beneficial for the community.

7. Minutes were approved from both the November 18, 2021 meeting and the December 13, 2021 email vote for the letter from the Active Transportation Committee.

8. LOCAC Committee Reports, Comments, Action Items

- A. **Treasurer's Report**, Deborah Howe: We've spent no money this month although the May 1st Outreach meeting will require expenses. Present balance is \$2200.19. Yes, we are members of the Chamber of Commerce.
- B. **Committee Reports:**
 - 1. **Active Transportation Committee:** Joining us were Joshua Roberts from the Transportation Division, SLO Operations/Maintenance and John DiNuzio, SLOCOG staff.

The conversation centered around a project to pave a sidewalk on the North side of El Morro between 8th and 9th Streets to help children walk safely to school. Envisioned by SLOCOG, it will go out for bid next month and completed before school starts in the fall.

Discussions went from how these grants are given out, the character of Los Osos is not congruent with concrete sidewalks, this project has some safety issues for the children who will use it to get to school, a better project is available for the use of this money, a broad suggestion for paths to get children to school all the way down to the bay, suggestions that we could work with them to find the best place for a path to accommodate both pedestrians and cyclists, the cost to construct one block of sidewalk, and how the Transportation Committee staying engaged with SLOCOG puts us one step ahead in applying for funding.

SLOCOG is soliciting comments for their safe routes to school program. Please go to slocog.org/engage

SLOCOG is gathering ideas for new projects and are consolidating money for community betterment. They encourage us to keep organized and continue to communicate with public works concerning projects and priorities referenced in the community plan. We should be ready when we make applications to SLOCOG, be shelf ready to move forward with a series of projects.

2. **Land Use**, Larry Bender: will cover projects as they come up tonight on the agenda.
3. **Traffic and Circulation**, Jan Harper: call 805-781-5252 if you notice any street issues, parked vehicles call the Sheriff, if you notice chronic speeding call the CHP. The only way they will get our attention is if we keep at them.
4. **Trees and Landscape**, Yael Korin: the El Morro bicycle trail is on the back burner because we all wait for approval of the Community Plan. The committee is reaching out to more agencies to gather support and interest for projects, namely Parks and Rec, the CSD, and Pandora Nash-Karner.

There were some trees that had been planted before the pandemic that have not survived. A local Ranger is willing to help if we can replace them.

5. **Outreach**, Sandra Sarrouf: Outreach has planned a town hall get together at the Red Barn on May 1st. They are seeking representation from throughout the community hoping that many will participate, such as Los Osos Cares, the BMC... also hoping the LOCAC committees will be represented and anyone running for a LOCAC position will be there! The Active Transportation Committee is planning a special presentation on public health and safety for pedestrians and cyclists demonstrating how to safely walk the streets, perhaps there will be a bicycle rodeo in the parking lot.
6. **Ad Hoc Water Committee**, Deborah Howe and James Bishop: Update included that the BMC has added 7 wells into their monitoring program and are trying to identify

future funding and implementation of the basin plan. They are also looking into ways to spread costs to all those who use water, not just those who are dependent on the water companies.

The County has hired a consultant to update the retrofit numbers. The job of this consultant is also to confirm exactly what the resulting water savings will be. The number of credits needed to offset use may change. They are expecting the consultant to solidify our understanding of how well the offsets work. It was stated the average water usage is 40 gallons a day.

Larry Bender told us the CSD states the average water use per person is far greater than 40 gallons. Their numbers are more like 60-70 gallons per person per day on average. Supervisor Gibson feels 40 is accurate. The sewer project was targeting less than 50 gallons a day. 70% of usage is generally indoor use, 30% outdoor.

One of the applicants, Kurt Mammen, asked what was the point of going forward with projects when we are all waiting on the Coastal Commission geologist and the BMC to find out what we have before LOCAC is willing to make a recommendation?

9. Consent Agenda:

- A. **DRC2021-00110 CHENEY** Request for 384 sf living area addition and 361 sf of new deck areas (74 sf front deck add on, and 287 sf new rear deck)
- B. **C-DRC2021-00032 BELKNAP** To allow for the demolition of a portion of an existing 1,960-square-foot, single-story, single-family residence, the construction of an approximately 800-square-foot, two-story addition and a 77-square-foot deck addition. The project will result in the disturbance of approximately 600 square feet on a previously disturbed, 6,300-square-foot parcel. The proposed project is within the Residential Single-Family land use category and is located at 2280 El Dorado Street in the community of Los Osos.

Both items on the Consent Agenda were unanimously approved.

10. Regular Agenda Items

- A. **C-DRC2021-00026 MAMMEN** Proposed Minor Use Permit/Coastal Development Permit to construct a new one-story 1,916 sq ft single family residence with attached 576 sq ft unconditioned garage, located on a vacant lot at APN: 074-324-067 in Los Osos, within the Estero Planning Area. The lot is "land locked" and the new residence is proposed to be accessed from an existing gravel driveway over an access easement from Covey Lane (extending north off Bayview Heights Drive).

- B. DRC2020-00227 WELTON** Proposed Minor Use Permit/Coastal Development Permit to construct a single-family residence located at 2493 San Sebastian, Los Osos, CA, located in the Estero Planning Area.
- C. DRC2021-00067 KELLAWAY** A request for a Minor Use Permit (DRC2021-00067) to allow for the construction of a two-story, 4,928-square-foot single-family residence with an attached 1,221 square foot garage, spa and swimming pool. The project will disturb the entire 20,038-square-foot parcel. The parcel is in the Residential Single Family land use category and located at 286 San Leandro Court in the community of Los Osos. The project is in the Estero Planning Area.
- D. C-DRC2021-00033 TABARES** A request for a Minor Use Permit/Coastal Development Permit for a 438 square-foot detached guest house on an approximately 4,800 square-foot parcel located at 324 Highland Drive Los Osos, APN: 074-192-017. The project is located in the Residential Single-Family land use category within the Estero Planning Area.

Each project above had its own story. In the case of **C-DRC2021-00026 MAMMEN**, the applicants have owned their property since 2006 and have been doing what they could during that span of time to prepare for eventually building their home. **DRC2020-00227 WELTON** is a completely eco-friendly house, any community would be glad to have them amongst their neighborhoods. **DRC2021-00067 KELLAWAY** is a huge home that came to us with plans for a spa and swimming pool, although they have stated they are willing to forego the pool.

C-DRC2021-00033 TABARES seeks the addition of a guest house, the applicant stated they will not be changing their water consumption, in fact they will be taking away landscaping to build the guest house. They are building this specifically for their daughter who will be coming back home to live with them when she graduates from college, and perhaps for the occasional family members who come to visit.

The specifics of each of these projects can be found on the Land Use Committee page in the Minutes from the December 2021 and the January 2022 meetings.

The conversation for all the projects was the same. LOCAC started out by stating they have declared to support the concerns of the water purveyors and the CA Coastal Commission by withholding any recommendations on new water use until it has been shown that there exists a sustainable water supply for current residents. Unfortunately, the applicants had been led to believe if they follow the rules, they can build their homes.

The key to this discussion is that LOCAC, a strictly advisory council, spoke we are merely withholding recommendations until we learn the true state of our basin. LOCAC is not approving, LOCAC is not denying, the CA Coastal Commission will ultimately decide the projects, not the county and not LOCAC. LOCAC is merely withholding judgement.

A resident said she was “grateful that the Coastal Commission decision will depend on science and engineering, it will not be based on the personal expectations and desires of individual

landowners. Quite likely we will get a very dire prediction even for those who already live here.”

The conversation that ensued focused less on the individual projects but more on 3 of the applicants’ disappointment and disgust for those on LOCAC, how we are being unfair and uncaring.

At one point, applicant Kurt Mammen said all it would take to replace his water use would be to ask every household in Los Osos to save one 8 oz glass of water for him per day. He held up high the measuring cup of water for us all to see.

The motion made and passed for each project above was:

“LOCAC will not make a recommendation on this project until the water concerns of the Basin Management Committee, the CSD, the Coastal Commission Staff, and our water purveyors have been resolved. Although the project has merits and the applicant is doing everything the county has asked of them, added water at this time is very questionable and we will not support it.”

C-DRC201-00026 MAMMEN 6-4 voted to withhold recommendation.

DRC2020-00227 WELTON 4-3 to withhold recommendation. At this point in the meeting, our Co-Host Tim Carstairs, Jim Stanfill, and Sandra Sarrouf seem to have all left the meeting unannounced. Sandra Sarrouf was excused as she was travelling.

DRC2021-00067 KELLAWAY 6-1 to withhold recommendation.

DRC2021-00033 TABARES 4-3 to withhold recommendation.

11. Business Items

A. Elections were announced for May. Jan Harper, Sandra Sarrouf, and Yael Korin will not be seeking reelection. Several council members volunteered to be on the Community Election Committee (CEC): Jan Harper volunteered to chair the committee, Sue Morgenthaler and Trish Bartel volunteered to serve on it. Community members are invited to volunteer as well.

1. The committee will convene the first week in February to select a day in May to hold the elections. Applications will be made available to the public and their due date will be set for the second week in March.
2. Third week in March the CEC will meet to vet the candidates, confirming eligibility standards are met.
3. Candidates are officially announced at the March LOCAC meeting
4. After being officially announced, candidates may begin campaigning.
5. Elections take place the first week in May

6. Elected councilmembers are confirmed and seated at the May LOCAC meeting.

12. Meeting Adjourned, 10:06PM