



# SOUTH COUNTY ADVISORY COUNCIL

PO Box 2355 Nipomo, CA 93444-2355

<http://scac.ca.gov>

## MEETING AGENDA

Monday, October 24, 2016, starts at 6:30PM  
NCSD Building - 148 South Wilson Street, Nipomo, California

### Officers

Area 6 - Art Herbon, Chairman

Area 1 - Michael Pieper, Vice Chairman

Area 5 - Gary Spelbring, Treasurer

Area 3 - Richard Malvarose, Recording Secretary

Public Safety - Richard Wright, Correspondence Secretary

### Members

Area 1 - Vince McCarthy

Area 2 & NCSD - Dan Woodson

Area 2 - Harry Walls

Area 3 - Elaine Thomas

Area 4 - David Nilsen

Area 6 - Kevin Beauchamp

Area 7 - Ron Smith

Agriculture - Pat Duron

LMUSD - Vern Dahl (Ex-Officio)

(vacancies in Area 4, 5 and 7)

**CORRESPONDENCE AND COMMENTS FROM THE CHAIR** - "The SCAC provides a forum for citizen involvement and information on issues affecting unincorporated areas in South SLO County. The objective of SCAC is to advise County Government entities on those issues."

**COMMUNITY PRESENTATIONS** - The SCAC Council may ask questions at the conclusion of each presentation. The Chairman may invite questions from the public if time permits.

1. SLO County - Supervisor Lynn Compton
2. CALFIRE - Battalion Chief Scott Jalbert
3. SLO Sheriff - Commander Jay Donovan
4. CHP - Lieutenant Mike Brown
5. Public Safety (optional) – Richard Wright
6. Agriculture (optional) – Pat Duron
7. NCSD - Dan Woodson
8. Nipomo Chamber - David Nilsen
9. LM School District - Vern Dahl
10. SLO County Planning - Stephanie Fuhs

**PUBLIC COMMENT:** Public testimony on items not scheduled on today's old and new business. Speakers are allotted 3 minutes for comments (total time for public comment is 15 minutes).

**CONSENT AGENDA:** These are items scheduled for consideration as a group, and for approval of the recommended motion (Motions are underlined below). Any Council Person may withdraw an item from the Consent Agenda, in order to permit discussion after the Consent vote:

1. September Treasurer's Report (Gary Spelbring). **Motion: Approve Treasurer's Report.**
2. August Minutes (Richard Malvarose). **Motion – Approve September Minutes.**

### **OLD BUSINESS**

1. Viva Farms Closure – Continued to future meeting as no recommendations received from Land Use Committee.

2. DRC2016-00005, GHAZALY South County E-referral, 1020 Division Street, Nipomo APN: 092-451- Proposed mixed use development: 8,200 sq. ft. commercial, (4)800 sq. ft. studio apartments. Christopher J. Horstman, agent with Michael Peachey for George Ghazaly, gave presentation on changed application. He corrected number of buildings dedicated to studio apartments (workforce housing, not "affordable housing") from 4 to 6 and stated the project had "intent to serve sewer service" from NCSD and "will serve water" from Golden State. However, NCSD manager, Mario Iglesias, who was present, verified Golden State had no water for development at present. This item is for presentation before SCAC for informational purposes and discussion, not recommendation to Supervisor for action.

## NEW BUSINESS

3. Native Tree Ordinance (Megan Martin) - On July 15th the Board of Supervisors adopted a Native Tree Interim Zoning/Urgency Ordinance. The ordinance prohibits the clear-cutting of Oak Woodlands and the removal of Native Trees on properties within the inland portion of the unincorporated areas of the County. The Ordinance is effective through April 16, 2017 and will be eligible for one (1 year) extension. The Board directed department staff to prepare a permanent Oak Woodland Protection Ordinance prior to expiration of the urgency ordinance. The permanent ordinance will focus on prohibiting the clear-cutting of healthy trees, tree removal within different zoning designations, size (or amount) of removal, removal on steep slopes, and land management plans. This item is for presentation, discussion and feedback from the SCAC .
4. 2016-17 Asphalt Overlay Various South County Roads (**Don Spagnolo**) - The County is in the process of developing this project. This item is for presentation and discussion only.
  - o Mary Avenue - from Tefft Street to Juniper Street
  - o Tefft Street - from Orchard Road to Oakglen Avenue
  - o Grande Ave - from Frontage Road to Blume
  - o S.Las Flores - from Division Street to Tefft Street
  - o Osage Street - from 435' n/o Las Flores to Tejas Street
  - o Lopez Drive - from 2 mi. e/o Biddle Pk to 3 miles e/o Biddle Park
  - o Lopez Drive - from 3 miles e/o Biddle Pk to 4 miles e/o Biddle Park
  - o Lopez Drive - from 4 miles e/o Biddle Pk to Lopez lake Entrance
  - o Hill Street - from S. Frontage Road to Blume Street
  - o Olympic Way - from Camino Caballo to Pomeroy
  - o Valley Road - from AG High School to City limit

## SCAC COMMITTEE REPORTS

- Land Use Committee - Richard Malvarose
- Traffic and Circulation Committee - Dan Woodson
- SCAC Bylaws Ad Hoc Committee - Dick Wright

SCAC advises county decision-makers (Board of Supervisors, Planning Commission) on issues affecting unincorporated southern SLO County. Council actions are advisory only, and do not represent a county decision.

### **Procedural Guidelines for items on Old and New Business**

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|---|---|
| 1. Introduction of item                 | 5. Invitation for motion from council       |
| 2. Report on item (appropriate persons) | 6. Clarification of motion                  |
| 3. Questions from Council               | 7. Council discussion of motion (5 minutes) |
| 4. Public comments (3 minutes each)     | 8. Vote on Motion & announce results        |

**HOUSING** (active project requests)

1. SUB2001.0001 LAETITIA AGRICULTURE CLUSTER 102 residential lots. 6/22/15 - SCAC advised against project due to road access and water issues. Project denied by Planning Commission on 2/11/16. BOS denied the appeal at their 9/28/2016 meeting.
2. LRP2014.0016 BLACKLAKE SPECIFIC PLAN - Feb-2015 SCAC advised County to authorize processing of Specific Plan. 5/19 Town Hall - Remove plans for 100 single family homes, and for rebuilding water treatment plant. Hotel: 65 suites and 65 condos. Senior living. No RV park. Board of Supervisors authorized processing on 1/12/16.
3. SUB2015-00004 HURDLE - 975 Theodora St., Nipomo. Subdivide 0.9 acres into four residential parcels. June, 2015 - SCAC recommended approval of application. Subdivision Review Board approved project 3/8/16.
4. SUB2015-00009 CO15-0065 CASTANEDA- Proposed parcel map to divide two parcels of approximately 20.9 acres into four resulting parcels of 5.2,5.3,5.3,and 5.1 acres. Site location is 1650 Rocky Place, Arroyo Grande. Sept., 2015 - SCAC recommended approval of application. Feb-2016 - Planning Commission accepted for processing but no hearing scheduled yet.
5. LRP2014-00018 – WORKFORCE HOUSING ORDINANCE AND DESIGN GUIDELINES – PC continued the item to its 10/27/2016 meeting.

**BUSINESS** (active project requests)

1. DRC2011.0065 UNOCAL/Guadalupe Oil Field Cleanup (Willow truck route) - Jun, 2014 SCAC advised against project. Mr. McKenzie will investigate accuracy of EIR regarding 100-200 homes not considered on the proposed route. Mar-2016 - County waiting for more info before scheduling Planning Commission.
2. .DRC2012.0095 PHILLIPS 66 RAIL SPUR - Feb-2014 SCAC tabled the issue pending completion of the final EIR. Oct-2014 SCAC sent letter to County. Jan-2016 - SCAC advised county to reject application based on "intensified land use". Oct-2016 – PC denied application.
3. DRC2014.0018 Mesa Dunes Retail, 719 Tefft St, Nipomo. Feb-2016 - County waiting for more info. 10/16 - Enforcement case and information hold items pending.
4. DRC2014.0024 RV Storage - 245 Frontage Rd. Add 300 parking spots for swap meet. Nov-2015 SCAC tabled item until after Mary Avenue widening project is decided. Approved at PDH 6/17/2016.
5. DRC2014-0070 Ethnobotanica - 2122 Hutton, Nipomo. Medical marijuana dispensary. Feb-2015 SCAC advised county to deny the application. July-2015 - Planning Commission approved the project. Nov, 2015 - BOS denied the project.
6. DRC2014-00131 MARINAI – Conditional Use Permit for three story, 83 unit Hilton Hotel with a total of 38,500 sf. SCAC voted to recommend approval provided that the project adhere to I) Cal Fire guidelines, II) that a traffic study be completed and show no deterioration from the current level of service and III) that the project adhere to the West Tefft Commercial Corridor Aesthetic Plan.. Oct-2016 – Project will have to be re-noticed before going back to Planning

Commission.

7. Viva Nursery and Plant Source - Aug-2014 - Plant Source relocated to Oceano to reduce truck traffic on Camino Caballa. Feb-2016 - Viva announced they will be closing operations. Oct-2016 – Code Enforcement report to SCAC indicates that operations might not close.
8. LRP20154-0025 Monarch Dunes Retail - Change site zoning from commercial to retail. July, 2015 - SCAC recommended approval. Sept-2016 Board of Supervisors authorized.
9. DRC2015-00044 Deactivate Phillips 66 Pipelines - Proposed minor use permit to deactivate pipelines located between Phillips 66 refinery, and Chevron's Guadalupe Dunes cleanup site. Oct-2015 - SCAC recommended approval.
10. LRP2015-00007 - Proposed Residential Vacation Rental Ordinance - It addresses neighborhood compatibility concerns and community character impacts associated with establishing vacation rentals in residential neighborhoods and rural/agricultural areas of the county. The proposed amendments would disallow temporary events (e.g. weddings, reunions, concerts, etc.) at sites with residential vacation rentals unless they obtain land use permit approval for the event. Oct-2016 – waiting for direction for BOS.

**PUBLIC INFRASTRUCTURE** (active project requests)

1. DRC2014.0010 - Wise, Antennas at 2286 S. Halcyon. Mar-2015 SCAC advised use of faux Eucalyptus tree instead of pine tree. October 22, 2015 - Planning Commission approved.
2. CAL2015 - Caltrans two-way left turn channel at Hwy1 and Sheridan. Mar-2015 SCAC advised County to encourage minimal removal of trees on the project. May-2015 County waiting for more information regarding the number of trees to remove.
3. DRC-2014-00156- Proposed minor use permit for the Jim Miller Community Park in Olde Towne Nipomo. Site location: corner of West Tefft and Carillo Streets. Sept., 2015 - SCAC recommended approval. March, 2016 - Planning Commission approved.
4. DRC2014-00152 PG&E- Proposed Minor Use Permit for a cell site consisting of one antenna to be installed on an existing utility pole at 125 S. Thompson Ave, Nipomo (Trisha Knight). Aug-2015 - SCAC requested that the applicant review the placement and style of the cell site with the Olde Towne Nipomo Association prior to the SCAC making a recommendation. 10/20/15 - Trisha requested moving the item to November's SCAC meeting to all design review with Olde Town Association.

**OLD PROJECTS - APPROVED, REJECTED, WITHDRAWN****HOUSING**

- ~~1. SUB2006.0205 Vista Grande - 18 unit planned development at 545 Grande Ave, Nipomo  
• Apr-2014 SCAC advised for approval of project. Approved.~~
- ~~2. DRC2013-0071 Dana Foothill Rd, Nipomo - Distance waiver of 350' for a second home.  
• Mar-2014 SCAC Advised County to approve the project. Approved.~~
- ~~3. SUB2013.0058 1288 Hetrick Ave, AG. Subdivide 10.8 acres into 5.3 and 5.5 acre parcels  
• Apr-2014 SCAC advised against based on water issues. 8/14 - withdrawn by applicant~~
- ~~4. DRC2014.0014 Peachy - 164 S Mallagh St. Six 2-bedroom homes on 1/2 acre (section-8)  
• Nov-2015 SCAC advised for approval of project. Jan-2015 Approved.~~
- ~~5. LRP2014.0001 MONARCH DUNES PHASE 2 SPECIFIC PLAN - Withdrawn by applicant.~~
- ~~6. DRC2014.0097 VAN PETTEN (916 Mesa View Dr.) Mar-2015 SCAC advised to allow 5' bluff setback. May-2015. Approved 1/15/16 with no appeal.~~
- ~~7. DRC2014-00148 JOHANNESSEN - Convert an existing garage and office into a secondary dwelling, 804 Pomeroy Rd, Nipomo. Planning Commission approved 10/2/15.~~

**BUSINESS**

- ~~1. DRC2012.0101 Oil Pipeline - From Price Canyon to P66 line @ Oak Park & Grande Ave.  
• Oct-2014 reported to SCAC by Brian Pedrotti. May-2015 Approved~~
- ~~2. DRC2014.0076 Peoples Care, 150 Mary Ave, Nipomo. Day Care Center - Feb-2015 SCAC advised allowing exemption to parking standards for day care center. May 2015 Withdrawn by applicant~~
- ~~3. DRC2014.0132 SHARMA - Minor use permit for water tank storage yard and office on Hutton Rd between Winding Way and Cuyama Ln, Nipomo May-2015 - SCAC advised county to approve application.. September, 2015 - project approved.~~
- ~~4. DRC2014-00153 - 96 bed assisted living center and 36 unit apartment for independent living. SCAC advised approval of modification to project from 36 unit to 40 unit, and other changes, providing the project meets criteria of West Tefft Corridor Plan. August, 2015 - project approved~~
- ~~5. DRC2013.0062 PORTER - 10200 Alamo Creek Rd (Huasna) Porter Ranch Exploration Wells. Mar-2014 SCAC tabled request until more information is available. Project withdrawn 1/13/16.~~
- ~~6. DRC2014-0065 Nichols - Wine production tasting room (Peacock). 1543 Los Berros. Jan-2015 SCAC advised for approval of project. Approved by Planning Commission 10/26/15.~~

- ~~7. DRC2015-00017 - 15 Year extension for freeway billboard - Conditional use permit to extend approval an additional 15 years. Nov,2015 - Application rejected by Planning Commission.~~

**PUBLIC INFRASTRUCTURE**

- ~~1. DRC2013.0076 Land Conservancy, 1290 Mesa View Dr. New 12 acre public park.~~
  - ~~• Apr-2014 SCAC advised county to support project. Approved July-2014~~
- ~~2. DRC2013.0084 - Two Cell Towers - 1070 Mesa View Dr, Arroyo Grande.~~
  - ~~• May-2014 Approved May 2014~~

SCAC SEMINAR SERIES

1. South County Coastal Area Plan
2. Signage laws
3. West Tefft Corridor Plan
4. Errors and Omissions Insurance for SCAC
- 5.