

SOUTH COUNTY ADVISORY COUNCIL
Minutes for the January 28, 2013 Meeting

The meeting was called to order at 6:30 p.m. by Chairman Bill Dorland who led the Pledge of Allegiance. The roll was called by Secretary Elaine Thomas with the following members present.

Bill Dorland	Pat Duron
Dan Gaddis	El-Jay Hansson
Vince McCarthy	Gary Spelbring
Elaine Thomas	Richard Wright
Vern Dahl, LMUSD	Susan Cholakian
Craig Armstrong, NCSD	

The following members were absent:

Rick Dean	Istar Holliday
Dan Woodson	Harry Walls

A quorum was declared. Craig Armstrong a newly elected member of the NCSD Board of Directors was welcomed and will be the NCSD representative to the SCAC.

Approval of minutes for the November 26, 2012 Meeting. Gary Spelbring moved, seconded by Dick Wright that the minutes be approved. Motion carried.

Treasurer's Report. Treasurer **Richard Wright** reported the following:

Dump Fees - \$895.76	Library - \$1052.42	Total - \$1948.18
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Correspondence. Chairman Bill Dorland has received a call from Sandy Caughell who is interested in becoming a member of the SCAC. An application form will be supplied to her.

Community Presentations.

CAL FIRE Battalion Chief James Tully – not present

Jeanne Taylor said that CAL FIRE Captain Camacho asked her to compile a list (name, address and phone number) of low income and/or elderly residents of Nipomo who are in need of a carbon monoxide (CO) detector in order to comply with the law in the State of California that each resident or business have one or more detectors..

CAL FIRE Nipomo is working to obtain a limited number of "First Alert" units to be distributed to the public. CAL FIRE will be making a Public Service Announcement (PSA) pertaining to the CO units with directions as to where they should be placed in each home/business and how many are recommended.

Please note that these units do expire in about 10 years, depending on the type. Please contact Capt. Camacho at 929-3911 or Jeanne Taylor after 11:00 a.m. at 929-2992.

Sheriff's Office Commander Jim Taylor arrived later in the meeting and reported the following:

The county Sheriff's Departments have been busy with emergency management as a result of the recent shootings in schools in other areas of the United States. The Sheriff's Department is working with Lucia Mar School District, the ambulance companies, medical facilities and other county police forces to coordinate procedures and responses to emergencies. The training is for all agencies so that responses can be coordinated and efficient. The law enforcement cars now have a computer generated floor plan of the schools and schematics of the campuses.

The goal is to be the best prepared county in the State in emergency management. San Luis Obispo County is presently ahead of many other counties as a result of the Diablo Canyon Nuclear Power Plant in our area. When the plant was built, many safety procedures were put in place for emergency response.

Commander Taylor gave an account of the medical emergency that resulted from an individual calling for EMT help for his mother. Ambulance personnel were injured during the episode and the perpetrator was arrested.

California Highway Patrol – John Townsen - not present

SLO County Planning Staff Brian Pedrotti – will report later in the meeting

Park Commissioner Connie O'Henley – not present

Nipomo Community Services District Craig Armstrong, Director reported the following:

1. The NCSO staff has been directed to draft a high water bill relief policy in reference to high usage as a result of a documented leak.
2. A proposal to develop a Blacklake wastewater facility master plan has been approved.
3. NCSO's committee studying alternative water sources, SWEAC is continuing evaluation of alternatives with a report to be delivered by the end of February, 2013.
4. An assisted living facility and the Jim Miller Park request for water variances from the current moratorium on issuing water will-serve letters. Both requests were denied.
5. Approval for development with owners of Maria Vista Estates was issued. This is the housing development above the Race Track in the southern most area of the county.

Lucia Mar Unified School District – Vern Dahl reported that there are several new members of the School Board as a result of the recent election.

Several discussions on the recent shootings in schools have taken place. The schools are taking an active part in eliminating bullying.

Chamber of Commerce – Rudy Stowell –reported:

1. He was pleased that 130 people attended the recent Chamber awards dinner.
2. The clean streets in the downtown area are a result of the work of Achievement House. The NCSO funded the clean-up. Further clean-up is needed in certain areas and Rudy asked that we notify him if we are aware of any area within the NCSO service area that could benefit.

3. The next Chamber mixer is this Thursday, January 31.
4. Casino Night is May 18
5. The next Chamber lunch will be at Jocko's on February 28, 2013
6. Directors of the Chamber are interested in featuring the Dana Adobe. The Chamber will encourage projects that can benefit the Adobe.
7. Trash dumping on the Mesa does not fall in the NCSD area and no NCSD money is available for Achievement House or other agencies to be paid to clean up.

Public Comment –

El-Jay Hansson asked if the SCAC can use some of our Dump Funds money to clean up the Mesa.

Bill Kengel spoke in reference to the property he owns and on which he has a strawberry on West Tefft. He would like to rent space on the property to a variety of small vendors of crafts and similar items. He is concerned that rather than allowing such uses through a "blanket" permit, the County planners interpret the West Tefft Corridor plan as requiring a minor use permit for each separate business, entailing a separate application and fee. This, he contends is an unreasonable burden for such small vendors. Brian Pedrotti, County Planning, confirmed that it was his understand that the applicable plan does require a minor use permit proceeding for each business rather than allowing a variety of businesses to operate on the property under a single blanket permit. Mr. Kengel was invited to have the matter placed on the SCAC's agenda for discussion and appropriate action at a future meeting.

Jeannie Taylor said she had toured the new medical facility – CHC – and it was very good. It will cover urgent care, women's care, dental care and other medical needs.

Consent Agenda:

DEC2012-00039 Voigt MUP –APN -075-061003 – 220/290 Tolbert waive standard distance for a second dwelling. The ruling is presently 50 feet, however the topography of the property is conducive to the 150 feet request. Land Use Committee approved the waiver.

DEC2012-00037 Lucia Mar Unified School District MUP APN 075-311—37 for T-Mobile wireless communications facility on Lopez High School parking lot.

Richard Wright moved, seconded by Dan Gaddis that items on the consent agenda approved by SCAC. Motion carried.

New Business

Brian Pedrotti, County Planning Staff reported on Land Use and Circulation Elements (LUCE) LRP2008-00002. County Planning has prepared a draft of a proposed reorganization and consolidation of Land Use and Circulation Elements. The plan is based on inland water shed areas and does not involve changes to the general plan, policies, programs, data or goals. The county Advisory Councils will not be affected. The plan includes consolidation of 11 planning areas into 4 areas.

Public review is presently ongoing with public hearing in the spring and summer of 2013. El-Jay Hansson moved, seconded by Vince McCarthy that this proposal is placed on the Land Use Committee Agenda for the February 2013 meeting. Motion carried.

LRP2008-0002 Land Use re: Transfer of Development Credits was approved in October of 2012. o further action by SCAC is appropriate at this time.

LRP2009-00009 Planned Developments: The Planned Development Ordinance is intended to provide flexibility for applicants when applying development standards to common interest developments or common area maintenance projects. The ordinance is meant to reduce minimum lot sizes and common area requirements, improve structural design, make more attractive pedestrian usage, enhance environmental resources and produce more energy efficiency. The plan would include smaller lot size, cluster housing and would include residential, commercial and industrial land use categories. There would be more flexibility in setbacks and height.

Cluster developments and multi-family units would be encouraged. Residential single-family zoned lots could be a minimum of 6,000 sq. ft. Residential suburban zoned lots could have one unit per acre of gross site area. A guarantee of open space is required and would be maintained as open space as long as the cluster lots exist.

A housing unit of 800 sq. ft. would require parking for one car.

Housing units of 800 to 1,000 sq. ft. would require 1.5 parking spaces

Units of 1,000 and over would require 2 parking spaces.

Distance between structures would be a minimum of 6 ft. with a zero lot line design.

The SCAC was encouraged to study the proposal presented by Brian Pedrotti and be prepared to make suggestions. Discussion followed. There will be a hearing of the proposal, (Note: now scheduled for March 14, 2013) and the Board of Supervisors will hear the proposal at their March or April meeting.

Gary Spelbring moved, seconded by Pat Duron that this item be placed on the SCAC agenda for the February 25, 2013 meeting. Motion carried.

Frost Fan Noise – Bill Dorland: An area adjacent to the Cypress Ridge neighborhood has been planted with grapes and avocados. Previously this area was wooded with eucalypts and other trees and bushes. The recent cold weather has resulted in newly installed frost fans running at night at a very high noise level. In response to an inquiry regarding any pertinent noise limitations, Mr. Dorland was advised by Art Trinidad, Code Enforcement Chief Investigator, that Section 22.10.120A6 of the County Code exempts frost fans from any otherwise applicable noise standards.

Old Business

Mike Berry, resident of Camino Caballo reported that the county has determined that Viva Farms is not a disallowed “distribution center” therefore the truck traffic may

continue. He believes that Viva Farms will be expanding the facility in the future. According to his research, San Luis Obispo County has accepted Camino Caballo as a dedicated roadway and will maintain the road in the future.

Grant Funding – Dick Wright said the SCAC has recently received \$600.00 from the county at the request of Supervisor Paul Teixeira for operating expenses for the year. Richard Wright moved, seconded by El-Jay Hansson that the SCAC write a letter of receipt and thanks for the \$600.00. Motion carried. In the agreement for the stipend, the SCAC may be audited concerning the use of the money. Dick Wright, Treasurer, will set up a special fund to account for the money.

Update to By-Laws – Dick Wright submitted the following changes to the SCAC by-laws:

“Article IX, Section 1,3- The privilege of making motions and voting will be limited to the Council members present at the meeting. **An exception to this requirement on voting can occur when the Council Chairperson determines that a vote on a specific issue needs to be taken prior to the next regularly scheduled meeting in order to meet Council responsibilities. In such a case, the Council Chairperson may direct that a vote be taken via e-mail provided that the issue is addressed, a roll call vote is taken and the voting results are tabulated and documented by the Chairperson and subsequently read to the public at the next Council meeting and included in the minutes of that meeting.**”

Bill Dorland noted that this amendment was approved for posting and comment by the Council at its November meeting and was posted on the SCAC website for review at least 30 days prior to this January 28, 2013 meeting, pursuant its by-laws, which provide in pertinent part as follows:

ARTICLE XI – BY-LAWS AMENDMENTS

Section 2: These By-laws may be amended, appealed, or altered in whole or in part by 2/3 majority of the SCAC members present and eligible to vote.

Section 3: Draft amendments to the By-laws shall be submitted to the SCAC And public and posted to the SCAC website for 30 days review prior to the SCAC voting on such proposed amendments.

Dick Wright moved, seconded by Dan Gaddis that the amendment be adopted and the By-laws be amended accordingly. Motion unanimously carried. A copy of the By-laws as so amended and ratified is attached.

Web-Site Updating – Dick Wright stated that there are several areas of the SCAC website that need to be changed and updated. He requested members of the SCAC to review the website and make recommendations to him. The website is:

HTTP:SCAC.CA.GOV

This item will be on the agenda for the February 25, 2013 SCAC meeting.

Council Election Preparation – Susan Cholakian has notified the Adobe Newspaper with information about the election. One more press release will take place. Applications may be accepted from February 4, 2013 to March 4, 2013. Town Hall Meeting for introduction of the candidates and other election matters will be held March 4, 2013 in the NCSD building
Election will take place on March 18 at the NCSD Building from 5:00 to 8:00 p.m.

Committee Reports:

Land Use Committee – El-Jay Hansson – no further report

Traffic and Circulation – Dan Woodson not present

PM10 Report – Pat Duron reported that the new APCD Board was seated with Debbie Arnold replacing Jim Patterson and Debbie Peterson replacing Karen Bright. Pat Duron was pleased with the new members. The new chairman will be Supervisor Paul Teixeira.

The lawsuits filed by the Friends of the Oceano Dunes and Kevin P. Rice were heard last week in Judge Crandall's court. As the Tribune newspaper reported the judge seems to support the regulatory authorities in these matters and challenged the plaintiffs to change his mind. He will rule as soon as he can, although he stated it was not his #1 priority.

The APCD held a community meeting to unveil the results of its community monitoring project. The APCD now knows how the plume disperses across the Mesa and how wind changes affect it.

Pat supplied a map of the area showing a dark pink area on the Mesa that shows the most particulate matter in the air. A lighter pink area is affected with over 150 violations and applies to parts of Nipomo Mesa, all Oceano beaches and shows that the plume crosses the county line into Santa Maria, Santa Barbara County.

Next meeting of the SCAC will be February 25, 2013. Meeting adjourned at 9:50 p.m.

Attachment: By-laws of the South County Advisory Council, Ratified January 28, 2013