

## ATTACHMENT 4

**THURSDAY, APRIL 11, 2013**

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of April 11, 2013 together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. HEARINGS GENERALLY PROCEED IN THE ORDER LISTED, UNLESS CHANGED BY THE PLANNING COMMISSION AT THE MEETING. (9:03 AM)

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ROLL CALL (9:03 AM)

PRESENT: Commissioner(s) Carlyn Christianson, Tim Murphy, Ken Topping, Don Campbell, and Jim Irving.

ABSENT:

3. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend the Growth Management Ordinance, Title 26 of the County Code, to update the fiscal year references for the maximum number of new dwelling units allowed for the Nipomo Mesa area for Fiscal Year 2013-2014, and extend the allocation waiting list for the community of Los Osos beyond June 30, 2013 to allow time for completion of the community sewer system. This ordinance amendment affects the land use categories within the communities of Los Osos and the Nipomo Mesa area within the South County and Estero planning areas. The Environmental Coordinator is proposing a General Rule Exemption be given to the proposed amendment in accordance with the applicable provisions of the Environmental Quality Act. County File No: LRP2012-00004 Assessor Parcel Number: All Supervisorial District: 2, 4 Date Accepted: N/A  
Jo Manson, Project Manager Recommend to the Board of Supervisors approval  
**POST HEARING DETERMINATION: PC RECOMMENDED TO BOS APPROVAL OF THE AMENDMENT.**  
(9:39 AM)

Jo Manson, Project Manager: presents staff report.

Jim Irving: opens Public Comment with no one coming forward.

Tim Murphy: discusses the basis for growth limitations and updating the limitations based on the situations. States the decisions come from past calculations and the Growth Management Ordinance (GMO) amendments occur every year. Would like to know at what point the studies will be analyzed to determine what the actual growth rate should be.

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Jo Manson, Project Manager: explains at this time there is no direction from the Board of Supervisors to do a "Reconsideration" in terms of the Nipomo growth rate at 1.8 percent. Clarifies the amendments before the Commission today have been required by County Counsel. Uses Cambria's growth rate at zero percent -notes the GMO does allow up to eight grandfathered water meter applications to come in with a building permit, concurrently with an allocation application on a first come first served basis during the fiscal year. Clarifies this fiscal year none of these type applications have been received.

Tim Murphy: Clarifies with Ms. Manson the trigger of any reassessments would be brought up at the Bi-annual review of the Resource Management System.

Kami Griffin, Assistant Director: clarifies Nipomo as having a certified Severity Level 3 in the Resource Management System and in order to analyze changing the growth rate from 1.8 percent, discussions would begin at the Board of Supervisors (BOS) level indicating direction to the Planning Department to do a new Resource Capacity Study, and re-analyze the level of severity. Once this has been completed the BOS would then certify the new Resource Capacity Study.

Tim McNulty, County Counsel: explains the 1.8 percent growth rate established for Nipomo has not provided any caps on building permits in that area. Explains the reasoning for returning with amendments annually is due to changes made in 2005 using actual dates and sunset provisions for the ordinance in communities such as Cambria and Los Osos and if those dates are not updated then they would expire and the Growth Management Ordinance would not apply.

Ken Topping: in reference to a prior meeting explains he asked if the Cambria Community Services District (CCSD) needed to come back to the Planning Commission (PC) or Board of Supervisors (BOS) should they wish to go forward with additional units if they were permitted given intent to serve letters were issued and was answered in the affirmative.

Kami Griffin, Assistant Director: further clarified this would constitute an amendment to the Growth Management Ordinance which would be heard at the Planning Commission level.

Jim Irving: asks about the status of the North County with Ms. Manson adding she will be presenting the Growth Management Annual Review to the BOS which will have all the up to date figures on county wide growth statistics.

Jo Manson, Project Manager: further reports that county wide there are 1,103 allocations available. To date 97 have been received which equates to approximately 9 percent.

Jim Irving: asks if the GMO amendment process can be limited to every two years rather than every year.

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Tim McNulty, County Counsel: recalls the reasoning for having to bring the GMO to the Planning Commission annually is due to the changes made in 2005 and the way the language was formed for Nipomo which put dates and sunset provisions in the ordinance for the communities of Cambria, Nipomo, and Los Osos. If the specified dates were not adhered to then the GMO would not apply.

Carlyn Christianson: notes the two parts of the ordinance that were updated, one being Los Osos to 2016, the other is Nipomo, which is done every year.

Kami Griffin, Assistant Director: further states a two year cycle can be used and this will be researched further based on the Commission's interest.

Tim McNulty, County Counsel: states amendments could happen every other year depending upon the amount of amendments that occur.

**Thereafter, on motion of Tim Murphy, seconded by Carlyn Christianson, and on the following vote:**

**AYES: Commissioner(s) Tim Murphy, Carlyn Christianson, Ken Topping, Don Campbell, Jim Irving.**

**NOES: None.**

**ABSENT: None.**

**The Commission recommends the Board of Supervisors approve the Growth Management Ordinance amendment LRP2012-00004 as shown in Exhibit LRP2012-00004:A based on the recommended findings listed.**

Respectfully submitted,  
Ramona Hedges, Secretary  
SLO County Planning Commission.