

Tuesday, January 12, 2016

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

**PRESENT:** Supervisors: Frank R. Mecham, Bruce S. Gibson, Adam Hill, Debbie Arnold and Chairperson Lynn Compton

**ABSENT:** None

**THE PLEDGE OF ALLEGIANCE IS LED BY CHAIRPERSON LYNN COMPTON.**

**Consent Agenda – Review and Approval:**

**1-12.** This is the time set for consideration of the consent agenda.

**Chairperson Compton:** opens the floor to public comment.

The action taken for Consent Agenda items 1 through 12 on the following vote is indicated for each item.

**Motion by:** Frank R. Mecham

**Second by:** Bruce S. Gibson

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Arnold, Debbie (Board Member)	x			

**Bid Opening:**

**1.** Letter transmitting plans and specifications (Clerk’s File) for 2015-16 Surface Treatment, Various County Roads, San Luis Obispo County, for project approval, advertisement for construction bids, and find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). Bid opening date set for Monday, February 8, 2016. Districts 1, 4 and 5.

**The Board approves as recommended by the County Administrative Officer.**

**2.** Letter transmitting plans and specifications (Clerk’s File) for 2015-16 Chip Seal, Various County Roads, San Luis Obispo County, for project approval, advertisement of construction bids and find that the project is exempt from Section 21000 et seq. of the California Public Resources code (CEQA). Bid opening date set for Monday, February 8, 2016. Districts 1, 4 and 5.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Administrative Office Items:**

**3.** Thirty-day update on current drought conditions and related management actions for the Board’s review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.

**Mr. Eric Greening and Mr. Jeff Legato – Department of Planning and Building (folio):** speak.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Board of Supervisors Items:**

**4.** Submittal of a resolution recognizing Betty Woody on her 90th birthday and thanking her for her

dedicated service to the community of Avila Beach. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-6, adopted.**

5. Request to re-appoint Sue Minshull and John Bertoni to the Paso Robles District Cemetery Board of Trustees. District 1.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Central Services Items:**

6. Request to: 1) approve a resolution authorizing the surplus and sale of County-owned real property in an unincorporated area of San Luis Obispo County adjacent to the southwestern Atascadero city limit; and 2) authorize a corresponding budget adjustment in the amount of \$9,400 for Fund Center 305 - Parks and Recreation. District 5.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-7, adopted.**

**Consent Agenda - Health Agency Items:**

7. Request to approve calendar year 2016 renewal contracts with Rose Drago, M.D., David K. Fennell, M.D.; and Victor Perez Preciado, M.D. in the cumulative amount not to exceed \$206,530 to provide psychiatric services for Mental Health patients. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Library Items:**

8. Submittal of a resolution amending the Position Allocation List (PAL) for Fund Center 377 – Library to delete a vacant 1.00 FTE Library Driver Clerk and add a 1.00 FTE Administrative Assistant. All Districts.

**The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2016-8, adopted.**

**Consent Agenda - Planning & Building Items:**

9. Request to Authorize the Use of Alternative Publication Procedures for the Winter General Plan Amendment Cycle. All Districts.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Public Works Items:**

10. Request approval to hire three (3) Wastewater Systems Workers, at pay level Steps 4 and 5, for the Los Osos Water Recycling Facility. District 2.

**Mr. Richard Margetson:** speaks.

**Mr. Mark Hutchinson – Department of Public Works Deputy Director:** responds to Supervisor Arnold's questions regarding funding costs.

**The Board approves as recommended by the County Administrative Officer.**

11. Submittal of right of way documents accepting conveyance from Phelan & Taylor Produce Company for the Oceano Drainage Improvement Project, Oceano. District 4.

**The Board approves as recommended by the County Administrative Officer.**

**Consent Agenda - Public Works Sitting as Flood Control District:**

- 12.** Request to authorize a budget adjustment in the amount of \$30,000 from the Flood Control and Water Conservation District General reserve for project studies and implementation of West Paso Robles Sediment Control and in the amount of \$30,000 from Flood Control Zone 3 reserves for the Meadow Creek Diversion channel improvements near the City of Pismo Beach. Districts 1 and 4.

**Mr. Dave Flynn – Department of Public Works:** requests this item be withdrawn from the consent agenda, explaining they want to review funding options with the Flood Control Zone 3 Board.

**The Board withdraws this item from the Consent Agenda, per staff's request.**

**Public Comment Period:**

- 13.** This is the time set for members of the public to address the Board on matters that are not scheduled on the agenda.

**Mr. Dane Senser:** speaks to recent threats by an individual (photographs).

**Ms. Sandi Tannler; Ms. Jeannette Watson; Ms. Andrea Seastrand; Mr. Mike Brown – Coalition of Labor, Agricultural and Business (COLAB); and Ms. Terri Stricklin:** discuss various issues relating to the District Attorney's repayment request for the use of outside counsel.

**Mr. Eric Greening:** suggests a protocol to advise the public when advisory bodies submit letters to the Board; and asks the Board to publicly respond to a letter by the Planning Commission requesting a joint meeting.

**Mr. Ben DiFatta:** speaks to various political activity in the County.

**Dr. C. Hite:** requests a moment of silence for Superior Court Commissioner Sefton; and addresses issues in Taiwan.

**Mr. Gary Kirkland:** echoes Ms. Tannler's comments; addresses the last San Luis Obispo Council of Governments meeting regarding bus driver salaries; stopping the quiet title action with Ms. Steinbeck; and the use of acronyms and abbreviations for Boards and Commissions.

**Ms. Linde Owen:** discusses various concerns relating to the Los Osos Wastewater Project.

**Mr. Chuck Cesena and Mr. Richard Margetson:** addresses the importance of public transparency for Los Osos Basin Management Committee; and comment on the Recycled Water Management Plan.

**Mr. Ted Gilbert:** states the rain we are experiencing is called "Pineapple Express"; and speaks to sleeper cells in San Luis Obispo.

**Mr. Dick Mason:** comments on bullying by a Supervisor. **No action taken.**

**Board Business:**

- 14.** Status report on implementation of the contract with Transitions Mental Health Association for the 50 Now Program, which provides housing and supportive services for chronically homeless individuals. All Districts.

**Ms. Jill Bolster-White – Transitions Mental Health and Mr. Mark Lamore – 50 Now Program Manager:** provides a powerpoint presentation.

**Chairperson Compton:** opens the floor to public comment.

**Dr. C. Hite and Mr. Steven Battaglia:** speak.

**Ms. Rita Neal – County Counsel:** states this report is to be received and filed; and suggests the Board direct staff to return back at later date if the Board wants to have a lengthy discussion in regards to the Board's position to Section 8 Housing or the Legislative Platform.

**The Board receives and files the report on implementation of the contract with Transitions Mental Health Association for the 50 Now Program.**

**Motion by:** Debbie Arnold  
**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Arnold, Debbie (Board Member)	x			

**On Motion by Supervisor Bruce S. Gibson, seconded by Adam Hill, to direct staff to bring back a discussion regarding how the Board might advocate with the Legislator and other agencies in order to make Section 8 Housing vouchers more widely accepted in our community in support of our homelessness, including but not limited to consideration of discrimination issues and landlord support and incentives, is discussed.**

**Chairperson Compton:** suggests exploring the option to provide incentives to builders and those who chose to participate in the program without it being mandated.

**Supervisor Arnold:** states she will support this discussion during the Legislative Platform but will not support the motion.

**Supervisor Gibson:** clarifies his direction does not involve compelling a landlord to take Section 8 Housing vouchers.

**The Board directs staff to bring back a discussion of how the Board might advocate with the Legislator and other agencies in order to make Section 8 Housing vouchers more widely accepted in our community in support of our homelessness, including but not limited to consideration of discrimination issues and landlord support and incentives.**

**Motion by:** Bruce S. Gibson  
**Second by:** Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)		x		
Hill, Adam (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)		x		
Gibson, Bruce S. (Board Member)	x			
Arnold, Debbie (Board Member)		x		

**The motion on the floor fails.**

**Supervisor Hill:** requests prior to the consideration of the Legislative Platform, that a discussion be brought back regarding the legislators proposal to spend two billion dollars on housing homeless, drawing from Proposition 63 funding, in which the Board has been using to treat people with mental illness, with Mr. Dan Buckshi - County Administrative Officer suggesting Federal Lobbyists provide an update on February 2, 2016 and staff can follow the issue and update the Board at an appropriate time.

- 15. Update on the Proposed Draft Land Application of Biosolids Ordinance and Environmental Impact Report/Notice of Preparation Process. All Districts.

**Chairperson Compton:** opens the floor to public comment.

**Mr. Eric Greening; Mr. Greg Kester – California Association of Sanitation Agencies (CASA), Renewable Resource Programs Director; Mr. David Broadwater; Ms. Mary Lucey; Ms. Linde Owen; Ms. Joy Fitzhugh – Farm Bureau (letter); Mr. Bob Engel; Mr. Bruce Keogh – City of Morro Bay Wastewater Treatment Plant, Division Manager; Mr. Matt Thompson – City of Paso Robles Wastewater Utilities Department; Mr. David Hix – City of San Luis Obispo Utility Department Deputy Director; and Mr. Ben DiFatta:** speak.

**Mr. Dan Buckshi - County Administrative Officer:** clarifies one of the options being studied in the Environmental Impact Report (EIR) is to make the interim ordinance as it is permanent, with staff responding yes. Further, states unless the Board wants to make a dramatic change and not continue with the EIR process, the action today is to receive and the file the update.

**A motion by Supervisor Debbie Arnold, to receive and file the update, and direct staff to stop working on the EIR process, continue with the interim ordinance, and extend as necessary, dies for a lack of a second.**

**Mr. Buckshi; Ms. Rita Neal – County Counsel; and Ms. Whitney McDonald – Deputy County Counsel:** speak to the environmental review process regarding extending or changing the interim ordinance, with Board Members responding.

**Motion to receive and file the report.**

**Motion by:** Bruce S. Gibson

**Second by:** Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)		x		
Hill, Adam (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)		x		
Gibson, Bruce S. (Board Member)	x			
Arnold, Debbie (Board Member)		x		

**The motion on the floor fails.**

**Supervisor Mecham and Supervisor Compton:** address concern regarding funding for the EIR process.

**On motion by Supervisor Debbie Arnold, seconded by Supervisor Frank R. Mecham, to receive and file the report; and direct staff to continue with the interim ordinance, with Mr. Buckshi, asking if that means to stop working on the EIR, with the motion maker stating yes and adding that to the motion, with the second concurring.**

**Ms. Penny Borenstein – Health Agency Director:** asks for clarification moving forward, with Ms. Neal responding and adding that her office will continue to research this issue with regards to an environmental review, and will return with some answers prior to the expiration of the interim ordinance.

**Mr. Rich Lichtenfels – Department of Public Health:** questions if the motion on the floor supersedes prior direction, with Mr. Buckshi responding yes.

**The Board receives and files the update on the proposed draft Land Application of Biosolids Ordinance and the Environmental Impact Report/Notice of Preparation process; and directs staff to continue with the interim ordinance and stop working on the EIR.**

**Motion by:** Debbie Arnold

**Second by:** Frank R. Mecham

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)	x			
Hill, Adam (Vice Chairperson)		x		
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)		x		
Arnold, Debbie (Board Member)	x			

**Closed Session Items:**

16. The Board announces they will be going into Closed Session regarding:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Existing Litigation (Gov. Code, section 54956.9(a)). (Formally initiated.) (3) ARB, Inc. v. County of San Luis Obispo; (4) Steinbeck Vineyards #1, LLC, et al. v. County of San Luis Obispo, et al.

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (5) San Luis Obispo Government Attorney’s Union (SLOGAU); (6) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (7) Deputy County Counsel’s Association (DCCA); (8) Sheriffs’ Management; (9) San Luis Obispo County Probation Peace Officers’ Association (SLOCPPOA); (10) Deputy Sheriff’s Association (DSA); (11) District Attorney Investigators’ Association (DAIA); (12) San Luis Obispo County Probation Managers’ Peace Officers’ Association (SLOCPMPOA); (13) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (14) Unrepresented Management and Confidential Employees; and (15) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

**Chairperson Compton:** opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

**Presentations**

17. Submittal of a resolution requesting that the Board proclaim the month of January 2016, "San Luis Obispo County Human Trafficking Awareness Month." All Districts.

**District Attorney Dan Dow; Mr. Ben King – Department of Social Services, Program Manager; Ms. Rebecca Turner – Central Coast Freedom Network; and Ms. Carolina Breganas:** speak.

**Chairperson Compton:** opens the floor to public comment.

**Mr. Dane Senser and Mayor Debbie Peterson (no speaker slip):** speak.

**RESOLUTION NO. 2016-9, a resolution designating January 2016 as San Luis Obispo County Human Trafficking Awareness Month, adopted.**

**Motion by:** Frank R. Mecham

**Second by:** Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)	x			
Arnold, Debbie (Board Member)	x			

**Board Business:**

18. Consideration of a request by Black Lake Golf Resort, LLC to process a Specific Plan, General Plan and Land Use Ordinance Amendment (LRP2014-00016) to amend provisions of the Black Lake Specific Plan. The site is within the Black Lake Village Reserve Line in the South County Inland subarea of the South County Planning Area. District 4. This item was continued from March 24, June 2, and August 11, 2015 Board meetings.

**Ms. Jamie Kirk – Applicant’s Representative (powerpoint):** presents and discusses a revised project amending the Specific Plan to increase the residential density, allowing 36 detached Single Family Residential (SFR) Units to the areas highlighted in purple on the site plan contained in her powerpoint.

**Board Members:** discuss the revised project by Ms. Kirk; the authorized uses for the purple areas identified on the Applicant’s amended site plan; question various issues regarding the Covenants, Conditions and Restrictions; and who is responsible for the maintenance of the golf course, with Ms. Kirk and Mr. Timothy McNulty – Assistant County Counsel responding.

**Chairperson Compton:** opens the floor to public comment.

**Mr. Robert Richards; Mr. Richard Walsh; Mr. David Weitzel; Mr. Noel Heal; Mr. Tim Crowner – Estates Sub Homeowner Association President and Black Lake Management Board; Ms. Nancy Damron; Mr. David Nilsen – South County Advisory Council and Nipomo Chamber of Commerce, incoming President; Ms. Amber Wilson - Nipomo Chamber of Commerce, Executive Director; Ms. Sharon Petrick – Black Lake Crown Pointe Homeowners Association; Mr. Lee Goldenberg - Fairways Board Vice-President; Mr. Don Wells; Mr. Bill Petrick (2010 and 2014 Groundwater Contour maps); Mr. Kit Carter; Mr. Hugh Loftus; Mr. R. J. Hansen; Ms. Kathy Veder; and Ms. Cherie Kneal:** speak.

**Board Members:** address various comments and concerns regarding: the project’s water use; Conditions, Covenants and Restrictions; the open space easements; the purple areas from the Applicant’s presentation; the golf course; the number of residential units allowed and that they be the least disruptive to the neighborhood.

**On motion by Chairperson Lynn Compton, to process the specific plan request, given the restrictions addressed, is discussed.**

**Mr. Timothy McNulty – Assistant County Counsel:** states findings are not necessary at this time; and highlights the following he heard as general direction: involve 36 additional single family residential units somewhere; look at timing improvements to golf course with approvals of various entitlements and get some sort of guarantee and a provision that prohibits anything from happening until there is some final resolution of the issue of whether or not the Conditions, Covenants and Restrictions need to be amended. Further, states the Board needs to be clear on whether or not there is going to be an amendment to any the existing open space easements areas.

**Chairperson Compton:** states if it is determined in the process that they can’t build on the open space, then they need to come up with something else; and asks the applicant if they are acceptable of what is being discussed, with Ms. Kirk responding.

**Supervisor Arnold seconds the motion on the floor.**

**Supervisor Gibson:** states he can’t support the motion as it is framed because there should be clear direction given to staff; that the authorization should be to find the right number of homes up to a maximum of 36 units; and that the amendment doesn’t authorize structural development where it is precluded by open space easements.

**Chairperson Compton:** asks the applicant how many homes were in the portion that doesn’t have an open space easement; further questions if no place is found to put those additional homes, will the hotel get bigger, with Ms. Kirk stating she doesn’t want to make design decisions at the podium; that they are committed to moving forward, looking at the options to see where they can locate other homes that are not in areas in the open space agreement while still continuing to address the concerns from the community; making sure there is separation between homes and not being stacked; but doesn’t want to be fully restricted to not be allowed to not augment their request to amend revisions to the open space agreement if that is deemed necessary; wants to be able to fulfill Bruce’s request to

get them out of the open space easement.

**Supervisor Hill:** states due to the open space issues, will not be supporting the motion. Further, addresses this is a worthy project to explore and if the open space easements are requested to be abandoned when it returns to the Board, that the Board holds firm to meeting the four findings.

**Chairperson Compton:** clarifies the motion on the floor is as follows: authorize the specific plan amendment with the additional restrictions and requirements that the Board added in and talked about; involving the golf course, maintenance, and Covenant, Conditions and Restrictions; the addition of a larger easement once the 36 proposed homes go in so no future development can occur. Further, states her commitment to work with homeowners to try to find the least invasive spaces possible; that the four findings will be made at a later date; and direct staff to research whether the easement is a legitimate issue or not.

**Mr. Johnson:** requests the Board authorize staff to make the necessary ancillary language amendments to the specific plan, with the motion maker adding the request to her motion, and the second concurring.

**The Board reviews the proposed amendments to the Black Lake Specific Plan, General Plan and Land Use Ordinance and authorizes the specific plan amendment with the additional restrictions and requirements that the Board added in and talked about; involving the golf course, maintenance, and Covenant, Conditions and Restrictions; the addition of a larger easement once the 36 proposed homes go in so no future development can occur; the Chairperson’s commitment to work with homeowners to try to find the least invasive spaces possible; that the four findings will be made at a later date; directs staff to research whether the easement is an legitimate issue or not; and make the necessary ancillary language amendments to the specific plan.**

**Motion by:** Lynn Compton

**Second by:** Debbie Arnold

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)	x			
Hill, Adam (Vice Chairperson)		x		
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)		x		
Arnold, Debbie (Board Member)	x			

**On motion of Supervisor Bruce S. Gibson, seconded by Supervisor Frank R. Mecham, the Board unanimously agrees to continue the meeting past 5:00 P.M.**

**Hearings**

- 19. Hearing to consider an appeal by Nipomo Business Center, LLC of the San Luis Obispo County Planning Commission’s denial of a request by Nipomo Business Center, LLC for a Conditional Use Permit, DRC 2015-00017, to amend a previously approved Conditional Use Permit to allow an existing, legal, nonconforming billboard to remain for an additional 15 years located on the south corner of Story Street and South Frontage Road in the community of Nipomo, in the South County planning area. District 4.

**Board Members:** report their ex-parte communications relating to this hearing.

**Mr. Richard Meyer – Nipomo Business Center LLC President, Appellant (documentation):** requests the Board approve the extension of the billboard with the findings and conditions he presented.

**Chairperson Compton:** opens the floor to public comment without response. Further, states the billboard is supporting a local business in Nipomo; that the site has been rendered useless and economic feasibility on site has been taken away until the water conditions are corrected; the Appellant still pays property taxes on the site; the work the Appellant has done to the surrounding area adds to the community; the concerns that came out of the Planning Commission hearing; and states if there are any oppositions, the Appellant has agreed to make accommodations.

**On motion by Chairperson Compton, to uphold the appeal, is discussed.**

**Ms. Rita Neal – County Counsel:** requests the findings and conditions be presented, with Mr. Jay Johnson – Department of Planning and Building reviewing the six (6) new findings and three (3) new conditions of approval that were read into the record by the Appellant.

**The motion maker amends the motion to include the new findings and conditions, with Supervisor Adam Hill seconding the motion.**

**Supervisor Gibson:** states he won't be supporting the motion; feels the Planning Commission was right; the Appellant was accommodated for the lease and had the benefits of the subdivision for 15 years; doesn't believe it's unreasonable to carry through with the conditions of the existing permit; and that there is considerable public interest to remove billboards from Highway 101.

**Ms. Whitney McDonald – Deputy County Counsel:** clarifies as part of the motion, a revised resolution will need to be prepared that is consistent with the Board's direction, with the motion maker adding the direction to the motion and the second concurring.

**The Board makes the following new Findings and Conditional of Approval: Findings: "A. The project is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. It can be seen with certainty that there is no possibility that this project may have a significant effect on the environment because there are no proposed changes to the existing structure or the site on which the structure is located.; A. As conditioned, the proposed project is consistent with the Land Use Element of the San Luis Obispo County General Plan and applicable General Plan policies; B. As conditioned, the proposed project satisfies all applicable provisions of Title 22 of the County Code; C. The establishment and subsequent operation of the proposed project will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not alter the current relationship with surrounding properties and buildings, and the visual context from Highway 101; D. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project does not involve any physical changes to the subject property and the visual context of the sign will remain the same; and E. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project; Conditions of Approval: 1. This approval authorizes the continued use of the existing, legal, nonconforming billboard located on the south corner of Story Road and South Frontage, for an additional 15 years. The sign shall be removed on or before September 30, 2030; 2. The sign shall be maintained consistently with Land Use Ordinance Sections 22.72.070 and 22.72.080; and 3. Prior to the establishment of a commercial use on the site, the billboard shall be removed. Furthermore, RESOLUTION NO. 2016-10, a resolution upholding the Appeal of Nipomo Business Center, LLC., reversing the Planning Commission's decision, and approving conditional Use Permit DRC2015-00017, adopted as amended; and staff is directed to prepare a revised resolution consistent with the Board's direction.**

**Motion by:** Lynn Compton  
**Second by:** Adam Hill

SUPERVISORS	AYES	NOES	ABSTAIN	RECUSE
Compton, Lynn (Chairperson)	x			
Hill, Adam (Vice Chairperson)	x			
Mecham, Frank R. (Board Member)	x			
Gibson, Bruce S. (Board Member)		x		
Arnold, Debbie (Board Member)	x			

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for

which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, January 12, 2016, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

**TOMMY GONG**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

**DATED:** January 23, 2016