

Avila Valley Advisory Council (AVAC)

San Luis Obispo, CA

PO Box 65

Avila Beach, CA 93424

Date 3/11/2024

www.avac-avila.org

1. **Call to Order:** by the chair, Denise Allen, for regular meeting at 18:02 PM, via Zoom.
Roll call (present): Denise Allen, Mary El Hansen, Mary Matakovich, Jim Hartig, Carol Hayden, Julia Hartzell, Ken Thompson, Steve Benedict, Bob Pusanik (alt), Michael Clayton, Allegra Shea, Mandi George, Sheri Robesky and Bradley Escobar, Bill Crewe. Percy Jones, John Janowicz. Quorum was established.
2. **Approval of Minutes:**
 - A motion was made by Carol Hayden and seconded by Jim Hartig to approve minutes of the February 05, 2024 AVAC meeting as presented. The motion carried.
3. **Chair's Comments:**
 - Thankful that little damage reported from the storm.
4. **Public Comment:**
 - **Written reports:**
 - **On behalf of our neighboring property, Sycamore Mineral Springs,** we would like to go on record stating that any new events, particularly with music, at the Avila Valley Barn could result in a bad arrangement getting even worse. The Avila Barn has catered in the past to nice family events, even though those events contribute to bad traffic conditions.
To consider this location for amplified music events could be disruptive to the quiet nature of this community and unfair to the adjacent neighbors. Traffic conditions on both Avila Valley Road and Ontario Road can at times be dangerous, particularly after a music event in Avila. Bike riders also have had near misses at the Ontario/Avila intersection.
In closing, we would like the neighborhood to remain as is, and also suggest that AVAC recommend that turn-out lanes be installed at both Avila Barn entries before a fatality requires it. From John King
 - **Commentor: Kristen McKiernan**
I have spoken up on this previously and with respect to everyone's time, my comments are not meant to be redundant or lengthy but the continued serious concerns we have regarding the Avila Valley Barn proposed event application are many. My neighbors and locally owned businesses who will be impacted by the Avila Barn proposed music concert project remain concerned and continue to ask for AVAC's support as well as SLO County transparency on information related to the project. In an effort of good faith, the/+ neighbors and locally owned businesses have formally asked twice to meet with Avila Barn prior to their revised application being resubmitted, but Avila

Barn did not respond to these requests to talk as a group prior to resubmitting. I did receive a call from their land planner 3 days ago and we are hoping to meet in the coming weeks. I would like our AVAC reps to be there if possible to ensure an unbiased representation that reflects the desires of our Avila community as a whole. As you know, the Avila Barn concert venue project requests outdoor amplified music concerts on weekends and on weekdays from 10 am to 10 pm throughout the year. At 70 events a year, 20 being large, this could mean large events every single weekend May, June, July, August and September of up to 200 people with amplified music lasting until 10pm at night in the Avila Valley neighborhood. This large number of events and extended length of amplified music would set a dangerous precedent in our unincorporated community that others could follow and change the environmental standard of our community by increasing risk to health and safety. We hope to meet with AVAC prior to your decision on this project and we sincerely thank AVAC for listening and helping us with these neighborhood concerns. Public Comment

- **From the owners of the Avila Village and Avila Village Inn:**
Comment were made regarding the lawsuit with SLBE

5. Treasurer's Report: Steve Benedict reports:

- Balance of Checking Account: \$ 1,313.75.
- Expenses: \$ 15.99 for Zoom.

6. County and Local Agency Reports:

A. Sheriff: report read in absentia:

- 72 CFS in 2024, 26 in Avila proper. Compared to 95/32 in 2023. 6 suspicious circumstances, 3 disturbances and 14 enforcement stops.

B. Highway Patrol: Lt. Tim Santorio reports:

- 2 non-injury automobile accidents.
- Celia Zarate complained about vendors using parking in Avila. County ordinance will be reviewed.
- Allegra Shea noted speeding worse on San Luis Bay Drive.

C. Cal Fire: Battalion Chief Paul Lee reports: (in absentia)

- 35 calls for service 17 were medically related.
- 2 non-injury automobile accidents due to rain.
- The Firesafe Council will start using the \$320,000 in the canyons. Multiple subdivisions will be affected.
- Training at Diablo Canyon in the month of April. 15 new officers will participate learning about DC procedures. Thanks to Eric Daniels for his input.
- The valley is very green and will require a little extra money for wee abatement come July and August.
- Thanks to Cave Landing Project, it is beautiful.

- Citizens should take pictures of your home, inside and outside to document items should disaster occur.

D. Planning: Nicole Ellis reports in absentia:

The following projects have been updated:

Avila Barn Project:

Please be advised that on February 16, 2024, the applicant resubmitted a revised and refined project description and application materials. The project DRC2021-00015 is also now ready for re-referral and will go back to AVAC for re-review. The County is re-reviewing these materials and there is not a hearing date scheduled at this time, nor a CEQA determination.

Provided below is the written update which will be provided to AVAC on March 11, 2024.

On February 16, 2024, the applicant resubmitted a revised and refined project description, an updated acoustic/noise analysis to address neighborhood comments and to ensure noise levels do not exceed the 5 Db increase in noise level threshold per CEQA as requested on behalf of the Planning Division, along with an updated site plan. The Planning Division is seeking updated comments, recommendations, and conditions of approval, as applicable.

The applicant has reduced their proposed entertainment program from 132 annual activities with up to 200 persons, down to 70 gatherings annually. The applicant has designated a new area (1A) for the larger gatherings and has limited area 1, closest to the neighbors, to smaller gatherings.

While processing the application for a future hearing date it was determined by the Department of Planning and Building that the most suitable application type and use classification would be: an amendment (DRC2021-00015) to a previously approved Development Plan/ Coastal Development Permit to expand the existing eating and drinking establishment to include secondary and subordinate outdoor facilities for dancing and other entertainment (and to no longer request a new Minor Use Permit / Coastal Development Permit for a “temporary event permit.”

Therefore, the REVISED Project Description Includes:

A request by Avila Valley Barn for an Amendment (DRC2021-00015) to a previously approved Development Plan/ Coastal Development Permit (D000200D) to expand the existing approximately 2,183 square foot eating and drinking establishment (restaurant and sweet shoppe with on-site consumption authorized pursuant to D000200D and PMT2002-13531) to be expanded to include secondary and subordinate outdoor facilities for dancing and other entertainment pursuant to CZLUO Section 23.08.208 - Stores and Restaurants in Non-Commercial Categories.

The project includes designated outdoor entertainment areas and on-site parking on an approximately 45-acre property. The entertainment program would include up to 70 outdoor gatherings annually between the hours of 10 a.m. and 10 p.m. Most of the gatherings (50 annually) will be intimate with 50 – 75 persons occurring during weekdays. A smaller portion of the program (20 annually) would cater to larger groups with up to 200 persons occurring during weekends. The project also includes a request for outdoor amplified music between the hours of 10 a.m. and 10 p.m. Temporary appurtenances would be erected and would be dismantled and removed at the conclusion of the outdoor entertainment. All vehicular access would be restricted to the existing Ontario Road driveway. Emergency secondary access would be available to Avila Beach Drive. The proposed project is within the Recreation land use category and is located at 560 Avila Beach Drive, in the community of Avila Beach. The site is located in the San Luis Bay

Coastal Planning Area.

Written County Current Planning Updates

The following projects have been updated:

AVILA COMMITTEE PROJECT UPDATES

- AMEND2023-00006 (item 1 on the Active/In Process list)- Project status updates include the following: “Project was scheduled for the February 16, 2024, Planning Department Hearing. However, prior to the hearing, the adjacent neighbor to the east stated there may be a private view easement recorded on the subject property. Although this is a civil matter and the view easement did not show up on the Title report, the applicant requested the item be continued "off calendar" to afford them time to review this matter and to determine how to proceed. Applicant has since requested to withdrawal their application while they coordinate with the Title Company regarding this potential easement discrepancy of Title.”

o This item will be removed from the “Active/In Process list” in April and will be relocated to the “Archive of approved denied withdrawn projects list”

- C-SUB2022-00005 (item 2 on the Active/In Process list)- Project status updates include the following: “During the February 27, 2024 BOS appeal hearing the applicant requested to revise their project description to remove the vacation rental request, in which the appellant party (AVAC body) agreed to this revision. Therefore, the Board approved the project, as revised. This item will be removed from the “Active/In Process list” in April and will be relocated to the “Archive of approved denied withdrawn projects list.”

- C-SUB2022-00006 (item 3 on the Active/In Process list)- Project status updates include the following: “During the February 27, 2024 BOS appeal hearing the applicant requested to revise their project description to remove the vacation rental request, in which the appellant party (AVAC body) agreed to this revision. Therefore, the Board approved the project, as revised. This item will be removed from the “Active/In Process list” in April and will be relocated to the “Archive of approved denied withdrawn projects list.” and the applicant’s name has been updated to “Cody Gambril.”

AVILA VALLEY COMMITTEE PROJECT UPDATES

- AMEND2023-00007 (item 6 on the Active/In Process list)- Project status updates include the following: “Tentative Planning Commission date July 11, 2024, if not sooner (June 27, 2024).”

LAND USE COMMITTEE PROJECT UPDATES

- DRC2021-00015 Avila Valley Barn (item 9 on the Active/In Process list)

March 2024 update in project spreadsheet: “March 2024 Updates: On February 16, 2024, the applicant resubmitted a revised and refined project description, an updated acoustic/noise analysis to address neighborhood comments and to ensure noise levels do not exceed the 5 Db increase in noise level threshold per CEQA as requested on behalf of the Planning Division, along with an updated site plan. The Planning Division is seeking updated comments, recommendations and conditions of approval, as applicable.

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E. Public Works: John Waddell absent, relayed via Denise Allen

- See Canyon road blind spot.
- Trees planted along narrow road a concern with growth.

F. County Parks: Tanya Richardson reports:

- Cave Landing project progressing well with plan to reopen mid-April.
- Replacing swings in the spring.
- The process of “Events” occurring on the Bob Jones Trail was discussed. As of now, no formal applications have been forthcoming. Evens will require permitting.
- Bran LaConte praised Cave Landing project and noted elevation changes to walkway may need additional attention.

G. Port San Luis: Mary Matakovich reports for Suzy Watkins :

- Mary introduces Bob Vesely as new president.
- The Port is coordinating a formal assessment of the Off Shore Energy Project, with Avila Beach, Morro Bay, Diablo Canyon and the Cal Poly Pier group. The joint plan will be presented for state funding.

H. County Supervisor: Supervisor Dawn Ortiz-Legg reports:

- Congratulations to Mary and team for successfully challenging the vacation rental projects. Thanks to those participants. Vacation rental topics were addressed at Supervisors’ Meeting,

applicants have withdrawn vacation rental status request. Avila is at a saturation level in vacation rentals.

- Vacation Rental Ordinance needs updating.
- Chief Administrative Officer search continues with 3 candidates in consideration.
- Housing update on agenda. Low/moderate cost housing. Commercial real estate issues. Object is to find more housing for our workforce.
- 19-million-dollar budget shortfall discussions taken up by BOS. Public safety being number one propriety.
- Agenda item to increase bed tax to be taken up.
- Round about to begin in April.
- Lobbying FEMA in Washington for \$35 million dollars.
- Questions:
 - Percy Jones: Fire station #62 has only 2 firefighters. He requests a third firefighter for Avila Valley.
 - Mandy George requests a paramedic be assigned to each firetruck.
 - Kirsten McKiernan was referred to the County Works website for information concerning the Avila Beach Drive roundabout project.

7. Old Business:

- No report.

8. New Business:

- Avila Beach News will no longer be printed.

9. Community Liaisons:

- **Avila Beach Civic Association: Mary Matakovich reports:**

- Encourage membership.
- April 19, The Civic Association is looking forward to a Bingo/Spaghetti Dinner event. Please attend.

- **Avila Beach Foundation: Rick Rowe reports:**

- Foundation Grants each year: This year adding Local Community Impact Grant of up to \$8,500 one time grant. Applications available on March 1st on website and in the Avila Beach Newsletter. The Avila Beach Community Foundation is pleased to announce that it is presently accepting applications from local organizations or individuals to compete for a single **Community Impact Grant**. Only proposals that focus on a *new*, innovative project, program, event or service to benefit the greater Avila Beach communities will be considered. Special weight will be given to applicants who would use the sum as seed money, or to leverage a matching contribution. *Interested parties are required to complete and submit the following application, along with a cover letter, no later than April 30th, 2024.*

- **PG&E / Diablo Canyon: Eric Daniels reports:**

- Outages: No major outages throughout the community, however, still ongoing outage at top of Lupine Canyon, Harbor Lights Lane and Playa Vista. (55 homes)
- This has been investigated and overhead slacking lines are probable causes with placement of crossarm interventions taken. Monitoring will continue. Thanks from Steve Benedict.
- Programs available, through PG&E, for customers experiencing >8 outages. Please refer to PG&E website for more information.

- DC at 100% efficiency.
- Comments:
 - Brian LaConte: See Canyon outages often. Questions as to PG&E storage/generators. PG&E website/ battery storage.

10. AVAC Committees:

a. Land Use: No report

b. Diablo Canyon: Ken Thompson reports:

- Station Director Dennis Petersen – 2R24 Refueling/Maintenance Outage is scheduled for this Spring and a 50 Day timeframe.
- Outage Director Eric Werner talked about 1R24 Refueling/Maintenance Outage last October which was completed in 50 days with around 1000 Temporary Staff
- Director Blair Jones talked about hiring 200 New Employees last year. The New Extended Retention Program due to SB846 Is with PUC for approval later this summer. It calls out (4) Program Tiers with the first one being 18 months ending at yearend 2024. Tier 2 is one year; Tier 3 is 3 years and Tier 4 is 2 years and the Retention Program will finish in December 2030. This will help ensure that Experienced Control Room Operators remain on site thru 2030.
- Jearl Strickland, a former long-term PG&E employee at Diablo Canyon is now a consultant and has perform a Seismic Assessment specified in SB846. The Final Report was released noting “No Significant Risk” to the plant.

c. Port: Mary Matakovich reports:

- No report.

d. Avila Beach: Mary Matakovich reports:

- Avila Beach Committee with the appeal to the Board of Supervisors resulted in two projects dropping the vacation rental content from their proposals.
- Thanks to committee participants and AVAC for efforts and successes.
- Thanks to developer and Planning Department for suportin this appeal
- Similar communities of our size have 6%-8% vacation rental population, Avila has 22%, with 65-70 long-term residents in Avila Beach. Our community is dwindeling.

e. San Luis Bay Estates: Percy Jones reports:

- No report.

f. Avila Valley: Julia Hartzell reports:

- No report.

g. See Canyon: Denise Allen reports:

- Public Works monitoring road issues.

h. Squire Canyon: Margaret Greenough reports:

- No report.

11. Next Meeting Date:

April 8, 2024 at 6:00 pm.

12. Adjourn: 7:09 PM