

Minutes of

TEMPLETON AREA ADVISORY GROUP (TAAG) BOARD MEETING

Thursday, November 16, 2023, 6:30 PM

Templeton Community Service District Board Room
206 Fifth Street, Templeton California 93465

2023-2024 TAAG BOARD MEMBERS

Scott Shirley, Delegate/Chair
Murray Powell, Delegate/Vice-Chair/Treasurer
John Donovan, Delegate
Jerry Jones, Delegate
Scott Silveira, Delegate
Fred Russell, Delegate
Bruce Jones, Delegate
Jennifer Jones, 1st Alternate Delegate

1. CALL TO ORDER

SCOTT SHIRLEY called the meeting to order at 6:31 pm.

2. PLEDGE OF ALLEGIANCE

BRUCE JONES led the pledge of allegiance.

3. ROLL CALL

Scott Shirley, Delegate/Chair	present
Murray Powell, Delegate/Vice-Chair/Treasurer	present
John Donovan, Delegate	present
Jerry Jones, Delegate	present
Scott Silveira, Delegate	present
Fred Russell, Delegate	present
Bruce Jones, Delegate	present
Jennifer Jones, 1st Alternate Delegate	present

Also in attendance:

JoAnn Jones
Dmitri Joukovski

Michael Tindell
Sue Tindell
Barry Fagan
Laura Caron
Richard and Lana Basinger
Eric Osborn
Rob Garcia
Dawn and John Fitzgerald
Dian Burkhart
Timothy Warner
David Leader
Joan Leader
Ian McCarville
Jen Chalekson
Charles Chalekson

4. AGENCY REPORTS AND UPDATES

4.1. Sheriff's Office

Commander Michael Manuele of Sheriff's North Station made the report.

In the Templeton area, there were 306 calls for service (as compared to last year's 384), resulting in 61 reports (last year 63).

Notable incidents:

There was one tenant dispute, resulting in two different reports.

There was one incident involving an expression of antisemitism.

There were no reports of phone scams in this period, but Cmdr Manuele reminds the public that the sheriff's office will never ask for payment of any kind over the phone.

Cmdr Manuele encouraged the public to look at the web site of the County Office of Emergency Services: ReadySLO.org

4.2. California Highway Patrol

Cmdr Chandler Stewart made the report for Sept-Oct.

34 collisions were investigated. 22 on the highway, 12 on county roads. 6 involved drivers under the influence.

There were no fatal collisions in the Templeton area (one in the larger area).

There were 490 enforcement actions (40 on county roads). 260 citations were written in Templeton (15 on county roads). Of these, 220 were speed violations (9 on county roads), with 4 for speeds in excess of 100 mph. Although that figure is down since the last period, overall there have been enormous increases since covid.

CHP arrested 19 people for DUI (12 on county roads).

4.3. Supervisorial District One

Supervisor JOHN PESCHONG arrived at the TAAG meeting straight from the meeting of the California State Association of Counties (CSAC), commenting on the great progress being made by Cal Trans on the new interchange where highways 46 and 41 cross.

Topics addressed by PESCHONG include:

a development project of 2000 homes

a Paso Robles plan to get spillover water from Lake Nacimiento, though it is unlikely because the water will be needed in Monterey County. There are significant hurdles to construction of a tunnel carrying water between San Antonio and Nacimiento reservoirs

the Chimney Rock bridge, and the removal of the rock bridge underneath, which will allow water to pass during what is expected to be a winter of heavy rain. The temporary metal bridge now in place can handle the weight of trucks, but it's not very wide.

JENNIFER JONES asked if better advance planning can be done before emergencies.

PESCHONG noted that there are 600 projects currently in progress, and that the county has slowly been repairing bridges (with state and federal money) all 8 years he's been on the board.

BRUCE JONES asked about the development of brick and mortar cannabis dispensaries in the county.

PESCHONG observed that in contrast to Santa Barbara, which has a high number of dispensaries, cannabis business in SLO county is mostly confined to delivery services. Unincorporated Templeton seems to be of interest to people who want to establish brick and mortar stores because of its location between two cities, Paso Robles and Atascadero, that don't allow them. Inland SLO cities have indicated an unwillingness to accommodate them.

4.4. Supervisorial District Five

No report.

4.5. County Planning Department

ERIC TOLLE, county planning and building.

TAAG requested a hearing on a vacation rental in the Adelaida area that had applied for a relaxation of the 1500 foot separation requirement. That hearing is scheduled for Dec 1. The county is recommending approval, the unique circumstance being the topography, with a hill and thick vegetation screening the building from neighboring properties. County Planning mgr Lane Sutherland went out and examined it.

4.6. Templeton Community Services District

no report.

4.7. Templeton Unified School District

no report.

5. PUBLIC COMMENT

Commander Manuele was asked about an incident that took place on November 15. There was a report of a subject with a rifle across from middle school/elementary school, above district administration buildings.

6. CONSENT AGENDA

6.1 Approval of Minutes from October 19, 2023, TAAG Board meeting

The minutes were unanimously approved by voice vote.

6.2 Approval of Treasurer's Report

MURRAY POWELL affirmed a balance of \$672.41, with no outstanding bills or obligations.

The treasurer's report was unanimously approved by voice vote.

7. NEW BUSINESS

7.1 Call for candidates: Per TAAG Bylaws Article XII, "TAAG Board elections shall be held on a date, time and location to be determined at a scheduled TAAG Board meeting no later than January 31st of each year for the purpose of selecting Delegates and alternates... [to be] seated in March at the Board's regularly scheduled meeting. Incumbent delegates whose terms are expiring have until the scheduled December meeting to declare to TAAG their intention to run for re-election in the March election. Non-incumbents have until TAAG's regularly scheduled January meeting to declare to TAAG their intention to run for office in the March election. Candidates must be registered voters residing within the boundaries of the Templeton Unified School District."

MURRAY POWELL commented on the high public attendance at the past few meetings, and invited all community members present to consider serving on the TAAG board or committees.

7.2. M. W. Investment Partners (Amend2023-00008) Conditional use permit to allow for retention of 400 feet of existing overhead utility lines where ground utilities would otherwise be required.

IAN McCARVILLE, representing the project approved in 2021. As construction progressed, engineers determined that cables cannot be laid underground at Las Tablas Bridge – it would exacerbate flooding – so the project is seeking permission to retain overhead lines.

BRUCE JONES made the MOTION: TAAG has no opinion, it's matter for Public Works. The motion was seconded, and carried unanimously by roll call vote.

8. OLD BUSINESS

8.1 John Fitzgerald (APN 039-311-005) proposed road abandonment/vacating application of a portion of White Oak Road fronting the Fitzgerald property located at 2120 White Oak Road, Templeton.

This will be the 3rd TAAG continued hearing to allow TAAG the opportunity to obtain additional information regarding public comments and the consequences of this abandonment request before TAAG makes recommendations to the County.

CHAIR SCOTT SHIRLEY read a list of rules for civil public discussion, and asked CMDR MANUELE to stay to take public questions.

TAAG has received many emails regarding this item.

Regarding process: The County Dept of Public Works takes applications for vacation and assesses feasibility. The Board of Supervisors is the body that can officially vacate. Members of the public may comment when the Board of Supervisors considers the request. Where we stand now: Valerie Moore, the Public Works agent in charge, has not yet determined feasibility in this case, and wants an assessment from TAAG regarding the public interest in this issue.

TAAG board members have spent several hours touring, walking, driving White Oak Rd, visiting with property owners, and have taken a great deal of time and energy to understand all sides of the situation.

Property owner JOHN FITZGERALD stated his basis for asking the county to vacate: His family acquired the property in 1965, and the county has never had any involvement in maintaining the road. If the county allows public access, does the county accept liability for the public's use of the road?

SHERIFF CMDR MANUELE: Asked about the issue of trespass, stated that each case is investigated on its own merits. For there to be trespass, there has to be an order to leave, and a refusal to leave. If the sheriff was called in this circumstance, where someone says there is trespass, and it's not clear where the line is, it would have to be litigated as a civil matter. This is clearly contested.

Among the points made in public discussion:

Neighbors have been unable to exercise their easement and access their well because of obstructions placed in the disputed roadway.

Some neighbors insist on the importance of the road as emergency egress; some say the road is impassable, especially for emergency vehicles (it is not up to Cal Fire standards).

Members of the public use the road for exercise and enjoyment, whether or not they live on the adjacent roads.

It is not established whether White Oak is a public or a private road.

If people have been walking the road for 100 years, there is established public access.

The question is not: Is White Oak a public or a private road? The question is: Is it in public interest to vacate? Members of the public present at the meeting urged TAAG to recognize that the public is interested in maintaining access.

MURRAY POWELL: Made a motion to recommend denial of vacation.

SHIRLEY: TAAG will compile all relevant public comment. The statement should mention that there are issues for the courts to decide. TAAG is not making a legal determination, merely representing the public interest.

Roll call vote on the motion to deny approval of application to vacate:

Scott Shirley, Delegate/Chair	yes
Murray Powell, Delegate/Vice-Chair/Treasurer	yes
John Donovan, Delegate	yes
Jerry Jones, Delegate	yes
Scott Silveira, Delegate	yes
Fred Russell, Delegate	yes
Jennifer Jones, 1st Alternate Delegate	yes
Bruce Jones, Delegate	(recused himself due to personal involvement with the issue)

Motion passed by unanimous roll call vote.

8.2 Weyrick (LRP2023-00003) Application to change the Land Use category from Residential Rural to Residential Suburban on a 14.61-acre parcel. Amend the Templeton Community Standards to remove Section 22.104.090D3c from APNs 040-201-046 and 040-201-056 to allow additional shade covers for outdoor materials storage. This project was reviewed at a previous TAAG meeting because of the need to clarify the quantity of available water units, now determined to number six.

A motion to approve was unanimously passed by roll call vote.

8.3 Eden B&B Facility Expansion Application (N-DRC2023-00012). This is a proposed project to expand an existing licensed 2,000 sq.ft. 3 bedroom B&B facility by approximately 100% into a 4,000 sq.ft. 7 bedroom facility. The B&B is located at 4335 - 4337 So. El Pomar Road Templeton.

TAAG reviewed this project during its September 21, 2023 Board meeting and voted unanimously to recommend denial of this project as follows: "This project should

be denied because Title 22.30.260C1 restricts expansion of an existing B&B to 15% and because of a lack of clarification about public access for adults and minor children on cannabis property sites. Also, because of the complexity of having a B&B application on the same site as a cannabis application, this project should be elevated to a Planning Commission hearing instead of a Minor Use Permit hearing.”

This property site has a pending 2018 SLO County Land Use Cannabis Cultivation and Processing application (DRC2018-00183) that has been on hold by County Planning since 2020. This proposed Cannabis project was put on hold due to opposition to the project’s proposed California Environmental Quality Act’s (CEQA) required Initial Study and Mitigated Negative Declaration (MND). As noted above, one of TAAG’s concerns is allowing the general public to access and stay on an operating cannabis property site. SLO County Cannabis Ordinances and guidelines are very unclear on this issue. SLO County Planning reacted to these TAAG concerns by advising that the Cannabis application would be “killed” within 30 days if the applicants did not move the cannabis application forward for processing by County Planning. TAAG was noticed on October 31st that a revised Cannabis application had been submitted to SLO County Planning for processing that involves significant revision to the original 2018 proposed project’s design and scope of operations.

IAN McCARVILLE, represented the project and took questions.

ERIC TOLLE, county planning: The plans for the B and B will be referred to TAAG again. The revised plan for the cannabis operation is in process, MND will be done. There are no conflicts in code between B and B and cannabis operation. The cannabis operation is completely fenced in, it’s an indoor grow, there is no conflict.

McCARVILLE: There will be no surprises for people staying there, there will be posted notices about an approved cannabis operation. The distribution license lets them transport product off site.

TAAG board view is generally that the combination of a cannabis operation and a bed and breakfast is an issue of concern to TAAG, and to the community.

SCOTT SHIRLEY: TAAG can make a recommendation only when they see new plans.

9. ANNOUNCEMENTS FROM COMMITTEES

9.1 Project Review Committee

9.2 Cannabis Project Review Committee

9.3 Community Outreach and Public Relations Committee

9.4 Traffic Circulation Committee

Jennifer Jones was named to the traffic committee.

9.5 Bylaws Special Committee

9.6 Water/Toad Creek Committee

9.7 Elections Committee

Fred Russell, Scott Silveira and John Donovan form the committee, as they are the board members not up for election.

10. ANNOUNCEMENTS FROM DELEGATES (on items not on the agenda)

no announcements.

11. ADJOURNMENT

SHIRLEY adjourned the meeting at 9:07 pm.

Minutes of the meeting submitted by Sonja Bolle.