

**TEMPLETON AREA ADVISORY GROUP (TAAG)**  
**420 Crocker Street Templeton CA 93465**

**TAAG RECOMMENDATIONS TO THE SLO COUNTY PLANNING COMMISSION**  
**PROJECT NUMBER N-SUB2023-00013 – MITTARY HOUSING**  
**PLANNING COMMISSION HEARING SCHEDULED FOR JUNE 27, 2024 AT 9AM**

TAAG has invested a considerable amount of time and effort reviewing and evaluating this proposed 22 lot Housing project. TAAG has conducted five (5) publicly noticed Board and TAAG Project Review Committee meetings. TAAG has been advised that the Planning Commission's June 27<sup>th</sup> hearing will not result in the approval of this proposed project. Due to the request to amend this project site's current Commercial Retail zoning designation, approval authority is vested with the County Board Supervisors. The Commission's actions on June 27<sup>th</sup> will only result in recommendations to be submitted to the Board of Supervisors for consideration at a later Supervisor project approval hearing.

TAAG' Board submitted a preliminary approved recommendation to the County on April 18, 2024 recommending DENIAL of the project due to the requested project site zoning change from Commercial Retail to Residential Single Family. The TAAG Board voted unanimously 7 – 0 during its regularly scheduled May 16, 2024 Board meeting to recommend denial of this project for a number of reasons

**Reaffirming TAAG opposition to the rezoning of the project site from Commercial Retail (CR) to Residential Single Family. This project is located on North Main Street Templeton.**

This area of Main Street is generally zoned CR. This roadway serves as the gateway entrance from Highway 101 to Templeton's historical downtown commercial business area. Property sites on both sides of North Main Street are zoned CR and include certain approved commercial retail project's that have not yet been built. The Commercial Retail zoning designation permits uses such as bars and nightclubs, restaurants, gas stations, offices, and hotels and motels.

**TAAG recommends DENIAL of the project due to County's MND's failure to support the County's Findings that *"After completion of the initial study, the Environmental Coordinator finds that there is substantial evidence that the project would not have a significant effect on the environment with implementation of identified mitigation measures, and the preparation of an Environmental Impact Report is not necessary."* TAAG recommends that a full Environmental Impact Report (EIR) is required in order for this project to comply with the California Environmental Quality Act (CEQA) Law and standards.**

TAAG submitted a 10 page MND Public Comment document to the County on June 10, 2024. See attached copy is for TAAG's comments. The PC hearing's agenda documents includes the County's 28 page response to these TAAG MND public comments. See hearing attachment #12 - MND Public Comments and Responses. A number of MND environmental comments are challenged by TAAG.

**TAAG recommends DENIAL of the project due to the County's failure to conduct a comprehensive review of the project's site areas substantial stormwater flooding events that**

**periodically occur on and near the project site that seriously impacts the general Main Street area and neighboring properties.**

TAAG's review of this proposed project has clearly disclosed that storm flooding events and drainage into Toad Creek are major environmental issues involving this housing project. SLO County requires that ***“Drainage must be retained/detained on the property because Toad Creek and its tributaries are not capable of carrying additional runoff.”*** See Public Works 12/23/2023 9 page recommendation email and the hearing's Condition of Approval. The project site and the surrounding neighboring areas on the east side of North Main Street have experienced several severe stormwater flooding events during the past 30 years that have resulted in substantial flood damage to area properties. The hearing Conditions of Approval indicate that the project's Drainage System plans have not been developed or submitted for review by the County at this time. TAAG's has requested copies of the project's detailed stormwater drainage plans with no response from County Planning. has concluded that the project's MND fails to disclose the details of the project's stormwater design and plans that supports the MND's contention that no stormwater drainage will occur offsite.

The following SLO County ordinances and policies prohibit this project 's offsite Stormwater drainage.

1. **SLO County Policy prohibits any stormwater drainage from this project site into Toad Creek.** Public Works confirms that “Toad creek is not capable of receiving additional runoff, and it is not acceptable to worsen flooding at Main Street.” Drainage into Toad Creek is prohibited from this project site.
2. **The subdivision must not cause a flood hazard to surrounding properties. County ordinance Section c. 21.03.010(5)(a).** Previous storm events have resulted in major flooding to adjacent and surrounding properties and North Main Street.

Project flooding and drainage information provided to TAAG, some of which is posted as hearing agenda items, confirms that two related drainage system studies made by the project applicant were developed from “modeling” data. The first study failed to determine whether the plan would prevent runoff off site. A second study was conducted by another consulting firm that again failed to conclude that the proposed drainage system “plan” would prevent “100 year storm event” project site runoff. However the County has inaccurately indicated in the various MND, the hearing documents and draft Conditions of Approval that drainage system plans will prevent offsite run off from a 100 year storm event.

The revised AKA Drainage Study makes the following comments. *“The project will provide retention basins to capture the runoff from impervious areas prior to being discharged to the existing creek off site. The basins are upsized to satisfy the 50-year, 10-hour duration, 10-hour intensity per SLO County standards. Peak Performance (PR4) will be required. The post-development flows will not exceed pre-project flows from the 2- and 10-year storm events. The retention basins are sized to fully contain the post-project runoff from the impervious areas for the 2 and 10-year storm events.”* ***Obviously, these comments do not address storm events larger than 10 year storms.***

**TAAG recommends DENIAL due concerns regarding the ability of the Project's two (2) proposed Stormwater Retention Basins to retain and prevent ANY stormwater runoff off site or prevent any such drainage into Toad Creek.**

These two proposed Retention Basins are primary issue regarding the County's approval of this project. These two Basins are 8 feet deep with a reported total capacity of 2.7 acre feet of water. County Title 21 requires that the water capacity of these basins be limited to two (2) feet. TAAG requested clarification regarding this issue that were not responded to by County Planning. The PC hearing's Staff Report has confirmed that these Basins are designed to comply with the 2 foot maximum water level capacity limit. See the Staff Report comments on pages 15\_Table 3 item 5.b that discloses that *"The project applicant has requested an adjustment to allow for construction of drainage basins to be designed to contain more than two feet of water. The Department of Public Works have found this request supportable based on the required findings detailed in Title 21 Section 21.03020 – Adjustments. These findings are provided in the hearing agenda document as Attachment 4 – Exhibit D (page 2) Item G"*.

Attachment 4 item G. provides the following relevant comments. *"ADJUSTMENT G. The requested adjustment from County Title 21 Section 21.03.010.5.b that requires privately maintained drainage basins to be designed to contain two feet of water or less to allow for deeper privately maintained drainage basins to be constructed on the project site is a part of this approved Vesting Tentative Tract Map and Conditional Use Permit based on the following findings:*

*1. The project site is subject to special circumstances and conditions based on its location within a mapped flood hazard area and surrounding drainages not having any capacity to accept additional flows. Therefore, the proposed drainage basins would need to be designed to capture and retain stormwater flows on-site and based on the 10.02-acre area of the parcel, the two-foot depth requirement would result in drainage basins taking up a significant portion of the site. Therefore, the proposed drainage basins have been designed to capture the required stormwater flow volumes while still allowing 5.35 acre of the site to be developed with residential uses."*

TAAG assumes that the County's 2 foot maximum water level ordinance provision is to protect the public's safety and welfare by preventing injury and death by drowning. Additionally, the applicants requested override this 2 foot ordinance limit indicates that the County has determined that the project site storm runoff may exceed the total capacity of these two Basins during major storm events. It is disturbing that that these important project drainage issues has not been disclosed to the public.

**TAAG recommends DENIAL of the project on the basis the Initial Study/MND failed to assess the environmental impacts of the projects possible forty-four (44) Accessory Dwelling Units (ADU's) that are allowed to be established on the project's 22 housing lots.**

This project proposes to construct 22 single family homes on 22 lots. 21 lots are essentially ¼ acre in size. 1 lot is somewhat less than ½ acre in size. This project will allow one (1) attached Junior ADU, and one (1) detached ADU to be constructed on each of the projects 22 lots . The project's

Environmental Initial Study/MND fails to recognize or analyze the environmental effects of the allowed addition of forty-four (44) Accessory Dwelling Units (ADU's) that are permitted by State law to be constructed on the sites 22 lots as additional housing units. Two ADU's may be built on each lot resulting for a total of a possible 66 housing units. The Commission hearing's County Staff report (page 21 of 35) confirms that ***“The proposed project includes the possibility of 1 ADU and/or 1 JADU per lot, as allowed by current state law. This would result in a maximum buildout of 44 ADU/JADUs by law.”*** The 35 page County Staff report (pages 10 -11) discloses that a County Housing Element Program D exists that encourages development of new accessory dwellings (ADU's) and ensures compliance with the State Accessory Dwelling Unit (ADU) Law. This program has been identified as being high priority.”

The project's proposed development plan inaccurately indicates that the construction of additional future JADUs or detached ADUs on the project site will be limited to 22 JADUs and/or ADUs. This statement is incorrect. As discussed above, State ADU law will allow for two ADU's to be established on each lot. For a total of 44 ADU's. Not 22. The project's Conditions Approval requires the installation of plumbing and utility connections for all residential lots to accommodate future ADU/JADU development.

The Staff report goes on to say that *“accessory dwellings provide added housing without added land cost, and as such, are more likely to be affordable to low- and moderate-income households on the rental market when compared to a conventional single-family dwelling on the rental market. Therefore, the project's proposed ADUs and ADU development would provide a range of housing types that are affordable to households of different income levels.”*

The following “expert” environmental studies and conclusions were all based on the assumption that the project will only consist of 22 single family residential homes with no consideration for any number of the allowed 44 ADU's. Air Quality and Green House Gas (GHG) assessments, Health Risk assessments, Drainage and Flooding studies, Acoustical Noise study and a Traffic Impact study. These studies are found as appendices to the project's 363 page Mitigated Negative Declaration (MND) approved by the County. Obviously, the project's MND fails to account for the environmental effects of these possible 44 additional ADU housing units. The MND fails to evaluate the environmental effects of the project site and the general neighboring area.

**TAAG recommends DENIAL of the project on the basis of comments made by the SLO Air Pollution Control District (APCD) objecting to certain environmental factors such as Health Assessments and Air Quality issues due to the project's location within 60 feet of Highway 101.**

See APCD email dated Feb, 24, 2022 's. See hearing Attachment 10 pages 12-24. The MND's expert studies regarding air quality and health risks requires that every residential unit, including ADU's, are required to be installed with “MERV 13” A/C systems. According to the experts study, these A/C systems are required to be run continuously to mitigate the interior air quality effecting each project living unit. The APCD also questions the reasonableness of a proposed mitigation factor requiring that **ALL WINDOWS AND DOORS TO REMAIN CLOSED AT ALL TIMES (24/7)** of every project site's housing units in order to comply with adverse exterior area air quality issues generated by Highway 101.

And finally the APCD's February 24, 2024 comments that ***"The bottom line, commercial uses next to high volume roadways are much more compatible than residential land uses."*** The APCD also makes the following comments opposing this housing project's location adjacent to high volume roadways. ***"the APCD does not support sensitive receptors (i.e. people) development near Highway 101 . . . Non-sensitive uses and developments such as commercial parking lots and offices – in which occupants are exposed to health risk for a shorter duration are better suited to be nearest Highway 101. Health risk decreases with decreased rate of exposure to the toxic source."*** The project's MND has ignored the APCD's expert environmental comments opposing this housing project.

**TAAG recommends denial of the project on the basis that project's location next to Highway 101 results in interior housing unit noise levels that do not comply with SLO County Noise standards required by Land Use County ordinance Title 22.** Once again, the MND Noise study concludes that **ALL WINDOWS AND DOORS REMAIN CLOSED AT ALL TIMES (24/7) FOR EVERY UNIT.**

**TAAG recommends Denial of the project due to apparent on site Access and Parking issues that may restrict access to the project site, may result in delays with emergency service response. This issue impacts the welfare and safety of project residents and visitors.**

The project's design provides for one (1) single private dead end maintained dead end road that will be the only access to each of the 22 housing lots and open areas with one gated entrance/exit from North Main Street. There are several issues that have not been clearly resolved in TAAG's opinion at this time. They are as follows. The hearing Staff report (page 8 of 35) briefly describes the following. "The project site would be accessed via a proposed 967-foot-long and 38-foot-wide private road from North Main Street. The private road would terminate in a cul-de-sac with a 40-foot radius turnaround in the western portion of the project site." The cul-de-sac is required to provide a turnaround for emergency service vehicles. Parking within the cul-de-sac is prohibited. TAAG's concerns are as follows:

1. The single private access roadway's design has not been determined. Project information indicates that the width measured from each lot line to each opposite lot line is 38 feet. No determination is evident as to what the road's reduced width will be available for vehicle travel will be available in the if sidewalks, curbs bike lanes and required landscaping area between lot lines and sidewalks are proposed that will substantially reduce the road's vehicle access width. Additionally, the project is proposed to allow On Street Parking. Parking on both sides of the street will further reduce roadway's width available for vehicle access and travel. A TAAG request to County Planning asking that a determination of the number of Legal On Street parking spaces will be available has been ignored.
2. As discussed above, the possibility that 44 ADU's may to be established, will substantially increase the number of resident and visitor vehicles that will require On Street parking, No attempt has been made by the County to determine the effects of the estimated number of additional vehicles that the project area will be required to accommodate.

3. The project proposed to install fencing and a gate at the eastern portion of the proposed access roadway off North Main Street to limit access to future project occupants. TAAG opposes the proposed gate. Templeton's position has been to oppose gated communities and restricted access to housing.

This proposed project involves numerous significant issues that have not been resolved to TAAG's satisfaction at this time. A number of issues identified by TAAG that are not addressed in this recommendation report may result in additional TAAG recommendations of DENIAL of this project. Certain requests for information have not yet been responded to by County Planning. TAAG reserves the right to submit additional comments and recommendations to be considered during this project's Board of Supervisors' future approval hearing. Please contact either Jennifer Jones TAAG Chair or Murray Powell TAAG Vice Chair if you have any questions or comments. TAAG looks forward to attending tomorrow's June 27 Planning Commission meeting.

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