

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060-4508  
VOICE (831) 427-4863 FAX (831) 427-4877



*This form accompanies my faxed letter of this morning.*  
*J. Hartem*

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

RECEIVED

Name: *Joan T. Hartem*

OCT 19 2009

Mailing Address: *PO Box 620780*

City: *Woodside*

Zip Code: *94062*

Phone:

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

SECTION II. Decision Being Appealed

1. Name of local/port government: *San Luis Obispo*

2. Brief description of development being appealed: *Los Osos Wastewater Project*

3. Development's location (street address, assessor's parcel no., cross street, etc.):

4. Description of decision being appealed (check one.):

Approval; no special conditions

Approval with special conditions: *ccc amendment to approve Los Osos prohibition zone vacant land development upon Los Osos wastewater's project completion subject to ea. individual project meeting water source solution in compliance w/ water shortage needs*

Denial

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: *A-3-SLO-09-055*

DATE FILED: *October 19, 2009*

DISTRICT: *Central Coast*

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)****SECTION IV. Reasons Supporting This Appeal****PLEASE NOTE:**

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

**San Luis Obispo County has a potential approval from the California Coastal Commission (CCC) for the construction of a wastewater system for the community of Los Osos. Within this approval, is a statement from CCC which does not allow vacant land owners within the prohibition zone in Los Osos to make use of wastewater services until such time as a solution to Los Osos Water Problems is reached.**

**Members of F.A.I.R., which are Vacant Land owners within the 'prohibition zone' and under moratorium during the past twenty years, feel that they should be able to apply with San Luis Obispo County to be able to develop upon completion of the Los Osos Wastewater System, without the requirement of an additional 218 vote, PROVIDED any person that applies for development can show they have earned water retrofit credits or can provide another solution to water use which does not jeopardize the community's water supply for other members of the community.**

**This alternative should be considered if only to provide fair and equitably legal opportunity to ALL members of the community of Los Osos, without prejudice or discrimination.**

**Lack of consideration of this alternative could be considered discrimination or prejudice against certain members of this community.**

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**CALIFORNIA COASTAL COMMISSION**

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**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT**

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

**SECTION I. Appellant(s)**

Name: *Joan T. Harlem et al.*

Mailing Address: *PO Box 620780*

City: *Woodside CA*

Zip Code: *94062*

Phone: *650-474-0969 (home)*  
*650-464-9364 (cell)*

**SECTION II. Decision Being Appealed**

1. Name of local/port government:

2. Brief description of development being appealed:

3. Development's location (street address, assessor's parcel no., cross street, etc.):

*Vacant lots for single family dwelling — list of assessor's parcel numbers attached (→)*

4. Description of decision being appealed (check one.):

- Approval; no special conditions
- Approval with special conditions:
- Denial

**Note:** For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

**TO BE COMPLETED BY COMMISSION:**

APPEAL NO: \_\_\_\_\_

DATE FILED: \_\_\_\_\_

DISTRICT: \_\_\_\_\_

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Parcel number of vacant properties owned by:  
Joan T. Hartem and Judith T. Hunter

1. 038.312.027
2. 038.312.028
3. 038.312.029
4. 038.312.030
5. 038.312.031
6. 038.312.032
7. 038.312.033
8. 038.312.034
9. 038.312.035
10. 038.312.036
11. 038.462.042

Sincerely,  
Joan T. Hartem

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)**

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator  
 City Council/Board of Supervisors  
 Planning Commission  
 Other

6. Date of local government's decision:

August 27, 2009

7. Local government's file number (if any):

**SECTION III. Identification of Other Interested Persons**

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

*None at this time other than owners Joan Hartem and Judith Hunter listed below.*

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) *Joan Hartem  
PO Box 620780  
Woodside, CA 94062*

(2) *Judith Hunter  
PO Box 846  
Tiburon, CA 94920*

(3)

(4)

**APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)**

**SECTION V. Certification**

The information and facts stated above are correct to the best of my/our knowledge.

Joan J. Aulem  
Signature of Appellant(s) or Authorized Agent

Date: October 18, 2009

**Note:** If signed by agent, appellant(s) must also sign below.

**Section VI. Agent Authorization**

I/We hereby  
authorize

\_\_\_\_\_

to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date: \_\_\_\_\_

October 19 2009

California Coastal Commission  
Central Coast District Office  
725 Front Street, Suite 300  
Santa Cruz, Ca. 95060-4508

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OCT 19 2009

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To Whom It May Concern:

My sister and I are members of a Corporation known as 'F.A.I.R.' formed in 2007. We have tried to follow all the legal aspects of the Los Osos Water issues and the Coastal Commissions Development plans regarding the water basin. I am wording my statements carefully because without legal representation I am uncertain of my exact position except as stated below:

My sister and I want to maintain our legal right to potentially develop our vacant lots for single-family dwellings. I have attached a list of our parcel numbers. We want to maintain our right to only pay EQUAL share of costs towards sewer, Water and environmental concerns as those individuals with already improved lots with the knowledge that the community needs and requires our participation to complete the waste water project, however, we do not agree that vacant property owners should be assessed more for these services or denied these services.

My sister and I (and others) want the upcoming 218 vote of improved property owners and vacant unimproved property owners to hold the same legal weight and rights.

I have not fully filled out the attached forms, as I do not fully understand the implications this may have on the project. I do want it to be of record that my sister and I want to maintain our legal rights to develop our vacant properties with an equitable assessed cost.

Sincerely,

  
Joan Harlem