



SOUTH COUNTY ADVISORY COUNCIL

PO Box 2355 Nipomo, CA 93444-2355

<http://scac.ca.gov>

MEETING MINUTES

Monday, 07/24/2017 - 6:30PM

NCS D Building - 148 South Wilson Street, Nipomo, California

Meeting called to order at 1830

Pledge of Allegiance conducted by Gary Spelbring

Area 6 - Art Herbon, Chairman - **P**

Area 3 - Richard Malvarose, Recording Secretary - **P**

Area 5 - Gary Spelbring, Treasurer - **P**

Public Safety - Richard Wright, Corres. Sec. - **P**

Area 1 - Vince McCarthy - **P**

Area 5 - Open

Area 1 - Open

Area 6 - Kevin Beauchamp Area - **P**

Area 2 & NCS D - Dan Woodson - **P**

7 - Ron Smith - **A**

Area 2 - Harry Walls - **P**

Area 7 - Open

Area 3 - Elaine Thomas - **P**

Agriculture - Pat Duron - **P**

Area 4 - Cody King - **P**

LMUSD - Vern dahl (Ex-Officio) - **A**

Quorum established

CORRESPONDENCE AND COMMENTS FROM THE CHAIR – **Chairman Art Herbon reads the following out loud:** SCAC provides a forum for citizen involvement and information on issues affecting unincorporated areas in South SLO County. The objective of SCAC is to advise County Government entities on those issues.

COMMUNITY PRESENTATIONS - The SCAC Council may ask questions at the conclusion of each presentation. The Chairman may invite questions from the public if time permits.

- SLO County - Supervisor Lynn Compton
- CALFIRE - Battalion Chief Eric Shalhoob
- SLO Sheriff - Commander Stuart MacDonald
- CHP - Lieutenant Mike Brown
- NCS D - Dan Woodson
- Nipomo Chamber – Rudy Stowell
- LMU School District - Vern Dahl
- SLO County Planning - Stephanie Fuhs

Lynn Compton – Not Present

Calfire – Captain Michael Deleo provided an overview of Station 20 and 22 statistics for the month of June (see attached)

SLO Sheriff – Not Present

CHP – Mike Brown stated that there is a bike rally September 14th on Highway 1

NCS D – Dan Woodson provided the NCS D statistics for the month of July (see attached)

Chamber of Commerce – Rudy Stowell provided dates for the upcoming Luncheon, Concert at the Adobe, the upcoming Art Walk and the Octoberfest.

LMUSD – Not Present

County Planning Department – Don Spagnolo the County Transportation Project Supervisor briefly discussed the repaving projects on Osage, Las Flores, Division and Olympic

PUBLIC COMMENT: Public testimony on items not scheduled on today's old and new business. Speakers are allotted 3 minutes for comments (total time for public comment is 15 minutes).

Diane Martinez stated that she has owned a double wide manufactured home in Nipomo and was less than satisfied with Mr. Thomlinson from County Plans and Lynn Compton regarding the removal of her existing home and the replacement with a new home. She was informed after the fact that she would be required to raise the grade 4 feet because she was in a designated 100-year flood plain. The property in question is located at 090-331-001.

CONSENT AGENDA: These are items scheduled for consideration as a group, and for approval of the recommended motion. Any Council Person may withdraw an item from the Consent Agenda, in order to permit discussion after the Consent vote:

Dan Woodson requested that the June 26th minutes be removed from the consent agenda.

Harry Walls motioned to approve and Cody King seconded to approve the Treasurer's Report and was unanimously approved. Dan Woodson requested that the minutes be amended to state that the Traffic and Circulation Report was received. The minutes were then accepted.

1. July Treasurer's Report (Spelbring). Motion: Approve Treasurer's Report
2. June 26th SCAC Minutes (Malvarose). Motion –Approve Minutes.

OLD BUSINESS- Recommended changes to Title 22 amendments dated 6/20/17 – Cannabis Activities

Art Herbon

1. Restrict all commercial cannabis cultivation (nursery, greenhouse and outdoor) for unincorporated areas of SLO.
 - County can evaluate 2018 startup experiences in California, and in the State and US court systems, prior to locking in SLO County's approach. Reconsider the restriction in 2018.**Richard Malvarose made a motion to recommend approval and Elaine Thomas seconded. Motion failed by a 4/6 vote**
2. Proportionally allocate the first phase of commercial cultivation permits in direct relationship to the amount of area in each Supervisor's unincorporated area. (add to 22.40.040.B.1 page 16)

Mike Young spoke during public comments on this issue

Cody King motioned to approve recommendation and seconded by Kevin Beauchamp. Vote did not pass 4/6

3. Outdoor cannabis cultivation shall be setback 1,000+ feet from any Land Use Category property not permitting outdoor commercial cannabis cultivation. (replaces 22.40.040.D.2 page 17)
 - Creates a 1,000 foot residential buffer for odors and other impacts related to outdoor growing and essentially eliminates outdoor commercial cultivation on property smaller than 92 acres.
Mary Oliver, Jim Kelaki, Bob French and Jim Young spoke during public comment on this issue
A motion was made by Richard Malvarose to remove the bullet recommendation and was seconded by Kevin Beauchamp. Vote passed 7/3 with the main comment being recommended to go forward.
4. All Indoor cannabis cultivation shall (Add 'indoor' to first sentence of 22.40.040.D.3 page 17)
A motion was made recommending approval of this change by Richard Wright and seconded by Gary Spelbring. The motion passed 7/3
5. Water use on all cannabis cultivation must be monitored by meter. (add to 22.40.040.E.1 page 17)
Bob French, Jesse Hill, Bill Power and Glenn ? spoke during public comments
A motion was made to recommend by Harry Walls and seconded by Richard Wright to approve and add the following "and that the County should prohibit any cannabis cultivation until an appropriate scientific study is conducted to determine the impact of cannabis cultivation on the water supply and to subsequently regulate the number of permits and amount of cultivation on this study." Motion passed 7/3
6. Water offsets must come from the same property as the water use. (clarify 22.40.040.E.1 page 17)
Bob French spoke during public comment
Harry Walls made a motion to recommend this change and was seconded by Richard Wright. Motion passed 9/1
7. The term “water expert” is too vague, and needs further definition. (22.40.040.E.1 page 17)
Harry Walls made a motion to recommend approval and Richard Wright seconded. Motion passed 7/2/1
8. Emphasize “appropriate esthetics” regarding screening requirements. (22.40.040.E.2 page 17)
Bob French and Rene French spoke during public comment
Harry Walls made a motion to remove this recommendation and was seconded by Dan Woodson. Motion passed 9/1
9. Require a “waste stream plan”, that is, require specific cannabis cultivation debris removal and disposal methods. (add to 22.40.040.E page 17)
Bob French and Diane Moody spoke during public comments
Kevin Beauchamp made a motion to recommend approval of this change and Art Herbon seconded. Motion passed 9/1
10. Odor controls for indoor cannabis cultivation – Require that all nuisance odor emissions be eliminated (such as with carbon scrubbing). Remove language that allows for only significant reduction of those odors. (change to 22.40.040.E.4 page 17)
Bob French spoke during public comments
Harry Walls made a motion to recommend this change and was seconded by Cody King. Motion passed 9/1

11. Enforcement – According to Section 22.40.130, sections A, B and C, resolution of a complaint will require at least 38 days (more likely much longer). These processes need to be more streamlined to be effective on a more timely basis. (pages 28-31)

Tom Ryan spoke during public comments

Richard Wright made a motion to recommend approval of this change and was seconded by Vince McCarthy. Motion passed 7/3

12. The county's staffing plans seem inadequate. The addition of two deputies, two code enforcement officers, two AG Officers and two deputy DA's are unlikely to address enforcement needs. The area of greatest concern is the number of Code Enforcement staff, an area that is already (without cannabis) the weak link in the county's enforcement of standards. It is recommended that the county adequately structure taxation levels of cannabis activities to cover a larger staffing plan.

Bob French, Gary Power, Jessie Hill and Diane Moody spoke during public comment

Richard Wright made a motion to recommend approval and Harry Walls seconded. Motion passed unanimously

13. Possible Selection Criteria (in reference to the document released to the BOS on 6/20/17) – The selection criteria should also consider the esthetics of cultivation sites relative to the area. For instance, the addition of solid fencing in a beautiful agriculture setting might not be appropriate (imagine a fence hiding the vineyard views along our highways).

Richard Wright moved to delete this recommendation and Patricia Duron seconded.

Motion passed unanimously.

NEW BUSINESS - Nominations and vote to fill vacant seat for Vice Chairman of SCAC

A motion was made by Art Herbon and seconded by Kevin Beauchamp to approve Richard Malvarose as Vice Chairman for SCAC and Kevin Beauchamp as the Land Use Committee chair. Motion passed unanimously.

SCAC COMMITTEE REPORTS

1. Land Use Committee (Richard Malvarose) **See attached**
2. Traffic and Circulation Committee (Dan Woodson) **See attached**
3. Bylaws Review (Richard Wright) **Nothing to report**

The next regular meeting of the South County Advisory Council will take place at 6:30 pm on the 28th of August

Meeting adjourned at 2200