

SCAC April Minutes

AGENDA

Meeting held at NCSD Chambers 148 South Wilson, Nipomo, CA 93444

Monday, April 23, 2018 – 6:30 PM

Area 1 - Vince McCarthy **P**

Area 6 - Art Herbon (Chairman) **P**

Area 1 - Open

Area 6 - Kevin Beauchamp (Vice-Chairman) **P**

Area 2 - Dan Woodson **P**

Area 7 - Ron Smith **A**

Area 2 - Harry Walls **P**

Area 7 - Open

Area 3 - Elaine Thomas **P**

Agriculture - Pat Duron **A**

Area 3 - Open

Public Safety - Richard Wright (Correspondence Secretary) **P**

Area 4 - Cody King (Recording Secretary)**P**

Lucia Mar Unified School District - Vern Dahl (Ex-Officio) **A**

Area 4 - Open

Area 5 - Gary Spelbring (Treasurer)**P**

Nipomo Community Services District - Dan Woodson (Ex-Officio) **P**

Area 5 - Open

Quorum Established 9/12

Chair- move Traffic and Circulation to follow public comment

CORRESPONDENCE FROM THE CHAIR - SCAC provides a forum for citizen involvement, and an advisory role to county government entities, on issues affecting unincorporated South SLO County.

1. SLO Co. 4% to 10% Cannabis Sales Tax on June ballot. www.slocounty.ca.gov/Departments/Auditor-Controller-Treasurer-Tax-Collector/News/Board-Moves-Forward-with-Cannabis-Business-Tax.aspx

2. APCD Hearing Board - review Petition 17-01 to consider an Order of abatement. Monday, 4/30/18 at 9:00am. SLO County Board of Supervisors Chambers, 1055 Monterey Street, SLO.

<http://www.slocleanair.org/who/board/hearing-board.php>

3. After Hours Code Enforcement - Starting May 4th, Code Enforcement is available after hours at (805) 788-2350 (Fridays from 5pm to 10pm, and Saturdays/Sundays/Holidays from 8am to 10pm).

- Will allow timely reporting of violations such as unpermitted grading, environmental damage, unpermitted events and violations of event conditions.

- During normal business hours residents can report suspected code violations at (805)781-5600, or online.

<https://www.slocounty.ca.gov/Departments/Planning-Building/Code-Enforcement/Report-Suspected-Code-Violation.aspx>

4. Home-2-Suites by Hilton - Nipomo hotel project (DRC2014-00131). Planning Commission hearing on April 26th cancelled at applicant's request.

http://archive.slocounty.ca.gov/Assets/PL/referrals/south+county/DRC2014-00131_MARINAI_CUP.pdf

5. SLO County annual training for Advisory Councils – SCAC members strongly encouraged to attend. Friday May 25th, 2018, 8:30 AM to 2 PM at City-County Library Community Room, 990 Palm St, San Luis Obispo

Cody King to poll and organize SCAC participation in training.

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

County received new money to manage the 5 water basins in the county

County is in a hiring brown out.

ACPD to move toward PM10 abatement

- CALFIRE - Battalion Chief Eric Shalhoob A
- SLO Sheriff - Commander Stuart MacDonald A
- CHP - Lieutenant Greg Klingenberg A
- NCSD - Dan Woodson **See attached**

Opportunity to import more water from Santa Maria to reduce groundwater pumping

Black Lake sewer is at the end of its design life.

Costly litigation in north cities impacts water bills

- Nipomo Chamber – Rudy Stowell A
- LMU School District - Vern Dahl A
- SLO County Planning - Stephanie Fuhs

Question from Richard Wright about when permits become required for demo

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).

Mike Berry- presents photos of Viva Farms

Carla Haynie- lives 1000 ft from the cannabis farm on Albert. Concerned about money handled on site, the potential smell, and her home value.

Don Smith- Concerned over traffic at Albert and Willow.

Public Comment Closed

Traffic and Circulation Report-

Complaints over demonstration traffic circle.

Public works should cast a wider net when informing impacted residents.

Lynn Compton- people hate them initially then grow to like them

Don Smith- enjoys the traffic circles in Trilogy

Mary Scarborough- Lives on Vista Verde and wasn't informed of the project.

This circle is being used as speed control, not to control an intersection

Upset about being left out of the process and wants to review the effectiveness after 3 months

Lynn Compton will notify residents in the area and direct them to the next council meeting.

Harry Walls- current circle is ugly and only to impede traffic.

CONSENT AGENDA - Council may pull items from 'Consent' to permit discussion after the Consent vote:

1. March, 2018 SCAC Minutes (Thomas). Motion – Approve Minutes.
2. April Treasurer's Report (Spelbring). Motion – Approve.

Harry Walls moves for approval. Second by Dan Woodson. Passes unanimously.

OLD BUSINESS - none

NEW BUSINESS

1. DRC2018-00019 - Proposed Conditional Use Permit for indoor cannabis cultivation and cannabis nursery in an existing 250, 344 sq/ft greenhouse located at 887 Mesa Rd., Nipomo.
<https://www.slocounty.ca.gov/getattachment/571a1aad-935a-4597-9b35-c62f34bc11b9/DRC2018-00019-CFAM-MANAGEMENT-Referral-Package.aspx>
 - 1.1. Presentation by Lisa Bugrova of Kirk Consulting, and Sean Donahoe (advisor).
 - 1.2. 39 acre site is zoned Residential Rural (formerly known as Clearwater Nursery).
 - 1.3. Proposed cannabis greenhouse is 22,000 sf. (previous cannabis greenhouse 8X larger).
 - 1.4. The county requires a conditional use permit due to multiple uses
 - 1.5. Land Use discussed a requirement that greenhouse with cannabis have a setback of at least 100' from lot line. Applicant proposes 57' setback.
 - 1.5.1. Information from applicant after the Land Use meeting indicates that Indoor cannabis cultivation shall be setback 100 feet from any existing offsite residence, swimming pool, patio, or other living area of separate ownership. The closest offsite residence is over 300' from the cannabis cultivation.
 - 1.6. Swamp coolers will be used for odor control. Land Use requested more information regarding this method, whether it is odor neutralization, or odor cover-up (like febreze).

1.6.1. Information provided after the Land Use meeting indicates that the swamp cooler utilizes an odor

neutralizing additive to minimize offsite odors.

1.7. No manufacturing or extraction processes proposed.

1.8. Previous flower operation employed 200 people. New cannabis operation will employ 35 people.

1.9. No dispensary

1.10. Water use will be less than the flower operation. Land Use requested more information.

1.11. CUP hours of operation is 8AM to 5PM. Land Use requested more information regarding shipping and receiving trucks that arrive outside of the stipulated hours.

1.12. CUP is valid for 5 years

1.13. Land Use requested more information regarding money transactions on-site (security issues).

1.14. A resident living about 1,000' from this operation (Mike Berry) commented that, from his home, that the current operation still smells like laundry scent.

Plants will be processed and packaged for distribution.

Applicant claims 3.9 AF of water will be used for cannabis annually.

Entire 39 acre site used 16 AF last year.

Harry Walls- Why is project under a conditional use permit?

Buildings being brought up to code.

Operation will produce a finished product as well as a nursery product.

Dan Woodson- asked about the swamp cooler's air exchange for odors. Also asked about the an air curtain at doors to keep smell in.

Lynn Compton-Limiting greenhouse to 22000ft2 was to limit the smell.

Richard Wright- How was water use calculated?

Water measures are based on canopy size

Other crops can still be grown on site and increase water use on parcel.

Waste will be composted on site.

Greenhouse is leased from Clearwater Nursery.

State of the cannabis market? Will there be a demand?

There is a shortage of legal product and a surplus of black market product and a wide variety of infused products are being produced.

4 Crops per year can be grown, there will be different plants flowering in the 22000sqft of greenhouse throughout the year.

Art Herbon- Is the setback in compliance? What odor control measures are in place?

Greenhouse is 300' from neighboring residence

5 swamp coolers in design, odor will be neutralized not covered.

Water use projection is for nursery and greenhouse.

Payroll will be the only money exchanged on site.

Dan Woodson- Will OSHA apply? Is odor a workplace hazard?

OSHA will apply and respirators are available to all workers.

Gary Spelbring- Was the same applicant growing last year? Yes. They also grow in Los Alamos and in Nipomo on Eucalyptus Rd.

Public Comment on Item 1

Don Smith- What metrics will be used to determine impact?

Nancy- Trilogy resident concerned about trucks coming through Trilogy from HWY 1 and load inspections.

Carla Haynic- Where will transactions happen? Off site except for payroll. Has concerns about ventilation system, the number of grows per year and the zoning which allows the operation to exist.

Mike Berry- Concerned over setback from property line and smell from four seasons of flowering. What road fees will be collected and what will the impact be on property values?

Public Comment Closed

Applicant

- **Canopy size is limited by code and two new officers will enforce the code.**
- **Delivery vans will use approved trucking routes.**
- **Traffic study will be conducted to determine fees**
- **Small plants will be utilized for a low water, high THC plant.**
- **Water requirements are based on canopy size. Per plant use isn't used in the industry**
- **Can acquire data on past water demands on site.**

Motion to approve the project by Dan Woodson, second by Harry Walls

4 ayes - 4 nays Motion fails

Motion by Harry Walls to table the issue, Second by Gary Spelbring.

New information including water usage data and traffic study to be provided at next meeting

Motion passes unanimously

2. Formation of Financial Audit Committee

Harry Walls volunteers to be chair, Cody King and Elaine Thomas agree to serve on the committee

3. Approval of 2018/2019 SCAC Budget

4. Application for \$1,000 annual grant from SLO Board of Supervisors

Gary Spelbring doesn't think SCAC needs county funds this year

Discussion of how to spend funds to promote community service.

Annual expenditures are less than \$625 and \$3,000 in reserves

Gary will create a detailed report to go over the budget.

5. Expense Report – Carpinteria trip to evaluate Cannabis odor control system

Discussion on the threshold for reimbursement. Recommendation for Kevin Beauchamp to submit receipts from his trip to Carpinteria to learn about cannabis odor mitigation.

SCAC COMMITTEE REPORTS

1. Land Use Committee (Kevin Beauchamp) – **Next meeting is Monday, May 14, 9 AM at NCSD**

2. Traffic and Circulation Committee (Dan Woodson) - **Next meeting Thursday, May 10th, 10 AM at NCSD See Attached**

3. Next SCAC Meeting – Monday, May 2018, 6:30 PM at NCSD Chambers

Meeting adjourned at 8:43 PM. Next meeting will be Monday 5/28 at 6:30 PM

Traffic Report for April 23, 2018 Meeting

One neighbor complained about the proposed demonstration traffic circle at Tejas and Ida. His complaint was based on the fact that he was not informed of the project. Residents along Tejas, Ida and Grande had been informed. The neighbor does not live on those street. I will ask Public Works to cast a wider net when informing neighbors.

There has not been a Traffic Committee for the past two months and may not be one this month. Members are not receiving or generating complaints and there has been little Public Works activity. Maybe we have been too effective.

NCS D Report

April 23, 2018

NCS D has an opportunity to purchase and has the ability to deliver more water from Santa Maria. It would reduce our groundwater pumping but would end up costing the ratepayers more for each unit of water pumped. Using more imported water to reduce groundwater would look good to the court and the litigants but, would end up costing the customers more. In the near future we will be required, by contract, to use more and more water.

The Black Lake sewer system has reached the end of it's design life and is becoming costlier to maintain. NCS D is considering a vendor to do a rate study to determine the increased costs to the Black Lake residents.

Costly litigation with the Northern Cities over water use continues. Defending against this litigation ends up costing the ratepayers more. It would be interesting to see what portion of each water bill goes to paying for litigation.



Response statistics for Nipomo Station 20 and Mesa Station 22

March 1-31, 2018 Totals

NIPOMO Station 20

Total responses: 150
Structure Fires: 1
Other Fires (vegetation, vehicle, smoke check, etc.): 22
Medical(included vehicle accidents): 112
Hazardous Materials/Conditions: 3
Public Service Assistance: 12

MESA Station 22

Total Responses: 118
Structure Fires: 0
Other Fires (vegetation, vehicle, etc): 8
Medical: 102
Hazardous Materials/Conditions & Firefighters to Stand by: 0
Public Service Assist: 8

Additional Information

Company 20 Tri Tip BBQ- Sunday, April 29 11-3 Von's Parking Lot, Full meal and drink \$10.

New Medic Squad 22 in service soon.

Backyard period burn ends April 30.

Additional fire season staffing beginning April 30.

Currently performing defensible space inspections.