

CRESTON ADVISORY BODY

Regular Meeting Agenda

Zoom Meeting

Wednesday, October 21, 2020

7:00 – 9:30 PM

- 1) Call to Order – Flag Salute at 7:00 p.m.

Sheila welcomed everyone to the first CAB Zoom meeting. It should be noted that CAB has not held any meetings due to COVID-19 since February, 2020. Depending on the outcome of this meeting, we hope we will be able to continue and conduct regular business via Zoom.

- 2) Follow up to the 2020 CAB Election for CAB Areas #2, 4, 6, 8, & 10.

#2 Creston inside VRL - remains vacant

#4 Huer Huero - Geraldine May (Mike Aarons, alternate)

#6 O'Donovan – Don Clark (Susan Souza, alternate)

#8 Eddy Ranch – remains vacant

#10 Geneseo/Windfall Farm – Kurt Almond

Election of new officers conducted by unanimous consent via email due to COVID restrictions. All officers from last year 2019-2020 agreed to stay in their offices and all CAB members consented.

- 3) Minutes of the previous meeting - February 19th, 2020 - Tom made motion to approve, Geraldine 2nd Unanimously approved.

- 4) Public and/or CAB Member Comments for Items NOT on the agenda –
Murray Powell of TAAG reminded us that rural residents who are not within the boundaries of an existing County CAC do not have representation when it comes to projects in their neighborhoods and why this is a concern. Specifically he cited recent actions concerning a cannabis project on Neil Springs Rd. TAAG felt this project could potentially have an impact on TAAG residents and so provided a recommendation to the County, along with input from the neighbors of the project. The impression was that TAAG's recommendation was ignored by both the Planning Dept and by Supervisor Peschong. TAAG is considering expanding its boundaries to include more rural residents.

CAB members talked about this issue. Sheila mentioned that CAB has been approached by rural residents near CAB, but not within the CAB boundaries, and we have commented on those projects from time to time, particularly if we thought they would impact our community. Projects over the PR Basin and would pump more water are one example. All agreed that because CAB is already the largest advisory by square miles, we do not want to annex any additional areas, but will continue to hear requests from rural residents and decide in each case whether input from CAB is appropriate.

- 5) Public Safety – Cal Fire, Sheriff, CHP, etc. – No report tonight.

- 6) Fifth District Supervisor Report – Supervisor Debbie Arnold –

-You can find updates on the County and COVID, Governor's orders, etc. at readyslo.org

If you need help finding the info you are seeking you can call Supervisor's Arnold's office and Micki Olinger Chavez (her LA) can assist you.

-County continues to hold all meetings but they are all via Zoom with no in person public.

-Q: Has she been able to get an accounting as to whether cannabis revenues are paying the expenses associated with cannabis, and making it worth our while to pursue these projects. A: She felt that the expenses for enforcement, primarily cleaning up CA Valley, exceed what is coming in in revenue. She

felt that the application fees for the projects are paying for the application process. So basically, revenues have not caught up with expenditures.

-Processing of projects by P & B Dept. have slowed down due to COVID with so many folks working remotely.

-Q: Has the County given any consideration to the idea of an “industrial cannabis zone”? She said it is probably too late to move in that direction. Unfortunately, the cannabis ordinance was written back in 2016, before cannabis was approved in CA, and to change it now would be a massive undertaking. No one knew much about cannabis back then so it was hard for everyone, supervisors and CACs, etc. to make wise decisions on what should be in the ordinance. Several folks gave Supervisor Arnold kudos for trying to put amendments in place recently that would have significantly improved the cannabis ordinance but the B of S vote was 2:2 and therefore failed to adopt the changes. The P&B dept is doing some administrative changes to the ordinance but nothing she thinks is significant. She commented that the P&B dept. continues to get applications with false information and agreed that these applications should not be allowed to move forward.

- Jim Wortner called in and stated that 46 our CA 58 counties said “No” to commercial cannabis growing operations. What would it take for SLO to reverse their stand on cannabis? Tom Edel felt that we already have the results of the experiment in Santa Barbara County and have seen it basically fail so he feels like we should “get a divorce” from cannabis.

- PR Groundwater Basin – GSP is still being revised. Big growers want a fallowing program. They want to be able to keep water credits “in a drawer” to be used later. S. Arnold mentioned that there is a 5 yr cut off in the offset program. If you haven’t used water for 5 yrs you lose your ability to use it. Sheila said hopefully they would not be able to sell their credits. S. Arnold said that she didn’t feel we should go down the road of having any paper water. She felt that many changes could be inevitable in spite of what we have now. Another department or legislative branch could make changes that we would all just have to live with. She said her goal to make sure we (the County) retain control of our water management and not have it go to the State or anywhere else. Sheila said she thinks the main goal has to be Basin sustainability and S. Arnold agreed with that also.

- Sheila asked S. Arnold if there was any news on the Governor appointing a replacement for Adam Hill. She said no news. It could take months. Governor busy with COVID. In the meantime, Hill’s appointment for Planning Commissioner will stay in her seat until a new supervisor appoints a new Commissioner.

- 7) New Business – Discussion of the request received through Public Works to vacate parts of Cressey Street and Fourth Street in Creston. Appears to basically be the Loading Chute parking lot that was an extension of Fourth Street and the portion of Cressey St. between the LC Parking Lot and the Ferrera property and the Willis property to the west.

Francisco Vargas of Kirk Consulting was present representing applicant Dana Zepeda. He presented a map showing the areas to become private, basically vacating the sections of Cressey & 4th St.

Sheila canvased the neighbors, and the town residents. Only one family in town commented that they like to walk around town and this will cut off one area that they like to walk.

Another comment on this proposal, because the end of the Cressey St. section that will become private intersects with the private road, Calle las Colinas, and the residents on that road paid for an installed a pole fence years ago that has been put back and removed multiple times, the residents of that private road are asking that the applicant replace that fence. Dana Zepeda assured CAB that she would see that that is done.

Tom Edel had a concern about Cal Fire being able to access those properties if these roads were closed. Sheila thought that Cal Fire is usually part of the process and would be required to give their blessing. It was decided that the CAB recommendation would include this requirement to be sure it occurs.

Sheila made the motion for the CAB to recommend that the vacation of sections of Cressey and 4th St. to be vacated as proposed with the two conditions that the neighbors of Calle las Colinas will have their fence replaced by the applicant and that Cal Fire will be asked to sign off so we can be assured that they have all the access they need in case of a fire. Roy seconded the motion. Vote was 6 in favor of the motion, 0 opposed, and 1 abstained (Tom Edel).

- 8) Planning Department—Young Choi, current P & B Dept liaison to CAB was present along with Ian Landreth who he introduced and announced that Ian will become the CAB liaison as of Jan. 2021. Ian has been with the P & B Dept longer than Young and he is part of the Cannabis Management team at the County so he will be able to help us out with cannabis projects in the future.

Young reported that the ADU (Accessory Dwelling Unit) changes have been adopted. He also reiterated what Supervisor Arnold reported, that the Phase III amendments to the Cannabis Ordinance failed to be adopted by the B of S (2:2 vote).

Members of CAB and Jim Wortner asked Young to give us update on the cannabis projects. What we see on-line does not give us the whole picture.

DRC2018-00059 at 6585 Webster Rd., Webster Road Associates, LLC is undergoing environmental review and that can take months.

DRC2019-00183 at 5790 Rocky Canyon Rd, California Production Services-Davis is on temporary hold. Applicant has not paid their Planning fees. There was question about a violation in the past, and whether it was in the system. Answer was that is no further processing. Young Choi is still waiting for our management to sign off on the withdrawing the case.

DRC2018-00234 on 5245 Calf Canyon, Clark on a financial hold their processing fees are past due. Processing has stopped.

DRC2018-00188 4150 N. Ryan Rd. Engrained Hansen-Hall has changed number and name. Now it is DRC2020-00115 Hall. It is also on financial hold and not moving forward at this time.

DRC2018-00126 3345 Ryan Rd., McAllister, applicant owes fees.

There was a discussion about people knowingly violating ordinances and not facing any repercussions. County allows violators to come forward and apply for a permit after the fact, forgiving all. Supervisor Arnold said that the County has operated this way for years, saying as long as you fix it now, we'll ignore the past. Tom Edel commented that this approach discourages anyone from getting a permit in the first place. The discussion went on to cover the "unauthorized" camping that has been happening at Stanger Vineyards for months and in spite of repeated calls, emails, etc. by a CAB member and neighbors to the project (one woman who said she has seen open urination out her window) nothing has been done and the property owner with the campers is now being allowed to apply for a permit. Supervisor Arnold said she will look into this.

Young stated that he and Ian will coordinate with Sheila to prioritize projects and which ones need to be review first. Young mentioned an "events" project on Webster Rd, applicants have been pushing P & B Dept. Sheila said that she has been in touch with the applicants and believe it would be on the CAB agenda soon. Sheila mentioned that CAB can not accommodate multiple cannabis projects on one night at this time. CAB could probably handle an events project and a cannabis project at one meeting but that would probably be all. Young said they will keep that in mind.

THE CAB MEETING WAS INTERRUPTED BY A POWER FAILURE AT THIS POINT IN THE ZOOM MEETING. ONLY 3 CAB MEMBERS WERE ABLE TO RETURN TO THE MEETING....

NOT THE NECESSARY QUORUM SO NO FURTHER BUSINESS WAS DISCUSSED AND THE REMAINDER OF THE AGENDA HAD TO BE POSTPONED UNTIL NOVEMBER.

Sheila subsequently informed members of next steps. Everyone she was in contact with at the end of the meeting and post the meeting felt the first CAB Zoom meeting went well. We still have much to learn, however, we will have a Zoom meeting in Nov. Everyone should consider whether we want to have a Dec. meeting (technically a Special Meeting) so that we can catch up on business that we could not address due to COVID. Such a meeting is provided for in our by-laws. We must have a quorum.

Remaining agenda items we could not get to in October 2020 are as follows:

- 9) Unfinished/ Continuing Business (30 minutes) –
 - a. CATCH dues (\$100) paid. Do we want a banner to go in CCC?
 - b. Short discussion on CAB's feedback on cannabis projects in general during the COVID hiatus. Do we want to form a committee that work look at all projects and would therefore have all of our existing expertise consolidated for use when doing the evaluations? Or continue having the CAB area rep for each project do all the leg work? If a committee is formed, must it include the CAB area rep for specific projects? It could also have members of the public who wish to assist regularly. The committee would meet outside of the general CAB meeting, make a recommendation (when possible) to bring back to general CAB meeting for public hearing and final review and vote on each project. This would hopefully reduce the formal meeting time for individual project reviews and give the project a more thorough review. IF we want a committee, identify members, add public if agreed upon, pick committee chair, add committee feedback to agenda for next CAB meeting.
 - 10) Committee Reports/Next Steps (5-10 min each as needed) –
 - a. By-Laws – Sheila L. & Jan M. – See attached proposed amendment(s)
 - b. Elections – Sheila L. & Susan S. Judy Blankenship (public) - none
 - c. Public Information – Roy B., Tom E. & Mike Aarons w/ Website update – Kurt A. Question re: Domain registry (see mail) ???
 - d. Shall we have a December meeting to attempt to catch up? Dec. 16th, 3rd Wed.?
 - 11) Treasurer's Report – (5 min) Roy Barba
 - 12) Adjournment on or before 9:30 p.m.
- Potential Future Project discussions. Where are these as far as going through the P&B Dept. system?

- a. Project review - **DRC2020-00007 HERRING (CORT T FAMILY TRUST)**, [Project Summary / Referral](#)*, **Minor Use Permit, Creston APN(s): 043-211-045** for an event space / venue (up to 25 events per year with a maximum of 150 guests per event) at 6550 Webster Road
- b. Project re-review – **DRC2019-00183 or DRC2018-00102DRAEGERPROJECT**
DESCRIPTION: Proposed Minor Use Permit for 2acresoutdoorand12,000SQ/FT indoor (to be built) cannabis cultivations to be located at 5790 Rocky Canyon Rd. Old and New links:
<https://www.slocounty.ca.gov/getattachment/a7480536-4c55-4db0-98fc-dc407911b536/DRC2018-00102-DRAEGER-Referral-Package.aspx>
https://energov.sloplanning.org/EnerGov_Prod/SelfService#/plan/744747a2-f4be-41f6-bc3e-483c76d6026c?tab=attachments

- c. Project discussion: **MUP (DRC2020-00013) C-Four SM Partners, LLC**, cultivation of cannabis. 3-acre outdoor cultivation, 2200 SQ FT indoor cultivation, ancillary nursery, and ancillary processing to be located at 1175 Calf Canyon Rd in **APN(s):037-391-049**
https://energov.sloplanning.org/EnerGov_Prod/SelfService#/plan/37c725ff-075d-4695-8322-e26277dbec25?tab=attachments

October 21, 2020 Draft prepared by Sheila Lyons, CAB Chairperson 2020

Following are proposed changes to amend the CAB by-laws, drafted as we are under a State and County “Shelter at Home” order due to the COVID-19 virus pandemic.

Our intention in drafting and approving these amendments is to allow us to continue to conduct business and fulfill our primary purpose as outlined in our by-laws, to provide community input “to San Luis Obispo County governmental bodies (agencies, boards, commissions, etc.) in all matters pertaining to, but not restricted to, land uses, zoning, public services, circulation, public improvements and aspects of orderly community growth.”

Current CAB by-laws did anticipate that CAB might have to act during an “emergency.” However, the type of emergency was by definition totally unpredictable. The provisions that exist for calling “Special Meetings” are being utilized (via Zoom) to be able to move forward and make necessary by-law amendments to allow for CAB business to be continued during this state of emergency.

The County of SLO has moved forward and has been conducting Zoom meetings at all levels of government. The Governor. Executive Order N-29-20 issued on 3-17-20 suspended certain public meeting requirements of the Brown Act to allow public meetings to be held via teleconferencing without making a physical location available to the public. You can find the order here: <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.17.20-N-29-20-EO.pdf> .

Proposed by-law changes in red, existing in black. All other portions of by-laws remain the same.

Article VII: MEETINGS AND PROTOCOLS

Section 1: CAB shall meet the third Wednesday of each month **on a regular basis when such meetings can be held without endangering the health of all attendees. However, Special Meetings may be held at the time, location and by whatever necessary method is practical and agreed upon by the majority of the CAB membership when deemed necessary, such as during an emergency. This may be an electronic meeting or an in-person meeting. A majority of the CAB membership will define and agree upon what is deemed as an emergency as individual situations arise. The chairperson, may opt....etc.** (as is in existing by-law text)

Article VII: AMENDMENTS

Section 1: The by-laws may be amended, appealed, or altered in whole or in part by a two-thirds (2/3) majority of the CAB members at a regularly scheduled meeting, **or Special Meeting**, providing that the proposed amendment has been previously presented to the CAB members **for report, read in full at a previous regular meeting** and **announced** to the public prior to the vote. **Presentation of the proposed changes will be done by electronic notification (e.g., CAB email distribution list) and by posting on one or more local bulletin boards frequently viewed by the community, for a minimum of six days prior to the vote.**