

ALAB MEETING MINUTES

Monday, March 7, 2016

Members and Alternates Present: Jean-Pierre Wolff, Lisen Bonnier, Jerry Diefenderfer, Eric Michielssen, Don Warden, Joy Fitzhugh, Melanie Blankenship, Richard Hawley, Dan Rodrigues, Kaylee Ellis, Dick Nock, David Pruitt, Sandra Fischbein, Robert Hartzell, Mark Battany, Tom Ikeda, Sarah Kramer

Staff Present: Karen Nall, Airlin Singewald – San Luis Obispo County Planning and Building Department; Marc Lea, Lynda Auchinachie – San Luis Obispo County Department of Agriculture

Absent Members: Greg France, Neil Roberts, Mark Pearce, Claire Wineman, Chuck Pritchard

Guests Present: Patricia Willmore – Paso Robles Wine Country Alliance; Pam Jardini; Simon Caleb and Alan Reitz – Central Coast Growers Association, Diane Burkhart, Kim Routh, Alice Griselle, Theresa Bashoc, Reggie Collins

1. Call to Order: 6:05 Chair Wolff

2. Open Comment:

- Pam Jardini introduced herself and indicated that she helps clients get land use and building permits from the County. Pam shared concerns she felt ALAB members should be aware of including: 1) inconsistent allowance for activities on agricultural land and 2) the lack of support for small entrepreneurial agricultural operations, in particular a small olive mill. Pam identified that the winery section of the land use ordinance allows for associated special events but the olive oil processing section does not have such an allowance and a minor use permit (MUP) is required for such beneficial activities, including educational programs or seminars. Additionally, Pam indicated that a current land use permit request for one small olive mill included limitations on hours of operation that have not been placed on other processing projects.
- ALAB members indicated that there are exemptions for agricultural educational activities and other non-profit gatherings. Patricia Willmore also shared that there were neighborhood incompatibility issues associated with the olive mill and that the Planning Department is under pressure to limit commercial activities on agricultural land.
- David Pruitt informed ALAB members that the 15th Annual Central Coast Greenhouse Growers Association (CCGGA) Open House will be held April 16, 2016 starting at 9:00 am. Every year the proceeds from the event provides for local academic scholarships. This year CCGGA will be partnering with Nipomo High School for the central staging ground.
- Joy Fitzhugh informed ALAB members about a recent tax reassessment issue for Williamson Act property. It appears that a coastal assessment has skyrocketed for very old ranch homes. Joy requested information on other similar occurrences and questioned whether this may be a new trend.

- Robert Hartzell shared that the Salinas River symposium held in February was well received by the attendees.
- Jerry Diefenderfer questioned whether the Agriculture Department had a representative on the Subdivision Review Board. Staff confirmed that they did not.

3. Announcements from ALAB Members & County Ag Department Staff Updates:

- Marc Lea updated ALAB members that staff is continuing the effort to develop a medicinal marijuana cultivation ordinance that may or may not include commercial production. Marc reminded ALAB members that the erroneous March 1, 2016 deadline included in the original State legislative package to ensure local land use control of medicinal marijuana cultivation had been revoked.

4. Previous Minutes: MOTION: Warden Approve February 1, 2016: Motion 2nd: Bonnier Approved: Unanimous by all voting members. No “No” votes.

5. ALAB Governance: ALAB membership updates –Expiration of Several Commodity Groups

- Marc Lea informed ALAB members that Claire Wineman will be reappointed as the vegetable representative, with Kaylee Ellis as alternate, and David Pruitt would be reappointed as nursery representative and Sandra Fischbein as alternate. Marc reminded ALAB members that only the representative had to go to the Board of Supervisors for approval. Marc indicated that Dan Rodrigues would be appointed wine grape representative with an alternate to be determined. Eric Michielssen shared that Nicky Anderson would be the next direct marketing/organic representative with Peter Jankay as alternate. Appointments should occur by the end of April.

6. Presentation: Draft Inland Vacation Rental Ordinance – Karen Nall, Airlin Singewald, San Luis County Planning and Building Department

- Airlin Singewald provided an overview of the proposed vacation rental draft ordinance. http://www.slocounty.ca.gov/Assets/AG/ALAB/ALAB_DVR_+Presentation_2016_03_07.pdf
- Airlin indicated that the Planning Department is in the initial stages of public outreach and nothing proposed in the draft ordinance is set in concrete. Airlin shared that noise, traffic, and parking issues associated with non-permitted events at vacation rentals has caused concerns throughout the county. The ordinance attempts to address these issues and direct applicants to get a MUP for any temporary events to be held at a vacation rental property. Airlin indicated the ordinance was designed to close a loophole for non-permitted events. Airlin also indicated that a prohibition of vacation rentals is proposed for land under Williamson Act contract because vacation rentals are not an allowed use in our local Rules of Procedure. Karen Nall indicated the issue had been presented to the Agricultural Preserve Rules Committee (APRC) earlier in the day and further discussion will take place during the May meeting.

- Melanie Blankenship asked about enforcement implementation since many of these facilities currently exist. Karen Nall highlighted that the ordinance provides an 18-month grace period in which current vacation rental licensees can provide evidence of compliance. Karen also mentioned that there is a 3-strikes provision which will preclude license renewal if there are three verified complaints during the previous year.
- Richard Hawley asked about distance between vacation rentals in rural areas. Staff indicated a distance limitation is not proposed in the rural areas since properties are larger in size. Richard indicated that it could be problematic in agricultural cluster projects.
- Dan Rodrigues asked what kind of input do surrounding land owners have now. Staff indicated since there is no discretionary process and no notification process, surrounding land owners do not have an opportunity to provide input. Surrounding land owners could have input if there was a request for a MUP for temporary events.
- ALAB members asked for clarification of the problems and if they were only a concern in the Adelaida area. Staff indicated complaints are countywide with the Adelaida and Edna Valley areas generating the most complaints.
- Kim Routh from the Adelaida area shared concerns about noise, safety due to heavy traffic and narrow roads, lack of services, and 20 minute or more emergency response time that are all compounded by the approved wineries that already exist in these areas. Commercial development in this area has reached a saturation point. Kim indicated that what the Planning Department was proposing would address their concerns.
- Joy Fitzhugh suggested San Luis Obispo consider a farm stay ordinance similar to Monterey County. Karen Nall indicated the definition of a Bed and Breakfast was equivalent to a farm stay because a family resides in the house in which bedrooms are rented.
- Theresa Bashoc indicated that there are not enough people to do code enforcement especially on the weekend. She thought the Planning Department ordinance did a fabulous job addressing the concerns of neighbors.
- Jerry Diefenderfer suggested the solution would be requiring events to be permitted.
- Joy Fitzhugh inquired about how well the vacation rental ordinance was working in coastal areas. Staff indicated the coastal zone has different issues.
- Karen Nall indicated that with a MUP fee, the projects will receive input from different agencies addressing traffic and other public safety issues.
- Robert Hartzell questioned the arbitrary nature of precluding vacation rentals on Williamson Act land. Staff indicated APRC will be discussing this issue again in May.
- Alice Griselle shared her experience that vacation rentals with events could create tremendous incompatibilities. To allow an event site on every parcel would be a strain on resources. Alice stated that the Adelaida area has narrow roads and to allow more traffic is very problematic without proper review. Noise and light is also a problem. Alice

indicated her support for an ordinance in which vacation rentals would not be allowed on Williamson Act land.

- Richard Hawley indicated that in terms of Williamson Act the public is supporting large land owners and he supports maintaining a prohibition of vacation rentals on Williamson Act properties. Richard indicated we should be in compliance with Department of Conservation requirements and it is not up to the County to allow more lenient procedures. Richard also asked for clarification of safety inspections prior to license issuance. Staff indicated there is not an inspection. A safety discussion ensued.
- Tom Ikeda suggested that vacation rentals and events are two separate issues and events need to be addressed in the events ordinance.
- Chair Jean-Pierre Wolff suggested that future meeting discussions include clarification of the approach for Williamson Act land and ability to have farm stays similar to Monterey County. Also, there should be a reconsideration of distance between vacation rental properties. ALAB will discuss vacation rental proposal after the next APRC meeting.

7. Presentation: Benefits of Regulated Commercial Medical Cannabis Cultivation, Simon Caleb & Alan Reitz – Central Coast Growers Association

- Alan Reitz and Simon Caleb presented the Placer County educational public outreach video highlighting the complex issues associated with medicinal marijuana cultivation and distribution.
<https://vimeo.com/155741123>
- Alan Reitz provided an overview of marijuana cultivation and the challenges and benefits of cultivation.
http://www.slocounty.ca.gov/Assets/AG/ALAB/CCGA_MM_Presentation_2016_03_07.pdf
- Alan indicated that the Central Coast Growers Association wants to help local farmers cultivate marijuana as allowed by law. Alan also indicated that at a subsequent meeting he would be sharing examples of ordinances in other counties that are working well.
- ALAB members discussed concerns over what is considered legal and how wastewater and other contaminants are being dealt with.
- Alan indicated in terms of waste product, marijuana was the same as other plant commodities. He also shared that a broad goal of his organization is to promote organic production.
- Simon Caleb shared that he was a farmer and that he could generate the same amount of income from marijuana on a fraction of the land he now uses to dry farm grain. Simon stressed that marijuana is a low impact crop.
- David Pruitt inquired about the membership of Central Coast Growers Association. Reggie Collins, as acting chair, indicated they formed in November 2015 and have approximately 80 members and are growing fast. Members are interested in meeting legal requirements and promoting a healthy low impact commodity.
- Alan, Simon, and Reggie indicated they are interested in partnering with the County to help develop an ordinance that would allow for the commercial cultivation of medicinal

marijuana. Their hope is that marijuana production will be as famous in our county as wine. They also shared that they are in favor of small growers over large corporate growing operations.

- Patricia Willmore asked if recreational marijuana is legalized in the state if the same ordinance rules would apply. Alan indicated that is what the goal is.
- Melanie Blankenship asked for clarity on what a small grow would be. Alan indicated that would be defined through the ordinance process.
- Lisen Bonnier asked for specifics on how crops would be made safe. Alan indicated he would bring specifics on gates, fences etc. the next time he attended an ALAB meeting.
- David Pruitt asked if any pesticide product was labeled for use on marijuana. Marc Lea responded that there were not any pesticides specifically labeled for marijuana due primarily to the Federal ban which EPA must follow; however, products with very broad spectrum of use would be allowed and that other options are being reviewed.

8. Update and Discussion: Senate Bill 88 – Development of Water Measurement and Reporting Regulation

- Postponed until next meeting. ALAB members should review informational handout associated with tonight's agenda package.

9. Future Agenda Items:

SB 88 to be discussed.

Next meeting – April 4, 2016 -

Meeting Adjourned: 8:30 p.m.

Respectfully submitted by Lynda Auchinachie, County Department of Agriculture/Weights and Measures