

# TEMPLETON AREA ADVISORY GROUP

*Addressing the Area's Land Use Planning Since 1994*

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*Templeton CA 93465*

## CANNABIS PROJECT REVIEW COMMITTEE

### March 6, 2020 Committee Meeting Report

The TAAG Cannabis Project Review Committee met on Friday March 6, 2020 at 2PM at the Templeton Services District Board meeting room located at 420 Crocker Street, Templeton CA.

The meeting was attended by Committee members Chair Murray Powell and Jon DeMoralis which constitutes a Committee quorum.

Members of the public in attendance were TAAG Board members Eric Gorham and Joe Jarboe. Others in attendance were Templeton residents Claire Mamakos, representing item #2 below, and Kristen Gemeny and Don Potts.

The Committee consider the following agenda items at this March 6, 2020 meeting.

1. SLO County has issued a draft version of proposed SLO County Title 22 and 23 ordinances designed to regulate certain Hemp cultivation and other related activities. The proposed ordinances will be considered for approval by the County Board of Supervisors. TAAG has been advised that the Board of Supervisors have tentatively scheduled the Board's review of these ordinance at their April 7, 2010 Board meeting.

The Committee discussed apparent shortcomings in the draft and a decision was made to refer the review of these ordinances to the full TAAG Board during its March 19, 2020 regularly scheduled Board meeting to develop ordinance recommendations. The Committee will submit a draft written report of the Committee's proposed changes to the County's existing ordinance draft to TAAG's Board, at its monthly scheduled March 19, 2020 Board, meeting for consideration and approval of the submission of a written report to the County Board of Supervisors. This draft Hemp ordinance can be accessed at the following County website address:

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/file/getfile/118796>

2. The Committee reviewed an amended Land Use Permit application for Cannabis Project No. DRC2018-00161 – Emerald Heart Farms. This project was reviewed by TAAG in January 2019 with a recommendation to approve the project. The applicants applied during February of this year to add 12,000 square feet of "ancillary nursery" area to the project. The following web link will take you to this project's amended Land Use Permit application.

[file:///C:/Users/murra/AppData/Local/Packages/Microsoft.MicrosoftEdge\\_8wekyb3d8bbwe/TempState/Downloads/2020-02-ReferralPackageDRC2018-00161%20\(1\).pdf](file:///C:/Users/murra/AppData/Local/Packages/Microsoft.MicrosoftEdge_8wekyb3d8bbwe/TempState/Downloads/2020-02-ReferralPackageDRC2018-00161%20(1).pdf)

Committee Chair Murray Powell explained that existing SLO County Cannabis ordinances allow for the addition of "ancillary cannabis nursery" areas to cannabis projects that are approved to cultivate outdoor and indoor cannabis. Ancillary nursery area cultivation is limited to cultivation

of immature plants. Once plants reach maturity, as defined by County ordinances, maturing plants must be removed from ancillary nursery areas and moved or transplanted in an approved mature cultivation area. This project requests a Land Use Permit to cultivate 1 and 1/2 acre of outdoor cannabis cultivation. A total area of 65,340 sq. ft. Existing cannabis ordinances allow for the addition of a separate cannabis “nursery” area for onsite use only (not for sale to others) of immature plants that does not exceed 25% of the approved cannabis mature cultivation area. This project’s proposed 1 and 1/2 acre outdoor cultivation area allows for a maximum “ancillary nursery” area of 16,335 sq. ft. The applicant’s request for a 12,000 sq. ft ancillary nursery area complies with existing ordinances.

This request proposes to locate this ancillary nursery in an area that will border within 30 feet of the project site’s western property boundary line. Existing County cannabis ordinances require that outdoor cannabis cultivation, including outdoor ancillary nursery cultivation areas, be setback a minimum 300 foot from the project site’s property lines. This 300 foot setback requirement for “ancillary outdoor cultivation nursery” sites has been disputed by the County Planning Department on the basis that an unrelated 30 minimum foot setback ordinance provision not associated with outdoor cannabis cultivation activity should be allowed. However, SLO County Counsel has determined that a 300 foot minimum setback for outdoor ancillary nursery areas is the correct setback distance required by County ordinances.

The Committee recommends approval of this Land Use Permit application with a required 300 foot minimum setback permit Condition of Approval.

3. The Committee discussed a proposal for TAAG to file Public Record Act Requests with the County in order to obtain “complete accepted” Land Use Permit application public records that are required by SLO County Land Use Permit application ordinances and guidelines. Presently there are 13 current pending cannabis projects applications referred to TAAG by County Planning for review, recommendations and comments. The 13 noted projects documentation referred to TAAG for review and recommendations are incomplete.

The County maintains a website known as the Citizen’s Self Help (CSS) site that is intended to publish all relevant information associated with proposed regular and cannabis Land Use Permit applications being processed through the County’s application, review and approval processes. This CSS site has essentially little and, in many cases, NO relevant project information whatsoever posted for public review and comments. Written and verbal requests for additional information made by TAAG, by other County CAC’s, and the public have generally been ignored by Planning.

The Committee requests the TAAG Board to authorize the Project Review Committee (PRC) and the Cannabis Project Review Committee (CPRC) to submit to Public Record Requests in accordance with California Public Record Request laws from time to time on proposed Land Use Permit projects referred to or of interest to TAAG for the purpose of obtaining relevant publicly available records and documents necessary to allow TAAG to conduct comprehensive informed project reviews.

4. Review Project No. DRC2019-00164 Land Use Permit Application. This project is a proposed 54,000 square foot warehouse project to be constructed at 320 Marquita Ave. Immediately across from the main entrance to Tin City’s retail and entertainment area. The following weblink will take you to project’s referred application documents.

<file:///C:/Users/murra/AppData/Local/Microsoft/Windows/INetCache/Content.Outlook/X2U9KXWO/REVISED%20DRC2019-00164%20ref%20pkg.pdf>

The CPRC reviewed this project rather than the PRC due to a second companion cannabis project Land Use Permit application submittal proposing to establish an indoor cannabis cultivation project occupying a portion of the proposed warehouse facility.

The project applicant and property owner, Mike English, was invited to attend this Committee meeting but did not attend. Mr. English contacted Chair Murray Powell prior to this meeting and discussed the project in detail. The project is intended to establish a wine storage and other material storage facility that is just outside the established Tin City area that has become a major tourist and local entertainment and retail center of interest. The purpose of this facility is to transfer certain storage areas currently located within Tin City's popular visitor area to a facility location in order to minimize trucking traffic within Tin City. The initial project plans proposed a single 54,000 square foot building. A revised proposed plan was received after this Committee meeting that redesigned this project into three separate side by side buildings with the same total 54,000 sq. ft footprint.

The companion cannabis application Project No. DRC2019-00165 that has been referred to TAAG's Cannabis Project Review Committee by County Planning for review. This project intends to establish various cannabis operations within a 12,00 sq.ft. portion of the proposed Marquita Ave. warehouse facility. The following weblink will take you to this cannabis project's referred application documents.

[file:///C:/Users/murra/AppData/Local/Packages/Microsoft.MicrosoftEdge\\_8wekyb3d8bbwe/Templates/Downloads/DRC2019-00165%20Golden%20Apple%20Cannabis\\_%20English%20Referral%20Package%20\(1\).pdf](file:///C:/Users/murra/AppData/Local/Packages/Microsoft.MicrosoftEdge_8wekyb3d8bbwe/Templates/Downloads/DRC2019-00165%20Golden%20Apple%20Cannabis_%20English%20Referral%20Package%20(1).pdf)

County Planning has placed this cannabis application on hold until the warehouse project application Land Use Permit application goes through the approval process. The CPRC has deferred its review of this cannabis project until a later date to be determined once County Planning moves forward with the project's application process.

Please contact TAAG' Cannabis Project Review Committee Chairperson Murray Powell if you have any questions or comments.

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