



## LAND USE COMMITTEE MEETING MINUTES

December 3, 2018

6:30 pm

Sea Pines Golf Resort – Small Conference Room

### COMMITTEE MEMBERS

#### LOCAC Members:

Margaret Mayfield – Chairperson  
Lynette Tornatzky – District One  
Yael Korin – District One  
Larry Bender – District Three  
Tim Carstairs – District Four

#### Public Members:

Julie Tacker  
Linde Owen  
Paul Hershfield  
Trish Bartel  
Sue Morgenthaler

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#### 1. GREETINGS AND INTRODUCTIONS

Meeting called to order by chairperson at 6:32pm

#### 2. ROLL CALL

Absent: Tim Carstairs

#### 2. CHAIRPERSON'S ANNOUNCEMENTS

No announcements

#### 3. MEMBER'S ANNOUNCEMENTS

Julie Tacker asked the LUC if they would be willing to change the time of the meeting to start at 7pm vs. 6:30pm. This would enable a few of the members to transition from the CSD finance meeting in time to make the LUC meeting. All LUC members were in favor of the time change.

#### 5. AGENDA ITEMS, INCLUDING PUBLIC COMMENT:

**A. DRC2018-00195 POWERS\_VELEY:** Proposed Minor Use Permit for 1.97 acres outdoor cannabis cultivation to be located 2979 Clark Valley Rd. Los Osos, CA

##### **Discussion:**

- a. Eric Powers gave a verbal overview of the project. This property currently has 5000 SF of cannabis growing on site. They are asking for an additional 1.97 acres of growing area for hoop houses. The hoops will occupy what are currently horse corrals and row crops. The site currently has two wells which they will use to provide water to the cannabis. The site is not visible from LOVR.
- b. Committee member asked if the wells were part of the Los Osos Aquifer and Mr. Powers said no.
- c. Motion by Larry Bender to put this project on the consent agenda of LOCAC, seconded by Lynette Tomatzky. All in favor 9, opposed 0

**B. DRC2018-0 0192 ALEXANDER MAY:** Proposed Minor Use permit for 3 acres outdoor cannabis cultivation with 16,000 sq/ft hoop house structures for drying/curing, and in a second phase 22,000 sq/ft indoor cannabis cultivation at 6860 Los Osos Valley Rd. San Luis Obispo, CA.

**Discussion:**

- a. This permit request, and agenda item C. below, were mentioned by the applicant's agent at the last LUC meeting for the Helios Dayspring cannabis cultivation project that was approved at that meeting and also approved at the November LOCAC meeting. The applicant's agent stated that two additional permit requests would be forthcoming to the LUC for the same owner and with identical scope of work. Rather than come to present the same information again she requested that the November meeting discussion be considered their presentation for these two additional permit requests as well.
- b. Committee member Julie Tacker stated that these projects should have been presented as one project versus three projects due to the potential cumulative impacts on the environment.
- c. Committee member Sue Morganthaler asked that the Planning Department be made aware of LOCAC's concern that the views along LOVR be preserved.
- d. Motion by Larry Bender to place this project on the consent agenda of LOCAC, seconded by Paul Hershfield. All in favor 9, opposed 0

- C. DRC2018-00191 SIEGFRIED\_MAY:** Proposed Conditional Use permit for 3 acres outdoor cannabis cultivation, 21,850 sq/ft indoor cannabis cultivation and 61, 950 sq/ft cannabis nursery to be located at 6860 Los Osos Valley Rd. San Luis Obispo, CA.

**Discussion:** Refer to discussion above.

- D. DRC2018-00204 THOMAN:** Proposed Minor Use Permit for a vacation rental at 670 Santa Lucia Ave in Los Osos.

- a. Amy Thoman was present to discuss the project. The applicant would like to turn their property into a vacation rental. The home she and her family shared in Goleta burned down on July 6, 2018. She and her family are currently renting a home through their insurance company in Santa Barbara until their home is rebuilt in Goleta. They bought the home in Los Osos in September 2018 with the intention of moving there permanently. However, with no home in Goleta to sell, they cannot afford both mortgages, per Ms. Thoman. They have hired TurnKey Vacation Rentals to handle property management functions for the property. She stated that Turnkey Vacation Rentals is an excellent management company and will install security devices that provide information on noise levels and who is entering the home so they can respond to any problems quickly. Ms. Thoman stated that she does not understand why her neighbors can have a vacation rental but not her.
- b. Committee member Sue Morganthaler stated that there is currently a vacation rental on each side of the property and another vacation rental four doors down. Ms Morganthaler suggested that a longer-term rental of more than 30 days would be better for the neighborhood, and that this VR does not meet LOCAC's VR guidelines, which stipulate distance requirements in order to prevent VR's from dominating residential neighborhoods.
- c. Ms. Thoman stated that they want to be able to enjoy the home themselves on weekends, which is why they do not want to do a long-term rental at the property.
- d. The Chair explained that the guidelines are relatively new and that Ms. Thoman's vacation rental does not meet the distance requirements per the guidelines approved by LOCAC. Our role is advisory only and the County will review this project and reach a decision through their process, based on the current ordinance and public input.
- e. Committee Members Julie Tacker and Lynette Tomatzky reiterated that the guidelines are not law, and that Ms. Thoman should proceed with the MUP application. Julie and Lynette stated that Ms. Thoman

should discuss the vacation rental with their neighbors and have the neighbors come to the LOCAC meeting.

- f. Ms. Tacker stated that the LUC should use their advisory role to discuss possible conditions that could be placed upon a permit that the County may decide to issue.
- g. The Chair stated that it might be appropriate in this case to consider some possible conditions that LOCAC could request be placed on the permit, should the County grant the request, that would lessen its impacts on the neighborhood.
- h. Committee Members Linde Owen and Paul Hershfield stated that possibly a waiver request for a limited time period could be requested for this hardship case, as a condition of approval. The condition could stipulate a limited time period after which, the VR permit would expire- perhaps 1 to 3 years, which would allow the family time to resolve the impacts created by the fire.
- i. Public comment from Mr. Edwards stating that the vacation rental guidelines are not valid and the LUC has no right to use them.
- j. The Chair countered that the LUC and LOCAC are acting in accordance with their advisory roles in the development and use of the guidelines, and that the County has accepted and is working with the document.
- k. Motion by Larry Bender to place this project on the regular agenda of LOCAC, explaining that we cannot recommend approval because the permit does not meet our VR guidelines, but that we might want to consider including some language for conditions of approval should the County decide to grant the permit. The LUC also recommended the applicant discuss the project with the neighbors nearby who are permanent residents to receive their input prior to the LOCAC meeting. Seconded by Linde Owen. All in favor 4, Opposed 2, abstained 3.

**E. TREE PLANTING PROGRAM-** Presentation by Tony Salome.

- a. Tony Salome introduced David Hunter the chairperson of the Tree and Landscape committee of LOCAC.
- b. Mr. Salome explained the origin of their program – they became alarmed at the number of trees being cut down in Los Osos and Baywood, believing that this area is losing perhaps 200 trees per year. Their committee is developing a plan to plant trees throughout Los Osos and Baywood. A brochure is being developed to highlight the concern regarding loss of trees and recommending 12 tree species best to plant in our Coastal area.
- c. David Hunter stated that the Tree and Landscape committee has been working very hard creating proposals and strengthening the Community Plan to include the safeguarding of trees. They are talking to both the County and private land owners on the placement of new trees. They have been working on this since 2015.
- d. Committee member Julie Tacker asked how much of the loss is due to sick trees and don't you need a permit to cut down a tree? Tony answered that many trees have come down due to the new sewer- they were living off the old leach fields. Many other trees have died due to the drought. And yes, a permit is required to remove a tree, with some limited exceptions, but not everyone follows the rules.
- e. Committee member Yael Korin stated that the County doesn't want to take on the responsibility of the care of the trees in the public right of way. Tony answered that is the reason they want to ensure a policy about the care of trees makes it into the Los Osos Community Plan.

6. PUBLIC OR MEMBER COMMENTS ON ITEMS NOT ON THE AGENDA  
No comments.

7. ADJOURN- Meeting adjourns at 8pm.