

Attachment 6
REFERRALS
CONDITIONAL USE PERMIT DRC2019-00016 / RERO C



COUNTY OF SAN LUIS OBISPO
Department of Public Works
John Diodati, *Director*

RECOMMENDED CONDITIONS

Date: February 13, 2019 (Updated April 8, 2019 and July 1, 2019)
To: Cassidy McSurdy, Project Planner
From: David E. Grim, Development Services
Subject: Public Works Revised Comments on DRC2019-00016 RERO CUP, 2115 Willow Road, Arroyo Grande, APN 091-195-003

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

Public Works Comments:

- A. The project converts a portion of an existing structure into 5,500 square feet of cannabis distribution and indoor cultivation uses.
- B. The project site is located on SR 1, a Caltrans maintained roadway. Based on communication with Caltrans, there appear to be no concerns at this time regarding this particular project and the driveway approach on SR 1. Future development on adjacent parcels fronting SR 1 will necessitate frontage and access improvements.
- C. The January 28, 2019 traffic generation letter by Rick Engineering indicates 55 ADT will be generated based on ITE 110 Light Industrial trip rates using number of employees. Although the letter identifies 55 ADT, it concludes there will be no peak hour trips generated "based on information provided by the client about employee shifts and typical operations." However, the road improvement fee is based on the traffic-generating characteristics of the type of development proposed (SLO County Code Chapter 13.01 - Ordinance 2379). The 2015 South County Circulation Study and Traffic Impact Fee Update (March 8, 2016) provides the relationship between the type of development and the imposition of fees within this area. Although there may be the intention that employees only work within a given timeframe, there is no provision to base peak hour trip generation on a business plan instead of type of development as a means of avoiding the payment of improvement fees. Therefore, a revised traffic generation letter should be submitted identifying the number of peak hour trips generated for the type of development proposed.

A revised trip generation letter (dated March 22, 2019) was received from Rick Engineering that did not address the above comment. The letter revised the ADT from 55 to 37, and stated there will be no peak hour trips generated "based on information by client about employee shifts." It also identifies the afternoon peak hour period as 4:15 to 5:15 PM. The County's afternoon peak hour period is 4:00 to 6:00 PM, as used in the latest edition of the Institute of Transportation Engineers Trip Generation Manual. For the same reasons explained above, the County will not accept the trip generation letter and instead will apply County-approved trip rates/methodology. The County's methodology is governed by "Exhibit B" to the 2015 South County Circulation Study and Traffic Impact Fee Update (attached).

The Road Improvement Fee will be based on the proposed use of the 5,500 square feet industrial warehouse structure using average trip generation rates for ITE 110 (Light Industrial). The estimated peak hour trips (PHT) are 4.565, and the South County Area 2 fee is \$6,983/PHT. Therefore, the fee amount would be \$31,877.

County of San Luis Obispo Department of Public Works

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County Govt Center, Room 206 | San Luis Obispo, CA 93408 | (P) 805-781-5252 | (F) 805-781-1229

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- D. On June 28, 2019, a revised trip generation letter was received from Rick Engineering (dated June 27, 2019), which addresses the issues above related to methodology. It also provided adequate analysis of qualified existing trips, which would offset the projected trips generated by the proposed use.
- E. The proposed project is within a drainage review area, the applicant must ensure all proposed site grading and new impervious surfaces are constructed in compliance with the County drainage standards, Chapter 22.52.110 or 23.05.040 of the Land Use Ordinance and the Public Improvement Standards.
- F. This project appears to not meet the applicability criteria for Stormwater Management, it is located outside a Stormwater Management Area, or is within but creates or replaces less than 2,500 sf of impervious area.
- G. If the project site disturbs 1.0 acre or more the applicant must enroll for coverage under California's Construction General Permit, which may require preparation of a project Stormwater Control Plan even though it is located outside a Stormwater Management Area.
- H. The site is within the Santa Maria groundwater basin and is therefore subject to the Sustainable Groundwater Management Act (SGMA). However, the Groundwater Sustainability Agency responsible for overseeing SGMA compliance has not completed the planning efforts that will define the need for any groundwater mitigation requirements. In the interim, consideration of the project's impacts on the groundwater basin should be included in the project's CEQA analysis.

Recommended Project Conditions of Approval:

Access

- 1. **Prior to commencing permitted activities**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.

Drainage

- 2. **At the time of application for construction permits**, the applicant may be required to submit complete drainage plans for review and approval in accordance with Section 22.52.110 (Drainage) or 23.05.040 (Drainage) of the Land Use Ordinance.

Stormwater Pollution Prevention Plan (SWPPP)

- 3. **At the time of application for construction permits**, if the project disturbs more than 1.0 acre or is part of a common plan of development, the applicant must enroll for coverage under California's Construction General Permit. Sites that disturb less than 1.0 acre must implement all required elements within the site's erosion and sediment control plan as required by San Luis Obispo County Codes.

Stormwater Control Plan (SWCP):

- 4. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to post-construction stormwater requirements by submitting a Stormwater Control Plan application or Stormwater Post Construction Requirements (PCRs) Waiver Request Form.
 - a. The applicant must submit a SWCP for all regulated projects subject to Performance Requirement #2 and above. The SWCP must be prepared by an appropriately licensed professional and submitted to the County for review and approval. Applicants must utilize the County's latest SWCP template.

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- b. If post-construction stormwater control measures (SCMs) are proposed, the applicant must submit a draft Stormwater Operations and Maintenance Plan for review by the County. The plan must consist of the following Planning & Building Department forms;
 1. Structural Control Measure Description (Exhibit B)
 2. Stormwater System Contact Information
 3. Stormwater System Plans and Manuals
- c. If applicable, following approval by the County, the applicant shall record with the County Clerk-Recorder the Stormwater Operation and Maintenance Plan and an agreement or provisions in the CCRs for the purpose of documenting on-going and permanent storm drainage control, management, treatment, inspection and reporting.
5. **Prior to acceptance of the improvements (if applicable)**, the Stormwater Operations and Maintenance plan and General Notice must be updated to reflect as-built changes, approved by the County, and re-recorded with the County Clerk-Recorder as amendments to the original document.

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CONDITIONAL USE PERMIT DRC2019-00016 / REROC

Cassidy McSurdy

From: Michael Stoker
Sent: Thursday, February 21, 2019 10:05 AM
To: Cassidy McSurdy
Cc: Cheryl Journey; Don C. Moore
Subject: Re: DRC2019_00016 REROC, SOUTH COUNTY E-Referral, CONDITIONAL USE PERMIT, ARROYO GRANDE

Cassidy,

Please find buildings recommendations for DRC2019-00016 below. Please let me know if you have any questions.

In regards to this preliminary review, a building permit is required. The drawings specify the work to be completed consists of a cultivation facility and a 2,500 sq. ft indoor nursery. A California State licensed design professional (Architect/Engineer) shall prepare plans in compliance with current codes adopted by the County of San Luis Obispo (Current version of the California Building Standards Codes and Title 19 of the SLO County Codes at time of permit submittal).

While a thorough plan review will be conducted at the time of the building permit application, the following items are noted to assist design review;

1. A California licensed Architect or Engineer is required to submit the plans for this project per BPC 5536.1.
2. A pre application meeting will be needed prior to submitting for a building permit to answer any questions and / or discuss code related issues.
3. Separate building permits will be required for separate structures located on the site.
4. Specify the occupancy classification and Type of Construction on the cover sheet of the plans to verify compliance with the current version of CBC.
5. Provide a building tabulation on the plans clarifying the floor area (square footage) for each proposed use/occupancy within each structure and for the overall structure.
6. Provide floor plans, elevations, sections, etc. to accurately show the work being completed and layout of the proposed uses within each structure.
7. Any fire resistive walls or ceilings due to occupancy separations will need to be detailed on the plans to comply with the requirements of with CBC, including Chapter 5, 6 and 7. The specific details for the wall construction on the plans will need to reference an approved UL listing or gypsum manual listing.
8. Mixed occupancy buildings will need to comply with the CBC, specifically CBC Chapter 5 Section 508.
9. The fire and smoke protection features (i.e. exterior walls, projections, openings, rated wall assemblies, shaft enclosures, parapet, etc) shall be shown, calculated and detailed on the plans to comply with CBC, including Chapter 7.

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10. Provide an occupant load and exiting analysis on the plans to verify compliance with CBC, including Chapter 10.
11. The accessibility elements throughout will need to be shown, detailed, and / or noted on the plans to verify compliance with CBC Chapter 11B. (i.e. accessible parking, path of travel, restroom design, accessible amenities, rooms, doors, electrical outlets, etc.).
12. Provide plans which clearly show the structural design to verify compliance with the 2016 California Building Code and referenced standards. The plans and supporting calculations will need to be prepared by a California Licensed Design Professional (Architect or Engineer) justifying the structural design.
13. Provide isometric / single line drawings for the electrical, plumbing, and mechanical elements to verify compliance with the current versions of the California Electrical, Plumbing, and Mechanical Codes.
14. Provide a plumbing fixture analysis on the plans to verify the number of fixtures provided are sufficient for the proposed use and complies with CPC Chapter 4 and Table A and Table 422.
15. Provide an equipment schedule on the plans and any referenced standards or spec sheets that are applicable.
16. Provide details for anchorage for all equipment. For equipment weighing more than 400 lbs, provide calculations for seismic anchorage in accordance with ASCE 7-10, Chapter 13 or current version.
17. If there are any hazardous materials, provide HIMS sheet to specify the types and quantities. Also, show proper storage location on the plans.
18. Energy Calculations will need to be provided to verify compliance with current California Energy Code.
19. Compliance with the current California Green Building Code and County of San Luis Obispo Green Building Ordinance will need to be shown on the plans.
20. The building(s) will need to be provided with fire sprinklers and an alarm system under a separate permit. At the time of the permit application provide plans and calculations showing the design of the system.

Thanks

County Of San Luis Obispo
Planning & Building
Michael Stoker, CASp
Building Division Supervisor
(p) 805-781-1543
mstoker@co.slo.ca.us

From: Mail for PL_Referrals Group
Sent: Tuesday, February 5, 2019 12:30 PM
To: Cassidy McSurdy
Cc: Caleb Mott; Melissa Guise; Alyssa Roslan; Michael Stoker; McRoberts, Loree@CALFIRE; Leslie Terry; David Grim; Edward Reading; Mark K. Davis; Peter Moreci; Anthony J. Hernandez; agcity_arroyogrande.org; KHeffernon_arroyogrande.org; melissa.streder_dot.ca.gov; Daniel.Robinson_coastal.ca.gov; William_Woodson_hotmail.com; richard@nipomoproperties.com; afterbon_gmail.com; Kevin Beauchamp; Istar Holliday; Kathleen Martinelli; Schudson, Jenna@DOT
Subject: DRC2019_00016 REROC, SOUTH COUNTY E-Referral, CONDITIONAL USE PERMIT, ARROYO GRANDE

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CONDITIONAL USE PERMIT DRC2019-00016 / REROC

County of San Luis Obispo
Department of Planning & Building

**DRC2019-00016 REROC, SOUTH COUNTY E-Referral, CONDITIONAL USE PERMIT, ARROYO GRANDE
APN: 091-195-003**

This application was recently filed with the Planning Department for review and approval. Because the proposal may be of interest or concern to your agency or community group, we are notifying you of the availability of a referral on the project.

[DIRECT LINK to REROC Referral Package](#)

Link to webpage for all referral packages on new website (07/26/2017 and later):

<http://www.slocounty.ca.gov/Departments/Planning-Building/Forms-Documents/Informational/Planning-Referrals.aspx>

Link to Archive Referrals: <http://archive.slocounty.ca.gov/planning/referrals.htm>

Community Advisory Groups: You will want to contact the applicant and/or agent for the project to request a presentation to your group, or simply to answer questions about the project. The telephone number and address for the applicant/agent are provided in the link below.

Please comment on all issues associated with this project **within 14 days** of receiving this e-mail
(**Community Advisory Groups: please respond within 60 days**)

Direct your comments to the project manager(s):
Cassidy McSurdy (cmcsurdy@co.slo.ca.us or 805-788-2959)

Referral Response:

As part of your response to this referral, please answer the following questions:

Are there significant concerns, problems or impacts in your area of review?

If Yes, please describe the impacts along with any recommendations to reduce the impacts in your response.

If your community has a "vision" statement in the Area Plan - does the community feel this project helps to achieve that vision? If No, please describe.

What does the community like or dislike about the project or proposal?

Is the project compatible with surrounding development, does it fit in well with its surroundings? If No, are there changes in the project that would make it fit in better?

Does the community believe the road(s) that provide access to the site is(are) already overcrowded?

Does the community wish to have a trail in this location?

If the proposal is a General Plan Amendment, does the community feel the proposed change would encourage other surrounding properties to intensify, or establish intense uses that would not otherwise occur?

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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, DIRECTOR

RECEIVED FEB 05 REC'D

THIS IS A NEW PROJECT REFERRAL

DATE: 2/5/2019
TO: 4th District Legislative Assistant, Air Pollution Control Board (APCD), Building Division, Cal Fire/County Fire, Environmental Health, Public Works, Sheriff, Caltrans, Coastal Commission, City of Arroyo Grande, South County Advisory Group
FROM: Cassidy McSurdy (cmcsurdy@co.slo.ca.us 805-788-2959)
PROJECT NUMBER & NAME: DRC2019-00016 RERO
PROJECT DESCRIPTION: Proposed Conditional Use Permit for cannabis distribution facility and a 2,500 square ft indoor nursery to be located at 2115 Willow Rd. Suite E, Arroyo Grande, CA
APN(s): 091-195-003

Return this letter with your comments attached no later than 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II: ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
☐ NO (Please go on to PART III.)

PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

SEE FIRE SAFETY PLAN

2-7-19	DELL WELLS	805-593-3427
Date	Name	Phone

976 Osos Street, Room 300 | San Luis Obispo, CA 93408 | (P) 805-781-5600 | 7-1-1 TTY/TRS Relay
planning@co.slo.ca.us | www.sloplanning.org

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CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805.543.4244 • Fax: 805.543.4248
www.calfireslo.org

Scott M. Jalbert, Unit Chief

FIRE SAFETY PLAN

February 7, 2019

San Luis Obispo County
Department of Planning & Building
County Government Center
San Luis Obispo, CA 93408

Subject: DRC2019-00016 REROC

Cassidy McSurdy,

CAL FIRE/San Luis Obispo County Fire Department has reviewed the New Project Referral information, the Supplemental Development Statement and building plans provided for the proposed Conditional Use Permit to allow for cannabis manufacturing, distribution and non-store front retail deliver facility and indoor nursery square foot. This project will be located at 2115 Willow Road, Arroyo Grande, CA 93420.

Special Concerns:

The cumulative effects of commercial development and special event type programs within areas such as this continue to place challenges upon CAL FIRE/County Fire's ability to provide effective and efficient emergency services within rural areas.

This site will not be used for events or public gatherings.

The nearest CAL FIRE/County Fire station (#22-Mesa) is located at 2391 Willow Road, Arroyo Grande CA. This station has an approximate 1.1-mile vehicular travel distance and a 4 minute response time. At a minimum, 2 full-time firefighters are on duty at this station throughout the entire year regardless of weather conditions.

This geographic location is within lands classified as Local Responsibility Area.

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The following are requirements that must be satisfied prior to final inspection.

- A Registered Fire Protection Engineer (F.P.E.) is required to design and/or approve of the commercial fire sprinkler system(s), water storage system, underground piping, fire hydrants and fire pump for the proposed project(s). F.P.E. will review current water based fire protection system to assure it meets codes and standards for this proposed occupancy. CFC section 104.7.2 Technical assistance.
- **FIRE PUMP**- Existing fire pump will need to be inspected to meet current inspection and testing requirements found in NFPA 25. An annual, and 5 year testing must be performed. Fire pump area to be enclosed to protect from elements and to meet NFPA 20 requirements. Electrical wiring to be inspected for corrosion and repaired to meet California Electrical Code.
- **WATER STORAGE** - "Poly" and or plastic style water storage tanks shall not be allowed. Multiple or "daisy chained" tanks are not allowed to be utilized to provide water held in storage dedicated to fire suppression purposes. A single water storage tank or properly designed, engineered and installed water storage pond shall be allowed. The Registered Fire Protection Engineer must determine the amount of water required to be held in storage dedicated to fire suppression purposes. System will meet NFPA 1142 standards. F.P.E will verify existing tanks meet storage needs. Location has existing steel tank.
- **ACCESS**- The grade for all roads, streets, private lands and driveways shall not exceed 16 percent. Design criteria shall be in accordance with San Luis Obispo County Public Works public improvement standards. Roads 12%-16% shall be a nonskid asphalt or concrete surface as specified in San Luis Obispo County public improvement standards, specifications and drawings.

All roads shall:

- Be able to support Fire Apparatus
- Provide a vertical clearance of 13'6"

The access road must be a minimum of 20 feet in width for shall be constructed to SLO County Public Works Standards.

Parking is only allowed where an additional 8 feet of width is added to each side of the road to accommodate parking. "No Parking - Fire Lane" signs will be required in areas determine by County Fire. No Parking will be allowed in front of manufactured offices, to allow from fire department access.

Fire access shall be provided to within 150 feet of the furthest outside building perimeter. Turn arounds will be provided for access exceeding 150 feet. All structures will require an access.

- **ALARMS/DETECTION** – The Fire Sprinkler System and Fire Pump will be alarmed and monitored as per NFPA 27 and 13. All valves controlling the water supply for tanks plus fire pump operations shall be monitored.

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- **OCCUPANCY CLASSIFICATION** – An occupancy classification will be set based on California Building Code. The San Luis Obispo County Building Department will set occupancy.
- **MEANS OF EGRESS AND EXITING**- This project proposal will meet applicable egress and exiting requirements for chapter 10 and 11 of the California Fire Code. Requirements will be based on Occupancy and occupant load of the structure.
- **EMERGENCY ACCESS** – A Knox Corporation key switch shall be installed on all electric gates and rapid entry. Knox box(es) shall be attached to commercial structure(s) agreed upon by County Fire.
- **ADDRESSING** – Address numbers shall meet current commercial standards of 8 inch high with ½ inch stroke. Building identification may be required. Proper signage shall be required onsite in order to properly identify access and egress routes.

A building identification and directory will be required to assist with location of building within the property.

- **Fire Safety and Evacuation** - Applicant shall provide a written Fire Safety Plan whose contents shall be in accordance with sections of the California Fire Code Chapter 4, Emergency Planning and Preparedness.
- **Hazardous Materials** – Hazardous Materials Management Plan (HMMP) must be provided and meet California Fire Code Chapter 50 applicable sections. / Title 19 Division 2 Chapter 4 / Health and Safety Code Chapter 6.95.
- **California Fire Code**- Project will meet applicable fire code requirements that will included exiting, fire extinguishers, housekeeping, storage and electrical. Code requirements will be further address in the permitting process.
- **Interior Finish, Decorative Materials and Furnishings**- Building interior will meet C.F.C chapter 8 requirements.

The proposed project(s) will require a Fire Safety Plan review for issued permits and rough and final inspection prior to occupancy. Please contact this office at (805) 593-3490 to schedule the final inspection once all requirements have been satisfied.

If I may be of additional assistance regarding this matter, please do not hesitate to contact me at (805) 593-3427

Sincerely,



Dell Wells
Fire Captain / Inspector

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Air Pollution Control District
San Luis Obispo County

Via Email

February 19, 2019

Cassidy McSurdy
San Luis Obispo County Department of Planning & Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408
cmcsurdy@co.slo.ca.us

SUBJECT: APCD Comments Regarding RERO Cannabis Cultivation and Distribution
(DRC2019-00016)

Dear Ms. McSurdy:

Thank you for including the San Luis Obispo County Air Pollution Control District (APCD) in the environmental review process. We have completed our review of the proposed project to authorize the cultivation of cannabis in a 2,500 sq. ft. indoor nursery and to operate a cannabis distribution facility. The proposed project is located at 2115 Willow Rd., Nipomo, CA 93444, Suite E (APN 091-195-003).

The following are APCD comments that are pertinent to this project.

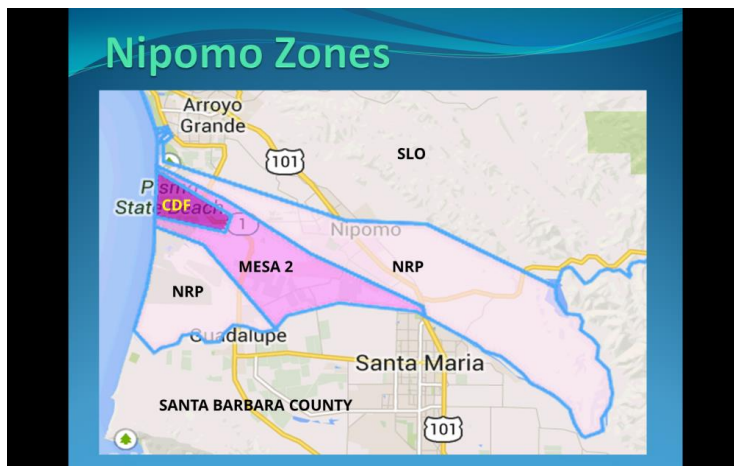
Environmental Setting

The proposed project is in an area that is impacted by periods of high particulate matter concentrations during blowing dust events.

To keep the public informed of periods of deteriorating air quality, the APCD provides a daily air quality forecast for SLO County, which is partitioned into nine air quality forecast zones. Air quality forecast for a six-day period is provided for each zone. In the Nipomo Mesa area, there are four forecast zones as shown in the map on the following page. The zones are named for the monitoring stations that are located within each zone; CDF, MESA2, NRP and SLO.

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The darker colors signify the typical location of the dust plume and the greater impacts during a typical blowing dust event. The public can experience adverse health impacts in areas with blowing dust. This proposed project is in the MESA2 zone which currently receives roughly 30-60 exceedances of the state PM_{10} standard annually. The CDF zone currently receives roughly 60-95 exceedances of the state PM_{10} standard annually. The NRP zone currently receives roughly 0-20 exceedances of the state PM_{10} standard annually and the SLO zone currently receives roughly 0-3 exceedances of the state PM_{10} standard annually.

The blowing dust events are typically most frequent in the spring; however, dust events can occur at any time of the year. The greatest impacts occur when the strong winds blow from the northwest which directs the dust plume inland over the Nipomo Mesa (as shown in the map above) where it can impact residents. A typical event tends to start around noon and end by the early evening, with peak impacts between 1 pm to 5 pm. The strongest events can result in blowing dust from 9 am to 7 pm, with peak impacts between noon and 6 pm. Residents can plan to avoid peak dust impacts by being aware of typical dust plume characteristics. Particulate concentrations typically return to background levels from late evening to morning, so late evening to morning are best (health wise, due to lower particulate matter concentrations) for outdoor activities and exercise.

Children and individuals with compromised cardiac and respiratory systems or related health problems are called sensitive receptors. Sensitive receptors can experience greater health impacts than the general population during blowing dust events. Sensitive receptor locations include schools, residential dwellings, parks, day care centers, nursing homes, and hospitals.

Individuals can receive daily air quality forecasted conditions via email by registering on the EPA's EnviroFlash website, <http://www.enviroflash.info>, and entering ZIP code 93444.

Efforts to reduce particulate matter on the Nipomo Mesa are underway through [Stipulated Abatement Order 17-01](#) entered between the APCD and California Department of Parks and Recreation Off-Highway Motor Vehicle Recreation Division (State Parks). The Order was approved by

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the APCD Hearing Board on April 30, 2018. This stipulated abatement order calls for specific actions to ensure significant reductions in particulate matter are achieved on the Nipomo Mesa over a five-year period.

Since this project is in an area that is impacted by periods of high particulate matter concentrations, the **APCD recommends dust control measures and mitigation measures described below.**

GENERAL COMMENTS

As a commenting agency in the California Environmental Quality Act (CEQA) review process for a project, the APCD assesses air pollution impacts from both the construction and operational phases of a project, with separate significant thresholds for each. **Please address the action items contained in this letter that are highlighted by bold and underlined text.**

CONSTRUCTION PHASE IMPACTS - Below Threshold

The APCD evaluated construction phase emissions and found that the construction phase would likely be less than the APCD's significance threshold values identified in Table 2-1 of the [CEQA Air Quality Handbook](#) (April 2012). **Therefore, with the exception of the requirements below, the APCD is not requiring other construction phase mitigation measures for this project.**

Demolition/Asbestos

Demolition activities can have potential negative air quality impacts, including issues surrounding proper handling, abatement, and disposal of asbestos containing material (ACM). ACM could be encountered during the demolition or remodeling of existing structures or the disturbance, demolition, or relocation of above or below ground utility pipes/pipelines (e.g., transite pipes or insulation on pipes). **If this project will include any of these activities, then it may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP).** These requirements include but are not limited to 1) written notification to the APCD, within at least 10 business days of activities commencing, 2) asbestos survey conducted by a Certified Asbestos Consultant, and 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Engineering & Compliance Division at (805) 781-5912 or go to <https://www.slocleanair.org/rules-regulations/asbestos.php> for further information. To obtain a *Notification of Demolition/Renovation Form* go to the *Asbestos Forms* section of <https://www.slocleanair.org/library/download-forms.php>.

Construction Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present during the project's construction phase. Portable equipment, 50 horsepower (hp) or greater, used during construction activities may require California statewide portable equipment registration (issued by the California Air Resources Board) or an APCD permit.

The following list is provided as a guide (not exclusive) to equipment and operations that may have permitting requirements. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the [CEQA Air Quality Handbook](#) (April 2012).

- Diesel engines;
- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generators; and

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- Internal combustion engines.

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at (805) 781-5912 for specific information regarding permitting requirements.

OPERATIONAL PHASE IMPACTS - Below Threshold

Based on the APCD operational phase emission estimates using Table 1-1 in the [CEQA Air Quality Handbook](#) (April 2012), the operational phase would likely be less than the APCD's significance threshold values identified in Table 3-2 of the [CEQA Air Quality Handbook](#) (April 2012). **Therefore, with the exception of the requirements below, the APCD is not requiring other operational phase mitigation measures for this project.**

Operational Permit Requirements

Based on the information provided, we are unsure of the types of equipment that may be present on the site. Operational sources may require APCD permits. The following list is provided as a guide (not exclusive) to equipment and operations that may have permitting requirements. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the [CEQA Air Quality Handbook](#) (April 2012).

- Portable generators and equipment with engines that are 50 hp or greater;
- Electrical generation plants or the use of standby generator;
- Small scale manufacturing;
- Boilers;
- Internal combustion engines; and
- Cogeneration facilities.

Most facilities applying for an Authority to Construct (ATC) or Permit to Operate (PTO) with stationary diesel engines greater than 50 hp, should be prioritized or screened for facility wide health risk impacts. A diesel engine-only facility limited to 20 non-emergency operating hours per year or that has demonstrated to have overall diesel particulate emissions less than or equal to 2 lb/yr does not need to do an additional health risk assessment. **To minimize potential delays, prior to the start of the project, please contact the APCD Engineering & Compliance Division at (805) 781-5912 for specific information regarding permitting requirements.**

Operational Phase Permit – Masking/Neutralizing Agents for Indoor/Outdoor Agricultural Growing of Cannabis

The APCD has jurisdiction over nuisance related to odors and air contaminant emissions emanating from masking/neutralizing agents used to control or eliminate cannabis odors. Verified nuisance odors may result in enforcement action which could include the requirement for odor controlling devices. **For nuisance concerns related to indoor/outdoor cannabis agricultural crops, please contact APCD Engineering and Compliance Division at 805-781-5912 or online at: <https://www.slocleanair.org/air-quality/complaints.php>.**

Nuisance – Agricultural Growing of Cannabis

The California Department of Food and Agriculture has identified cannabis as an agricultural product, therefore the APCD recognizes cannabis as an agricultural crop. The California Health and Safety Code Section 41705 specifically exempts APCD's jurisdiction over nuisance related to odors

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*Project Referral for REROC Cannabis Cultivation
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emanating from the growing of agricultural crops. However, as a controlled substance, crop waste from the agricultural growing of cannabis is not eligible for agricultural burning. **For nuisance concerns related to the agricultural growing of cannabis, please contact the San Luis Obispo County Code Enforcement at 805-781-5600.**

Other Operational Phase Comments

This project referral does not appear to propose processing of cannabis. **If in the future, the applicant chooses to process cannabis, the following APCD comments would be applicable:**

Operational Phase Permit - Cannabis Manufacturing/Processing

The APCD has determined that all cannabis processing facilities are subject to permitting requirements and must complete and submit an application for an APCD Cannabis Manufacturing/Processing ATC prior to commencing the manufacturing/processing of cannabis products. Please contact APCD at 805 781-5912 for more information. In addition, all facilities shall have a manufacturing license with the California Department of Public Health Manufactured Cannabis Safety Branch prior to applying for an ATC.

Nuisance – Cannabis Manufacturing/Processing

As defined in APCD's Rule 402 and with the exception of Section 41705, a person shall not discharge, from any source whatsoever, such quantities of air contaminant or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or public, or which cause or have a natural tendency to cause, injury or damage to business or property. **The APCD has jurisdiction over nuisance related to odors and air contaminant emissions emanating from the manufacturing/processing of cannabis and from masking/neutralizing agents used to control or eliminate cannabis manufacturing/processing odors. Verified nuisance odors may result in enforcement action which could include the requirement for odor controlling devices. For nuisance concerns related to the manufacturing/processing of cannabis, please contact APCD Engineering and Compliance Division at 805-781-5912 or online at: <https://www.slocleanair.org/air-quality/complaints.php>.**

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, feel free to contact me at (805) 781-5912.

Sincerely,



GARY ARCEMONT
Air Quality Specialist

GJA/jjh

cc: REROC, Applicant
Cory Black, Agent
Sarah Wade, APCD
Tim Fuhs, APCD

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CONDITIONAL USE PERMIT DRC2019-00016 / REROC

Cassidy McSurdy

From: Schudson, Jenna@DOT <Jenna.Schudson@dot.ca.gov>
Sent: Friday, June 07, 2019 11:29 AM
To: David Grim; Cassidy McSurdy
Cc: Ananda Barnum; Steve Davis
Subject: [EXT]DRC2018-00218 Watkins_Sackley and DRC2019-00016 Reroc

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Good Morning David & Cassidy,

This correspondence is regarding two proposed Conditional Use Permit (CUP) applications DRC2018-00218 Watkins_Sackley and DRC2019-00016 Reroc.

DRC2018-00218 Watkins_Sackley is a 1,500 sq. ft cannabis production and delivery facility within an existing multi-tenant light-industrial building.

DRC2019-00016 Reroc is a 5,500 sq. ft cannabis nursery and distribution facility within an existing multi-tenant light-industrial building.

Both projects are located at 2115 Willow Rd (SR 1) in San Luis Obispo County unincorporated lands, within the same existing building in two separate suites and will utilize the same driveway that connects to SR 1.

We want to express our concerns about left turns into the property and potential damage to pavement where the project driveway meets SR 1. That said, after reviewing additional material and information provided by one of the applicants (DRC2018-00218 Watkins_Sackley) we have found it would not be appropriate at this time to impose improvements in connection to the tenants' DRC2018-00218 Watkins_Sackley or DRC2019-00016 Reroc permit applications.

Caltrans asks that the property owner monitor and maintain their current driveway to limit damage to the edge of pavement on SR 1. Additionally, we ask that the applicants minimize left turns into the property, as there is not a full center channelization at that location. We understand there is potential for development of this property in the future; we anticipate the need for improvements on our facility when that happens. Those improvements would need to be completed prior to occupancy of any future development.

We appreciate everyone's time and cooperation on this matter. If you have any questions, please let me know.

Best regards,

Jenna Schudson
Associate Transportation Planner
Caltrans, District 5
805-549-3432

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CONDITIONAL USE PERMIT DRC2019-00016 / REROC



February 26, 2019

Supervisor Lynn Compton, 4th District Supervisor
County Government Center
San Luis Obispo, CA 93408

Dear Supervisor Compton:

The SCAC took the following actions at its regularly scheduled February 25, 2019 meeting:

Reroc – DRC2019-00016 – A Conditional Use Permit for distribution and 2,500 sq. ft. of cannabis nursey at 2115 Willow Rd. Suite E, Arroyo Grande. This permit would allow for the packaging of cannabis and the delivery of nursery plants. It was estimated to use 1500 gal of water per month. The Land Use Committee had recommended approval on the consent agenda, however, it was removed and placed on the regular agenda for discussion. The full Council subsequently recommended approval with a vote of 7 in favor, 0 against with 1 abstention.

Watkins Sackley – DRC2018-00218 – A Conditional Use Permit for cannabis manufacturing, distribution, and a non-storefront retail delivery facility at 2115 Willow Rd. Suite C, Arroyo Grande. This project had also been placed on the Consent Agenda but was removed for discussion by the Council. Although located at the same address as the **Reroc** project, this project is separate with different ownership. The Council recommended approval with a vote of 7 in favor, 0 against, with one abstention.

Bergantz – DRC2018-00202 – A Minor Use Permit for a 1 story 4,000 sq. ft. house, 1725 sq. ft. garage and a 2-story barn with a 1200 sq. ft. 2nd unit and a 2,400 sq. ft. workshop at 1272 Dana Foothill Rd, Nipomo. The property is located on 10 acres. The Land Use Committee recommended approval on the Consent Agenda and it was subsequently recommended for approval by the full Council.

Powles-Syzmcak – DRC2018-00227 – A Minor Use Permit for 3 acres of outdoor cannabis and 20,625 sq. ft. indoor greenhouse cannabis cultivation, including drying and bagging at 530 Joshua St. Nipomo. This project is located on the east side of Hwy 101, at Cherry Blossom “underpass”. This project was tabled based upon County staff indicating that new application information would be forthcoming.

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2.

Thomas-Szymczak – DRC2018-00226 – A minor Use Permit for 3 acres of outdoor cannabis and 20,625 sq. ft. indoor cannabis cultivation, including drying and bagging at 1000 S. Thompson Ave. Nipomo. This project was also tabled while awaiting additional information.

Accessory Dwelling Unit (ADU) Ordinance Phase II Amendments – LRP 2017-0001 – SLO County proposes eight revisions. The Council reviewed the revisions and recommends the following:

1. Elimination of most ADU exclusion areas – The Council recommends approval if the elimination does not supersede Homeowner Association Rules.
2. Removal of requirement excluding ADUs on parcels with non-conforming development – The Council recommends approval of this revision.
3. Eliminate minimum lot size rules for parcels on sewer and community water. Current minimum is 6,000 sq. ft., or one acre if served by a septic system. – The Council recommends denial of this revision. Lots smaller than 6,000 sq. ft. are too small for an ADU.
4. Allowance of larger ADUs on parcels less than two acres – The Council recommends approval of this revision.
5. Elimination of parking requirements for ADUs – The Council recommends denial of this revision. This revision would compromise public safety by forcing residents to park on the street thereby limiting the vision and movement of passing motorists.
6. Elimination of maximum separation distance between the primary residence and the ADU. – The Council recommends approval of this revision.
7. Prohibition of ADUs as short-term rentals – The Council declined to make a recommendation on this revision.
8. Expansion of land use categories where ADUs are allowed to include RMF, CR, and O/P- The Council recommends denial of this revision as it is incompatible with zoning.

On behalf of the South County Advisory Council,



Richard Wright,
Correspondence Secretary