



WEEKLY UPDATE MAY 5 – 11, 2019

THIS WEEK

SICKENING TURN OF EVENTS

SIERRA CLUB ACTING AS COUNTY LAND USE REGULATORY BODY KILLS EXISTING LOTS

IF COUNTY PLANNING DOESN'T LIKE YOUR OLD LOTS BUT THEY ARE APPROVED BY CITIZEN AND ELECTED BODIES ANYHOW, THE SIERRA CLUB WILL SUE AND THE COUNTY WILL REQUIRE YOU PAY THE COSTS OF DEFENDING ITS APPROVAL (PAGE 3)

BUT

PLANNING STAFF REPORT ON ANOTHER ITEM STATES OLDER LOTS CREATED BY A RECORDED MAP OR DEED AT A TIME WHEN THAT WAS A LEGAL METHOD OF CREATING LOTS ARE LEGAL

SEE THE STAFF REPORT EXCERPT ON PAGE 15

COUNTY TO INDEX VARIOUS RATE HIKES TO SF AND LA CONSUMER PRICE INDEXES

AIRPORT ECONOMIC IMPACT REPORT STRONG

NO MORE FREE RIDES FOR SPECIAL DISTRICTS IF THEIR FINANCES ARE INSUFFICIENT

PLANNING COMMISSION BUSY:

**A NEW SUBDIVISION WHICH STAFF FIRST RECOMMENDED AND NOW
CHANGED THEIR MINDS AFTER INTERVENERS SQUAWKED**

EXPANSION & MORE SERVICES AT SEA PINES GOLF RESORT IN LOS OSOS

**REVISED WOODLANDS AT MONARCH DUNES SPECIFIC PLAN CONFIRMS
MARKET PREFERS SINGLE FAMILY FREESTANDING HOMES**

**TWO MORE MARIJUANA OPERATIONS INCLUDING ONE USING FISH
WASTE TO PROPAGATE MICROBES AND WORMS TO BE USED AS
MARIJUANA FERTILIZER**

TIME EXTENSION REQUESTS FOR PREVIOUSLY APPROVED SUBDIVISIONS

LAST WEEK

NO BOS MEETING

SPECIAL SLOCOG BOARD MEETING

**WEDNESDAY, MAY 1, 2019 TO CONSIDER LITIGATION THREAT
IS THE FPPC AFTER THEM OR SOMEONE ELSE?
AFTER CLOSED SESSION, THEY REPORTED NO ACTION**

SLO COLAB IN DEPTH

SEE PAGE 20

THE REGULATORY ZEALOT BEHIND CALIFORNIA'S SURGING GASOLINE PRICES

MARY QUEEN OF CARB IS A LAWYER, NOT A SCIENTIST

BY LLOYD BILLINGSLEY

THIS WEEK'S HIGHLIGHTS

Board of Supervisors Meeting of Tuesday, May 7, 2019 (Scheduled)

Item 14 - Sierra Club Forces Extinguishment of 12 Residential Lots. In a truly sickening turn of events the owner is being forced to request that the Board rescind approval of 12 historic residential lots. Instead, the Board majority should rescind its decision to require the property owner to fund the costs of any legal challenges to County's original approval. In the name of private property, fairness, and justice the Board should defend its approval all the way to the US Supreme Court if necessary. The Board should hire expert outside land use counsel to defend its original decision. The Sierra Club would probably hire recently retired former Senior Deputy County Counsel Timothy McNulty to manage its case. After all he opposed the certification of the lots at every juncture.

Is the Sierra Club now a shadow County Board of Supervisors on land use matters? The Sierra Club can bring a lawsuit against any County approval they don't like. If the Board of Supervisors requires that applicants indemnify the County against legal costs for defending land use decisions, the Sierra Club can attack almost anything anytime.

If the County Board is not willing to defend its decisions, and can arbitrarily and selectively pick which applicants must contract to pay legal costs, is it not surrendering a huge portion of its authority to outside interveners?

What Happened: The Board of Supervisors had approved the 12 lots last year 3/2, with Gibson and Hill angrily dissenting. The owner is now requesting that the Board reverse its action and decertify the lots.

The Planning staff, Planning Commission, and County Counsel all opposed the approval. When the Board majority was about to vote for that approval, Gibson had the Board insert a requirement into the approval language that the owner applicant would have to indemnify the County for the costs of any legal action.

It is not known what those costs could be, but the case would likely be appealed, and over several years the costs could be in the hundreds of thousands, particularly when they are covering the direct, indirect, and overhead of County employee attorneys.

Gibson and Hill maintain that imposing such barriers and costs is not a taking (effective government expropriation of the property), since the owner could go through the subdivision process. In actuality, the costs, time, and uncertainty constitute a taking of existing mapped lots and/or a significant portion of their value. It's a roll of the dice. An applicant can go through the process, spend hundreds of thousands of dollars, and still be turned down.

The Sierra Club immediately sued the County to overturn the approval on the grounds that other property owners, with lots approved in the 19th and early 20th centuries, would come forward for confirmations. The Club apparently expected that this would have a negative impact on the environment. The Sierra Club, County Planning staff, and County Counsel all assert that the lot owners should go through the full subdivision application process under today's standards.

An Important Property Rights Appeal Case: The issue was and is an important property rights appeal case involving antiquated subdivisions (lots created in the 19th and early 20th centuries before the adoption of the State Subdivision Map Act). The Planning Commission had previously denied the recognition (confirmation) of 12 lots, which had been laid out in 1905. Two had actually been recognized by the County in recent years. In fact the lots appear on both County land maps and Assessor's parcel maps. When the owner came in to request that the remaining lots be recognized, the Planning Commission denied them. The matter was then appealed to the Board of Supervisors.

A Processing Ploy to Sabotage the Approval – The Findings Trickery: During the July meeting Hill and Gibson, with the assistance of County Counsel, thwarted the Board majority from approving the appeal (recognizing the lots) by means of what we now know as the findings trickery.

Over the past months, and when the Board majority wanted to approve something, Gibson with Hill joining in, would make a big deal about the lack of findings to justify approval of someone's lot, vacation rental, permit, or whatever. The Planning staff mostly provides findings for denial and rarely for approval. When the staff opposes a project, they only provide the findings for denial and often leave the Board majority (which is more likely to seek ways to approve a project) on its own to struggle. It should be noted that even in "No Growth by God and Mother Nature Santa Barbara County," the staff always provides findings both ways – for approval and for denial: Damned if you do and Damned if you Don't. This time and based on frequent chastising diatribes by Hill and Gibson in the past on the findings ploy, Compton showed up with findings for approval.

Guess What? Gibson accused her of being unscrupulous because he falsely reasoned that she would have had to make up her mind before the hearing. Then he went so far as to accuse her of being improperly influenced by one of the applicants, who is alleged to have given her a campaign contribution. Compton did a nice job of reminding everyone about property rights. County Counsel aided and abetted Hill and Gibson, stating that she hadn't seen Compton's findings in advance and that she could prepare better findings.

This forced the matter to come back for a final vote in October to give County Counsel time to prepare a staff version of recommended approval findings.

County Counsel finally provided a resolution for approval of the appeal. It is quite convoluted and cites all the reasons the County previously cited for denying the lots and then provides a rationale for approving them. Moreover the same resolution required that the owner fully indemnify the County for the costs of any defense of a lawsuit brought by someone challenging the approval.

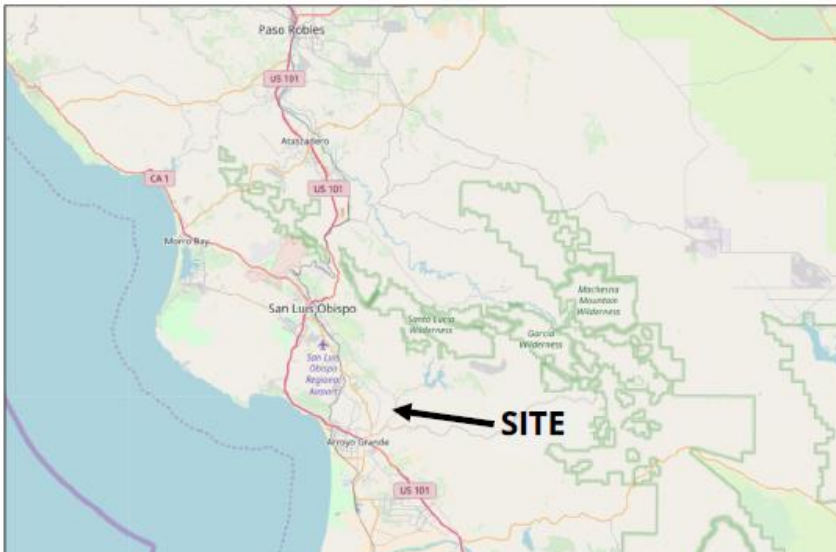
Hill, Gibson, and Staff Wanted to Defeat the Recognition of this Subdivision No Matter What:

As we have seen lately in all too many forums, elections mean nothing to the environmental socialists and their deep state minions, at any level. They are after your property, your independence, and your liberty. In this case they seek to vitiate any decision by the elected 3-member Board of Supervisors majority and to defeat this property right no matter what. In effect they want to vitiate your votes.

If this is not true, why didn't they vote to protect the owner's property rights and be willing to share in the costs of defending them as a matter of public interest?

In any case and as noted above, the matter was back on the agenda after being continued from June 19, and July 17, 2018. The applicant was seeking confirmation that 12 lots at 2025 Lopez Drive, east of Arroyo Grande are legal lots. The process is designed to provide certificates of conformance, which serve as valid proof of the legality of the lots original establishment. This is often necessary for lots which were approved before the passage of the State's Land Use Map Act.

The lots were created in 1905. The staff denied the certificates on the grounds that they were created before adoption of the Map Act in 1907, and therefore don't comply. They cite much case law and other precedents to support their position. Their problem is that the Map Act grandfathered lots which were created by any means, mapped and filed with the County prior to 1907, and therefore these are legal.



Staff told the Board that the applicant should be required to file a subdivision application and go through the whole lengthy and costly process de novo.

The fact that new laws and standards have piled up in the meantime shouldn't mean that the government can simply cancel your property rights.

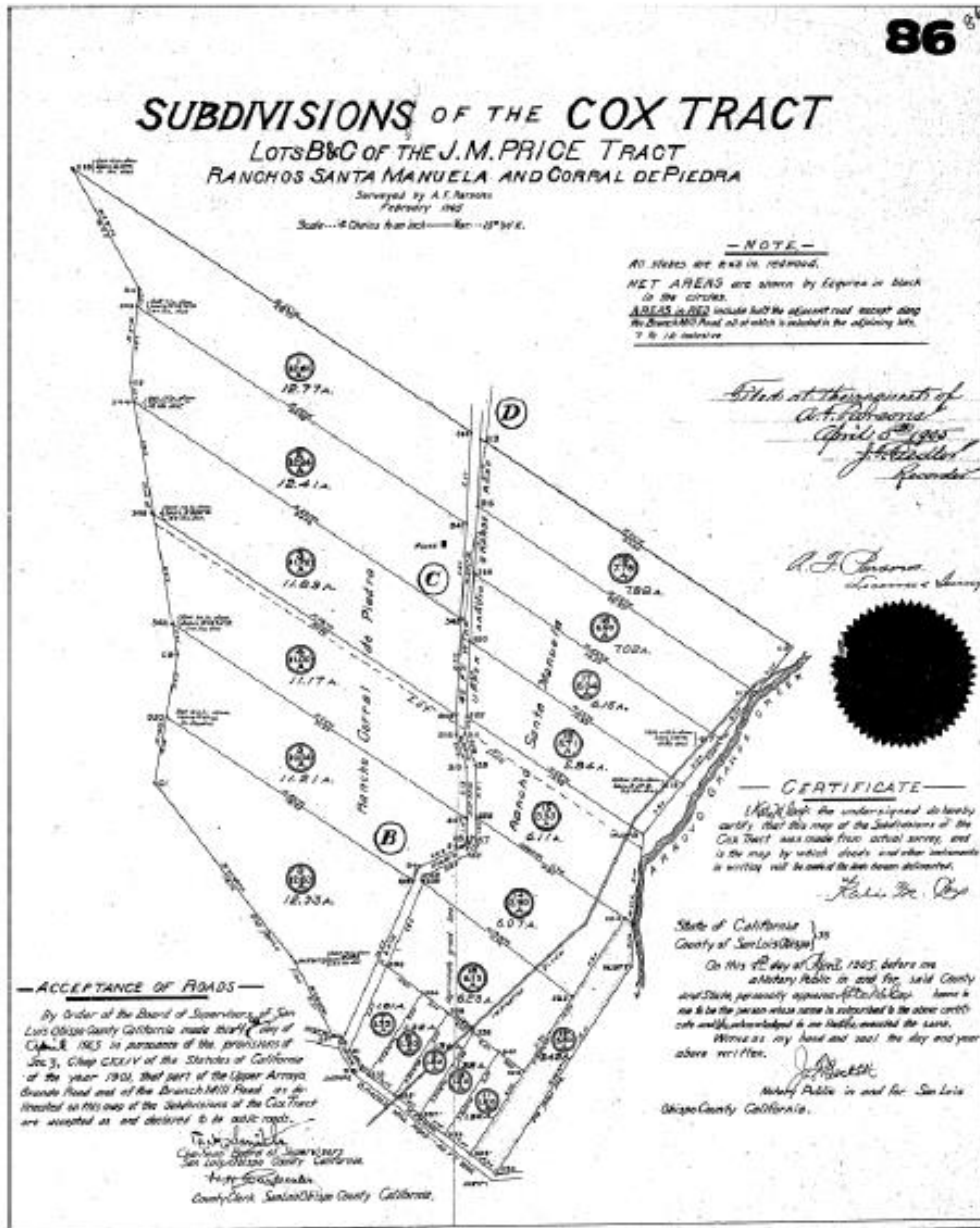
MOB RULE, PLAYING POLITICS, AND INCONSISTENCY: Staff in other Board items recommend approval, including Planning Commission Item 8, scheduled for this Thursday on page 15 below. In recommending approval to the Planning Commission staff bases its legality as follows:

LEGAL LOT STATUS:

The three lots were legally created by a recorded map or deed at a time when that was a legal method of creating lots.

As in Planning Commission Item 8, the 12 lots in this case also "were created by a recorded map or deed at a time when that was a legal method of creating lots". Per the official recorded 1901 map below, this is exactly how the lots were created.

Map of the Subdivisions of the Cox Tract
 Book 1, Record of Surveys, Page 86



One of the points in favor of the applicant was that the County’s automated land use permitting record system delineated these as legal lots. The staff’s lame excuse for not accepting this record now is: *This was prior to the tracking system being updated to reflect more recent case law. The tracking system has since been updated and shows that the parcel legality for the subject lots is “U” for undefined. Moreover, a designation in the County’s permit tracking system is not a means to officially determine*

parcel legality. So basically we can do anything we want and make up the rules as we go along to suit our own ideology.

The local Sierra Club Newsletter crows about its victory and power. They can spread their costs over thousands of members. The poor landowner, in this case, has to bear the costs on his or her own. Do we have the rule of law, or is it the rule of any mob that doesn't like something?



DAVID BROWER RADICALIZED THE SIERRA CLUB AND BUILT ITS MEMBERSHIP TO 5 MILLION – NOW YOU'RE GREAT GRANDMOTHER'S LOTS ARE ILLEGAL!

Next they will repudiate the Treaty of Guadalupe Hidalgo and advocate of return California to Mexico. They will assert incorrectly that the lower standard (poverty) of living is certainly better for the environment.



WHAT THEY REALLY WANT!

What do we want in a **Green New Deal?**

For anyone who wants to learn more. Or bring your ideas for programs and policies. Participate in a panel discussion and Q&A. Help shape the bills being drafted in Congress and make it happen locally.

Featuring:
Carbon Free SLO
Indivisible
PRHS Progressives
Climate Reality

The diagram consists of three overlapping circles. The top-left circle is labeled 'Climate', the top-right circle is labeled 'Jobs', and the bottom circle is labeled 'Equity'. The central area where all three circles overlap is labeled 'Green New Deal'.

Item 21 - Submittal of a Resolution Updating the County's Assessment District and Fee Setting Consumer Price Index (CPI) Formula. This item is contradictory and confusing. It also appears to use the highest cost region in the nation (San Francisco Bay Area) as the main comparator. Why should your water rates, street light rates, or County salary increases be based on wage inflation in high-tech and corporate headquarters-dominated San Francisco, UC Berkeley, the Lawrence Radiation Laboratory, Lawrence Livermore Laboratory, and the East Bay's high end Bio-Tech and pharmaceutical plants – not to mention the housing prices? It should be withdrawn and reworked – or better yet abandoned.

Many of the County's special assessment district taxes, as well some fees and service charges, are indexed to increase based on inflation of the CPI. The County also works some of these factors into its

analysis of “prevailing wages” for labor negotiation purposes. In the past these were indexed to 2 Federal Bureau of Labor Statistics (BLM) economic regions as displayed in the table below:

Two Discontinued Regions	Three Newly Reorganized Regions
San Francisco/Oakland/San Jose	San Francisco/Oakland/Hayward
Los Angeles/Riverside/Orange County	Los Angeles/Long Beach/Anaheim Riverside/San Bernardino/Ontario

The BLM has reconfigured the regions as displayed in the table. This in turn requires the County to reconfigure its Resolution adopting the regions as the comparators.

The Board letter states that it will weight the new indexes as stated in the quote below:

Updated CPI Formula

Since the Original CPI Formula used indexes that have been discontinued, and Riverside included in the same index as Los Angeles, an updated formula that weights the newly created indexes is needed to maintain the original intent of Prior Board Actions and for use in future Board Actions. The proposed replication of the annual CPI adjustment formula proposes to use the change from the prior year to the current year's average of the percentage increases in:

1. The CPI index for San Francisco/Oakland/Hayward (weighted at 100%); and
2. The CPI index for Los Angeles/Long Beach/Anaheim (weighted at 66.7%); and
3. The CPI index for Riverside/San Bernardino/Ontario (weighted at 33.3%).

Huh?

Something is screwy with the math logic here. The percentages add up to 200%. This doesn't make math sense and it certainly doesn't make policy sense (Giving San Francisco/Oakland the highest weight).

The actual implementing Resolution states in part:

WHEREAS, in order to best replicate the discontinued Los Angeles/Riverside/Orange County region index (hereafter the “LA/Orange Region”), that index will be replaced with the weighted average of the Los Angeles/Long Beach/Anaheim region index (hereafter the “LA/Anaheim Region”), and the Riverside/San Bernardino/Ontario region index (hereafter the “Riverside/Ontario Region”), with the LA/Anaheim Region receiving a weight of 66.7%, and the Riverside/Ontario Region receiving a weight of 33.3% (with said weighted average being hereafter referred to as the “Southern California Weighted Index”); and

Then it inexplicably and contradicts the clause above:

WHEREAS, since the Original CPI Formula used the average of the percentage increase in the CPI indexes for the now discontinued SF/SJ Region and LA/Orange Region, the best replication of this formula is to use the average of the percentage increase in the CPI index for the new SF/Hayward Region Index and the Southern California Weighted Index; and

Then it adds further confusion in the next clause:

WHEREAS, this updated CPI formula based on the average of the percentage increase in the CPI index for the new SF/Hayward Region Index and the Southern California Weighted Index shall hereafter be referred to as the “Updated CPI Formula”; and

Just what is the formula? Someone should go to the proverbial blackboard and show the arithmetic. In the meantime, junk the whole item and its underlying policy assumptions. The rates should be based on increases in costs in the geographic area from Vandenberg to the SLO/Monterey County line.

Perhaps the EVC, Auditor Controller, or some economic institute at Cal Poly could come up with a realistic and fair formula.

Item 31 - Presentation from Volaire Aviation Consulting, on the Economic Impact San Luis Obispo County Regional Airport has on the Region. This is a good news economic development presentation.

Key findings of this study include:

- The Airport's aviation activities are responsible for an estimated 871.5 local Full-Time Equivalents (FTE's) by direct, indirect or induced effect.
- These 871.5 FTEs have an estimated \$40.95 million dollars in annual labor income and generate an estimated \$85.3 million dollars in annual local economic output.
- Approximately 92% of the annual output is the result of SBP airline service.
- If SBP was considered a single employer, it would be the 15th largest in the county.
- The two possible new air service routes to Portland, OR or San Diego, CA, would create 21.0 new on-airport FTE jobs and 26.4 new FTE jobs overall. These visitors would create an estimated \$10.05 million in annual local economic output.

Item 31 - Request to 1) receive and file an update from the Ad Hoc Fire Committee evaluating fire protection service by special districts in unincorporated areas of San Luis Obispo County; 2) adopt a policy regarding the funding of independent special districts; 3) approve the approach to development of any “plan for services”; and 4) approve and direct the Administrative Office to send out the attached letter requesting service level data from special districts providing fire protection; and 5) and provide direction to staff to as necessary. The item represents continuing

good policy work by the entire Board of Supervisors relative to the financial fragility of independent fire districts and potentially other special districts.

As a result of the dissolution of the Cayucos Fire District last year the County had a consultant conduct an examination of the financial stats of other districts and how they could provide different levels of response based on the different levels of financing. The excellent study indicated that some districts were at risk in the near term and some would become at risk within 5 years.

Immediate financial shortfalls in the Templeton Community Service District (related specifically to fire services) and the Five Cities Fire Authority spurred the Board to create an ad hoc subcommittee consisting of Supervisors Gibson and Peschong to examine the policy ramifications to the County and to make recommendations back to the full Board.

As a result the Committee is recommending that the Board of Supervisors

1. Funding for Independent Special Districts

Independent and Dependent Special Districts

State law defines a special district as "any agency of the state for the local performance of governmental or proprietary functions within limited boundaries" (Government Code §16271[d]). In plain language, a special district is a separate local government structure that delivers public services to a particular area. Special districts are often formed to deliver services the community needs or desires above and beyond current service levels. Special districts localize the costs and benefits of public services and allow local citizens to obtain the services they want.

Independent special districts are autonomous government agencies with locally elected boards of directors. They are fully independent in governance, the provision of services, and funding -- neither governed nor financed by county government. Independent special districts operate under Principal Acts, which are the state laws that govern a particular district, like a Community Services District or a Fire Protection District.

The key recommendation included in this section is designed to protect the overall County budget and serve notice on the districts (of all kinds – not just fire districts) that they should not expect the County to bail them out or take over their services if they are unable or unwilling to finance themselves:

The Board of Supervisors are stewards of the public trust and have financial fiduciary responsibility and as such it is good financial management practice for the Board of Supervisors to retain governance over General Fund monies. The Ad Hoc Fire Committee is recommending that the Board adopt the following policy regarding the funding of independent special districts:

Funding for Independent Special Districts: *As independent special districts are autonomous government agencies fully independent of the County in governance, the provision of services, and funding, the County shall not subsidize an independent special district with County General Fund monies nor should any property tax exchange result in a net fiscal loss to the County.*

The County assumption of the functions of the dissolved Cayucos Fire District added about a million dollars per year to the County budget. How folks in Templeton or Grover Beach will react to this new proposed budget principle, given this circumstance, is not known. The Cayucos and their Supervisor, Bruce Gibson, had their fire services picked up

In any case, recommendation 2 seems to provide a loophole to policy 1 above:

2. Organizational Change of Fire Service Delivery Provider

If a special district decides it is unable to continue providing fire service to its community, it can apply for an organizational change to transfer that responsibility to a “successor agency.” In the unincorporated county, the successor agency is usually expected to be the County. While as noted above, the County has no legal obligation to take over fire service, the Board has indicated that the protection of public safety is its highest priority and thus would engage discussions on this matter.

3. Special Fire Districts – Emergency Response Capacity

Status of Fire Protection Service

The purpose of the Special Districts Fire Protection Study, which was presented to the Board in January, was to determine the future operational and financial sustainability of the districts and did not go in to depth regarding the current service levels of each district. While the report included a status of fire protection services in terms of staffing and funding levels, it did include a review of current service level such as call response rates. What has been communicated to the County as part of the Special Districts Fire Protection Study is that all five study districts report that they do not have adequate funding to provide the baseline fire protection services they believe should exist in their communities today. A more in-depth and up-to-date analysis of actual services would be helpful to decision-makers and the public.

4. Inclusion of a Fiscal Analysis in the County Fire Protection Strategic Plan

Fire Protection Strategic Plan Update

In 2012, the County Fire Department developed a Service Level Analysis for the CAL FIRE/San Luis Obispo County Fire Department – Consolidated Fire Protection Strategic Plan as directed by the Board of Supervisors. The purpose of this plan was to serve as a guide for the Board of Supervisors and other partners in the CAL FIRE/San Luis Obispo County Fire consolidated fire protection program. Based on a comprehensive service level analysis of the County Fire Department, the document recommends levels of service for fire protection, makes an assessment of the delivery system and forecasts necessary changes to fire protection services. A goal of the plan was to provide a tool for making cost-effective decisions regarding changes in service levels. To achieve that goal, the plan describes and presented data regarding fire protection in the county by using community demographics, service level targets, staffing models, and governance and funding options. As previously reported to the Board, the County Fire Department is currently in the process of updating the 2012 Fire Protection Strategic Plan and Service Level Analysis through an outside consultant, retired County Fire Chief Dan Turner.

Fire Districts as a Canary in the Coal Mine: California’s unsustainable model of financing State and local governments, school districts, universities, special districts, health care, and other services is being eroded by escalation of pension costs and relentless employee salary increase. More and more governments will reach the fiscal braking point in the coming years.

Continuous raising of taxes and inventing new taxes, not to mention the push to abolish Proposition 13 tax protections, will savage small businesses, family farms and ranches, middle class homeowners, and those who aspire to be homeowners. In turn, and as people and businesses are driven out or flee, it will be even more difficult to raise revenues. Many special districts and some of the more fragile cities and school districts will require outside assistance or massive tax increases. For example and currently, the LA School District (the 2nd largest in the nation) negotiated 6% compounding salary increases even

though the board and management knew it did not have the money. Now they have proposed a huge tax increase on a special the ballot in June. If this fails, the State will have to bail the district out – a bail out for which we would all pay. The cascading implications of this inevitable collapse are staggering.

Oh well, let's ban plastic straws, build more mass transit and trains to nowhere, allow more millions of poverty stricken immigrants to move in, ban oil wells, and abolish all lots established prior to whatever date that would result in the most damage.



Planning Commission Meeting of Thursday, May 9, 2019 (Scheduled)

In General: This is a busy meeting agenda containing requests for approval extensions on previously approved subdivisions, a proposed new subdivision, an amendment to the Woodlands Specific Plan, expansion and intensification of uses at the Sea Pines Golf Resort in Los Osos, and two large cannabis proposals.

Item 7 - Hearing to consider a request by MJG Property Holding Partners, LLC (SUB2014-00023), to approve the following: 1. A Vesting Tentative Tract Map (Tract 3027) to subdivide an existing 37.67-acre parcel into seven parcels ranging in size from 2.5 to 14.25 acres each for the purpose of sale and/or development; and 2. A Conditional Use Permit to allow expansion of the existing Sweet Springs Mobile Home Park from 14 units to 26 units including a density bonus for affordable housing increasing the allowable number of units from 19 to 26 based on State density bonus law. The proposed project is within the Residential Suburban land use category and is located at 311 Sweet Springs Lane, north east of Hondonada Road, approximately three miles

east of the City of Arroyo Grande. Staff has requested continuance of the item because it has received an official request by a number of citizens for reconsideration of the environmental review, which determined that the project would have no significant impact. (Negative CEQA Declaration).

The staff has very suddenly (April 12, 2019) developed a long list of issues which it now asserts must be studied. If this is the case, why did they recommend approval in the first place and schedule it on the Planning Commission Agenda?

Item 8 - Hearing to consider a request by Sea Pines Golf Resort/BSR, A General Partnership for a Development Plan/Coastal Development Permit (DRC2011-00105) to allow a three phased expansion of the existing resort complex. Phase 1 will include a new 128-square-foot unisex bathroom/concession building (at tee #6) and a 580-square-foot addition to an existing maintenance building. Phase 2 will include conversion of three lodge units in an existing lodging building to spa treatment rooms and construction of a 3,325-square-foot single-family residence with a 1020-square-foot attached garage, a 936-square-foot patio area and a 936-square-foot deck. Phase 3 will include a new 6,734-square-foot lodging building (7 units), construction of an 8-space Recreational Vehicle area and associated improvements (screening, utilities, parking spaces), a 478-square-foot porte cochere addition to an existing lodging building, expansion of the existing 2,650-square-foot restaurant with enclosure of the existing 1,110-square-foot outdoor dining area (resulting in a 3,760-square-foot restaurant), and a 400-square-foot office addition. Phase 3 also includes an access road, expansion of the existing drainage basin, and additional parking. The project will result in the disturbance of approximately 15,000 square feet of a 34-acre site comprised of three legal parcels. The staff report rambles on for several pages about how the project meets various County zoning and environmental standards.

Significantly, it ends with the statement:

LEGAL LOT STATUS:

The three lots were legally created by a recorded map or deed at a time when that was a legal method of creating lots.

See Board of Supervisors **Item 14** above for its significance beyond this specific item.

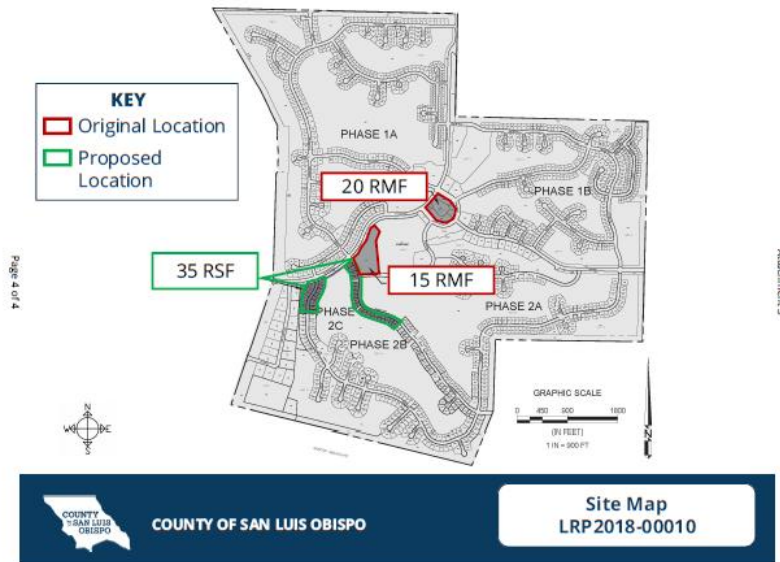
Item 9 - Revised Woodlands (Now Woodlands Monarch Dunes Village) Specific Plan. This one does not appear to be earth shaking. It will provide housing for more people to complain about dunes dust. Sand and dust go with dunes. The write-up states in part:

PROJECT DESCRIPTION

The project is a request for amendments to the Woodlands Specific Plan to re-designate 35 residential multi-family units to 35 residential single-family units and allow for the relocation of the units from the village center and multi-family site to new single-family lots to be created within the newly proposed Phase 2C area of the village (a portion of existing Phase 2B). The total residential units will not increase with this amendment but remain at 1,320 units within the overall Specific Plan area, as shown in Table 1.

Table 1: Woodlands Village Residential Units

Unit Type	Existing Plan Approved Units	Proposed Units	Total Units
Residential Single Family	1,220	Increase by 35	1,255
Residential Multi-Family	100	Reduce by 35	65
Total	1,320		1,320



Reportedly, attached units that were originally planned are not selling so well. People prefer a single family freestanding home with a front yard, back yard, 2 side yards, and privacy. Many of today’s upper end retirees revel in hearing Eric Clapton, Blue Cheer, Paul Butterfield, and the rest of the classics up loud while they smoke a fat one. It’s what got them through Law School, Mechanical Engineering, or whatever back in the day. Thin townhouse walls don’t work.



Comments on the project do not seem negative. However, someone did inquire about the materials and design of interior stair handrails.

Item 10 - A continued hearing from April 25, 2019 to consider a request by Pamela Burgett for a Conditional Use Permit (DRC2018-00020) to establish up to 2,375 square feet of indoor commercial cannabis cultivation for a total project area of 2.2 acres on an approximately 40.4-acre property. Ancillary uses include maintaining a supportive nursery and processing activities such as drying, curing and trimming. The project includes construction of a single-story 2,500-square-foot building, use of two existing greenhouses totaling 1,249-square feet, and use of an existing 1,267-square-foot grow house to support cannabis cultivation and ancillary activities. The project also includes the use of three existing 320-square foot storage containers and two new 320-square-foot storage containers for equipment storage and drying. The project site is located at 8155 Carissa Highway, approximately 38 miles east of the community of Santa Margarita in the Carrizo Planning Area.

Table 1 – Project Components

Project Component	Mature Canopy Area (SF)	Building Area (SF)
(E) Greenhouse 1	466	478
(E) Greenhouse 2	771	771
(E) Seatrain 1	n/a	320
(E) Seatrain 2	n/a	320
(E) Seatrain 3	n/a	320
(E) Grow House		
Mature/Flowering	138	1,267
Vegetative (194 sq ft)	n/a	
Subtotal for Existing Structures	1,375	3,476
(N) Proposed Building	1,000	2,500
(N) Drying Room (Seatrain)	N/A	320
(N) Supply Room (Seatrain)	N/A	320
Subtotal for New Development	1,000	3,140
Total:	2,375	6,616

E= Existing
N = New/Proposed

SHIPPING CONTAINERS? Not exactly your beautiful rural view enhancers. SLO County becomes Quartzite, Az.

Item 11 - Hearing to consider a request by Doug Mondo – True Farma Inc. for a Conditional Use Permit (DRC2017-00106) to establish three one-acre outdoor cannabis cultivation areas, construction of seven 2,880-square-foot greenhouses to be used for indoor mixed-light cannabis cultivation, and construction of eight 2,880-square-foot greenhouses for supporting nursery. The project also includes the use of an existing 3,200-square-foot building for manufacturing, and a non-storefront dispensary. Ancillary uses include maintaining the supporting nursery and processing activities such as drying, curing, and trimming. Additional site improvements include development of an 80,000-square-foot ground-mounted solar array, installation of a new septic system, improvements to existing access roads, and the removal of 42 almond trees. The project would result in approximately 15.4 acres of site disturbance on an approximately 82.24-acre property. A modification from the parking standards set forth in Section 22.18.050.C.1 of the County’s Land Use Ordinance is requested to reduce the required number of parking spaces onsite from 257 to 33. The project site is located within the Agriculture land use category located at 3260 Nacimiento Lake Drive, approximately three miles west of the City of Paso Robles in the Adelaida Sub Area of the North County Planning Area.

Table 1. Project Components

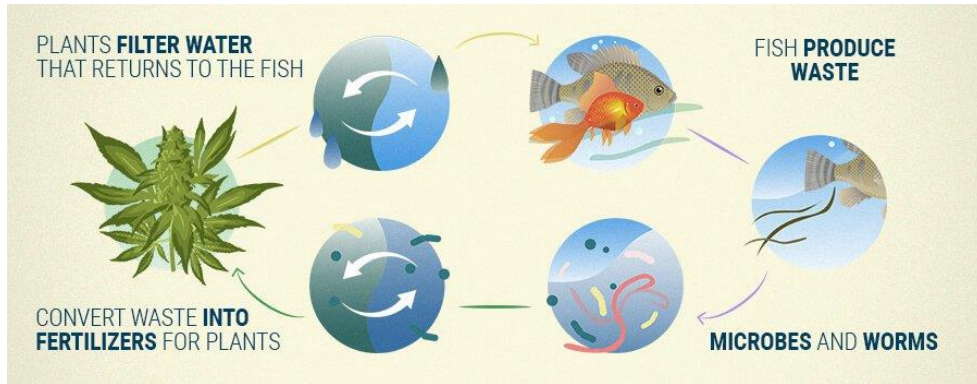
Project Component	Quantity	Total Area
Indoor Mixed-light Cultivation		
Indoor mixed-light cultivation greenhouses	7	20,160 sf of canopy
Maintenance Building	1	986 sf
Parking	4	
Outdoor Cultivation		
Outdoor cultivation (47,925 sf of existing)	3 (1-acre)	130,500 sf of canopy
Curing and Drying Buildings	9	8,874 sf
Maintenance Building	1	986 sf
Common Area Building	1	986 sf
Parking	19	

Project Component	Quantity	Total Area
Nursery		
Greenhouses	8	23,040 sf
Fish House	1	5,000 sf
Maintenance Building	1	986 sf
Parking	10	
Manufacturing (Existing Building)		
Non-volatile Manufacturing	1	2,050 sf
Production area	1	554 sf
Non-Storefront Dispensary	1	536 sf
Total Site Development		
Indoor mixed-light cannabis cultivation		20,160 sf of canopy
Outdoor cannabis cultivation		130,500 sf of canopy
Building areas		40,858 sf
Solar Array		80,000 sf
Parking		33 spaces
Tree removal		42 trees
Total Area of Disturbance		15.4 acres

Yep, you read it right.

THE ROOTS OF MODERN AQUAPONICS

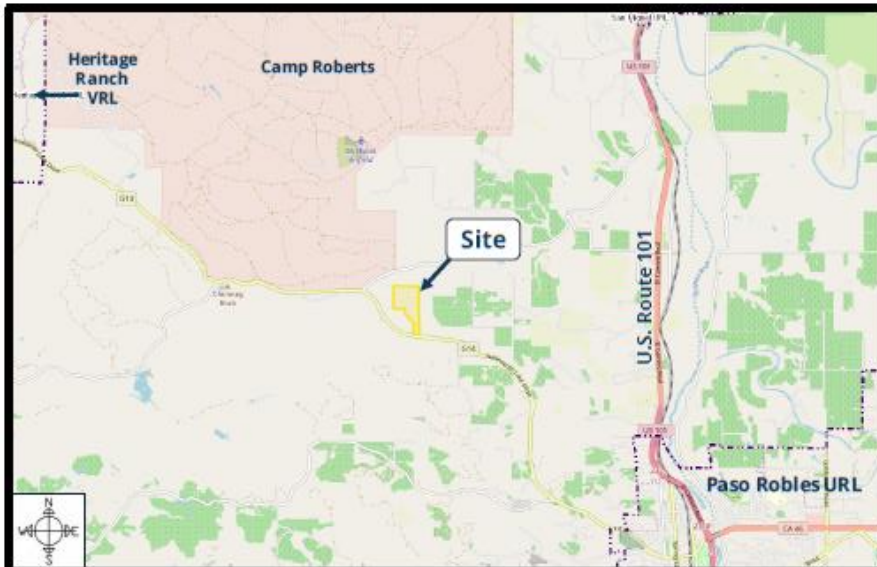
The credit for developing an effective flood and drain system using gravel vegetable garden beds and effluent from Tilapia fish must go to Missouri farmers Tom and Paula Speraneo. The Speraneo's refined and improved earlier aquaponic greenhouse systems during the early 1990's and changed organic farming forever. Their super-efficient system favoring high plant rather than high fish yield became the model for commercial agricultural aquaponics.



Credit: Royal Seeds Collection.

It probably won't replace Diablo, but what the hey?

Attachment 3



LAST WEEK'S HIGHLIGHTS

No Board of Supervisors Meeting was Scheduled for Tuesday, April 30, 2019 (5th Tuesday – Not Scheduled)

Special San Luis Obispo County Council of Governments (SLOCOG) Meeting of Wednesday, May 1, 2019 (Completed)

A-1 CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: One.

The Board went into closed session. When it was over the County Counsel reported that the Board met and took no reportable action.

There was no explanation of the threatened litigation in the write-up. It is possible that the State Fair Political Practices Commission (FPPC) has proposed some sort of action related to SLOCOG's massive and illegal promotion of a Yes vote on the Measure J Transportation Sales Tax proposal in 2016. Could businesses that use State Route 172 be suing in opposition to the recently approved "roundabouts," which interfere with trucks and slow everyone down? On the other hand it could be something else which is unknown at this point.

Separately and with a little irony, Andrea Seastrand, representing the Central Coast Taxpayers Association, encouraged the SLOCOG Board to support AB 1306, which would provide the Fair Political Practices Commission (FPPC) with more power to enforce sanctions. As noted above the Board is under investigation by the FPPC.

Also Randal Jordan, who is the President of the SLO County Republican Party, asked the Board to support AB 1306.

There was no response to either.

COLAB IN DEPTH

IN FIGHTING THE TROUBLESOME, LOCAL DAY-TO-DAY ASSAULTS ON OUR FREEDOM AND PROPERTY, IT IS ALSO IMPORTANT TO KEEP IN MIND THE LARGER UNDERLYING IDEOLOGICAL, POLITICAL, AND ECONOMIC CAUSES AND FORCES

THE REGULATORY ZEALOT BEHIND CALIFORNIA'S SURGING GASOLINE PRICES

MARY QUEEN OF CARB IS A LAWYER, NOT A SCIENTIST

BY LLOYD BILLINGSLEY

Since Gov. Gavin Newsom returned from his 3,000-mile trip to visit constituents in El Salvador, gasoline prices have risen above \$4.00 a gallon, by some accounts a full \$1.18 more than the national

average. The governor suspects “inappropriate industry practices,” and Attorney General Xavier Becerra wants an investigation of an “unexplained gasoline surcharge” that Assemblyman [Mark Levine denounces](#) as “a punitive, abusive practice that Californians are paying.”

These officials ignore the reality that, as [Christian Britschgi noted in Reason](#), “state government policies are a huge component of the final price everyone is paying at the pump.” Embattled Californians should be taking a hard look at those policies and the unelected regulatory zealots who support them. Consider, for example, California Air Resources Board boss Mary Nichols.

At a Reason conference way back in 1990, Nichols touted gasoline prices of \$5 a gallon as a good thing, with no apparent concern for the millions of workers who must drive to their jobs. The CARB boss is doubtless delighted as gasoline prices approach that mark.

Mary Nichols is a [lawyer, not a scientist](#), and has never seen a regulation she didn’t like. She left CARB in 1983 and ran Tom Bradley’s gubernatorial campaign in 1986. Bradley lost and Nichols became director of Norman Lear’s People for the American Way and founded the Los Angeles office of the Natural Resources Defense Council, where she served as senior attorney. During the Clinton administration, Nichols worked for the federal Environmental Protection Agency as Assistant Administrator of Air and Radiation, followed by a stint with the Environment Now Foundation.

Nichols returned to CARB in 2007 at the request of Republican Gov. Arnold Schwarzenegger, and Nichols championed AB 32, the “[Global Warming Solutions Act](#),” with a host of new regulations and restrictions. Gov. Jerry Brown reappointed Nichols in 2011, and on her watch CARB operates with a budget of [more than \\$860 million](#). Gov. Newsom, for his part, might look in the mirror if he truly finds high gas prices disturbing.

“As lieutenant governor,” Christian Britschgi recalled, “Gavin Newsom supported a 2017 bill increasing the state’s gas taxes. When running for governor in 2018, he opposed a ballot initiative that would have repealed that same increase.” In addition, “California imposes the second-highest gas taxes in the country. A state excise tax currently adds \$.417 per gallon, a rate that will increase to \$.473 come July. On top of that, the state imposes a 2.22 percent gasoline sales tax.”

And for good measure, “California has adopted a low-carbon fuel standard and a cap-and-trade scheme for carbon emissions which together increase the state’s gas prices by \$.24 per gallon above the national average.” Britschgi concludes that “absent these policies, the state’s gas prices would be lower,” but there’s more to it.

In the [Mateca Bulletin](#), Dennis Wyatt cites the state’s more costly gasoline blend as “a driving force behind our high gas prices.” For decades, the state has allowed no new refineries to be built, and as the [state energy department explains](#), “from 1985 to 1995, 10 California refineries closed, resulting in a 20 percent reduction in refining capacity.” That affects supply, and “the cost of complying with environmental regulations” obviously affects price.

On the other hand, promoters of environmental regulations do not *find* petroleum and refine it into gasoline. The much-maligned “oil companies” do that. Bureaucratic regulations make the product much more expensive than it needs to be, with little if any regard for the workers who must drive to their jobs.

California workers should understand that Gov. Newsom backs all the regulations that make gasoline cost \$4.00 a gallon and beyond. California workers should also understand that regulatory zealot Mary Nichols wants them to pay even more, and unlike the governor, the queen of CARB never has to face the voters.

Lloyd Billingsley has written for the Wall Street Journal, Los Angeles Times, and others. He covered the Marsh trial for City Journal and His most recent crime book is Lethal Injections: Elizabeth Tracy Mae Wettlaufer, Canada’s Serial Killer Nurse. His new book about the 2013 Davis murders, "A Shut and Open Case" is now available at Amazon. Lloyd is a policy fellow with the Independent Institute and a columnist for the Daily Caller.

ANNOUNCEMENTS



Disastrous anti-oil bill!!!

Assembly Bill 345, which is working its way through the CA State legislature, proposes to shut down the oil and gas industry in this state based upon the junk science supposition that oil and gas

operations pose a health risk to neighboring properties. The bill is part of the effort to “keep oil in the ground” at all costs to our society, and believe me, the cost to keep oil in the ground is tremendous.

Oil and gas operations are an essential component of our energy supply, a mainstay of our economy, a cornerstone of the tax base, and the value of the same is protected by our constitution. That is, oil and gas deposits are privately owned minerals, which can’t be taken away, without just compensation.

I have never quite understood the religious fervor with which extreme environmentalists have attacked the use of natural products including oil, gas, and coal. These products enabled the onset of the industrial revolution which lifted mankind out of millennia of poverty and misery. That is, these fuels vastly improved everyone’s quality of life, extended our life span and saved countless lives in a number of ways, including by way of revolutionizing our ability to grow and store food, and protect us from the elements!

Moreover, the push to replace these lifesaving fuels any time soon with renewables is a pipe dream. This is due to the fact that, despite decades of research and tens of billion dollars invested, we still don’t have the technology available to realistically store wind and solar power for use throughout the day and night, as these sources can only produce energy for a few hours a day, in limited locales, if that!

Nevertheless, the California State Legislature continues to try and find a way to shut down our oil and gas industry. This is simply reckless. Oil and gas resources in this state are privately owned and the state can’t take away the value of this property, known as mineral rights, without compensating the owners of the same.

In addition to being a valuable property right, it goes without saying that oil and gas are an essential energy source for our state. What will we do without locally produced oil and gas? Are we going to import 100% of what we need to fuel our vehicles, planes, trains, factories, and homes? We don’t have the infrastructure to do so. How much higher do you want your auto and home fuel bills to go?

The oil and gas industry also represents one of the best paying job sectors in our state. Many of the people employed in this sector of our economy make six figure salaries with only a high school education! Where are they going to find equivalent work?

Finally, the oil and gas sector pays inordinately high taxes. Venoco and Exxon Mobil were the top two tax payers in our county before they were shut down by virtue of the pipeline break three years ago. The county and our local schools are losing millions of dollars in revenue as a result.

It is not too early to contact the Governor’s office and ask him to be waiting for AB345 with his veto pen!

Andy Caldwell
COLAB



**SUPPORT COLAB!
PLEASE COMPLETE THE
MEMBERSHIP/DONATION FORM
ON THE LAST PAGE BELOW**



MIKE BROWN ADVOCATES BEFORE THE BOS



VICTOR DAVIS HANSON ADDRESSES A COLAB FORUM



DAN WALTERS EXPLAINS SACTO MACHINATIONS AT A COLAB FORUM

See the presentation at the link: <https://youtu.be/eEdP4cvf-zA>



AUTHOR & NATIONALLY SYNDICATED COMMENTATOR BEN SHAPIRO APPEARED AT A COLAB ANNUAL DINNER



NATIONAL RADIO AND TV COMMENTATOR HIGH HEWITT AT COLAB DINNER

Coalition of Labor, Agriculture and Business
San Luis Obispo County
"Your Property - Your Taxes - Our Future"
PO Box 13601 - San Luis Obispo, CA 93406 / Phone: 805.548-0340
Email: colabslo@gmail.com / Website: colabslo.org

MEMBERSHIP APPLICATION

MEMBERSHIP OPTIONS:

General Member: \$100 - \$249 \$ _____ Voting Member: \$250 - \$5,000 \$ _____

Sustaining Member: \$5,000 + \$ _____

(Sustaining Membership includes a table of 10 at the Annual Fundraiser Dinner)

General members will receive all COLAB updates and newsletters. Voting privileges are limited to Voting Members and Sustainable Members with one vote per membership.

MEMBER INFORMATION:

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____ Email: _____

How Did You Hear About COLAB?

Radio Internet Public Hearing Friend

COLAB Member(s) / Sponsor(s): _____

NON MEMBER DONATION/CONTRIBUTION OPTION:

For those who choose not to join as a member but would like to support COLAB via a contribution/donation.
I would like to contribute \$ _____ to COLAB and my check or credit card information is enclosed/provided.

Donations/Contributions do not require membership though it is encouraged in order to provide updates and information.
Memberships and donation will be kept confidential if that is your preference.
Confidential Donation/Contribution/Membership

PAYMENT METHOD:

Check Visa MasterCard Discover Amex NOT accepted.

Cardholder Name: _____ Signature: _____

Card Number: _____ Exp Date: ___/___ Billing Zip Code: _____ CVV: _____

TODAY'S DATE: _____

(Revised 2/2017)